

Witness Name: Derek Baker

Statement No. 1

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Exhibits: 553

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UK COVID-19 INQUIRY – MODULE 8

WITNESS STATEMENT OF DEREK BAKER

1. I, Derek Baker, am a retired Permanent Secretary for the Department of Education (DE) in Northern Ireland having retired on 27 November 2020. During the period from 28 November 2020 to 28 February 2021, the post was covered by Lianne Patterson carrying out the required duties and acting as Accounting Officer to comply with regulatory requirements. I was then succeeded by Dr Mark Browne who was in post from 1 March 2021. The Rule 9 request was issued to the Acting Permanent Secretary of DE Ronnie Armour who transferred to DE on 3rd July 2023 and who has been Acting Permanent Secretary since 2nd December 2024. In signing this statement, I have been assured by the Acting Permanent Secretary that he has had access to all the required documentation to ensure compliance with this request.
2. DE officials have searched thoroughly for any available evidence to assist with the writing of this statement. Although I was not employed by DE for an extended time during the specified period I am satisfied that, by documents provided to the Inquiry and exhibited to this statement and, by assurance from key current and former DE officials who were present during that period, including Dr Browne, that this statement fully and accurately sets out DE involvement during the pandemic.
3. I understand that The Executive Office has provided the Inquiry with all the Permanent Secretary Stocktake group meeting minutes, and for the purposes of Module 2C the Inquiry was provided with the papers supplied to the Executive. Therefore, I will not duplicate, and I have not referenced them within this statement. I note the significant efforts made by the Department to keep elected representatives apprised of developments as DE addressed the many challenges posed by the Covid-19 pandemic and the closure of schools. At the initial stages I personally briefed the Education Committee on developments, often accompanied by the Minister. These meetings were supplemented by written progress reports submitted

to the Committee beginning in May 2020 examples provided - **DB 000 – INQ000651638** and **DB 000a – INQ000651639**.

PART A - ROLES AND RESPONSIBILITIES OF THE GOVERNMENT IN NORTHERN IRELAND IN RELATION TO CHILDREN AND YOUNG PEOPLE

Department of Education's Role in relation to Children and Young People

4. DE is one of nine Northern Ireland Departments and is a body corporate.
5. Education is a transferred matter in Northern Ireland (that is, a devolved matter), it being neither an 'excepted' nor a 'reserved' matter within the meaning of section 4 of the Northern Ireland Act 1998. The statutory functions (powers and duties) of DE are contained in various pieces of Northern Ireland legislation. In Northern Ireland responsibility for Further and Higher Education sits with the Department for the Economy.
6. The Education Minister has overall political responsibility and accountability for DE's statutory functions. The Minister sets the strategic policy and resources framework for DE.
7. On the formation of the Executive in January 2020, Peter Weir MLA was appointed Minister of Education. Minister Weir then appointed Peter Martin as the Special Adviser (SpAd) to Education in February 2020. In June 2021, Michelle McIlveen MLA was appointed Minister of Education and retained Peter Martin as the Special Adviser.
8. Ministers have authority to determine policy and operational matters within their departments, although this is qualified in Northern Ireland by a statutory requirement for matters which are cross-cutting, significant or controversial to be the subject of consideration by the Executive.
9. The role of the Special Adviser is to advise the Minister from a party-political perspective on issues and options presented by civil servants. While the Special Advisor has a role to play in decision making, they cannot make decisions on the Minister's behalf or instruct civil servants to amend their advice to the Minister.
10. DE is managed by a Departmental Board, made up of senior staff and two independent Board members under the leadership of the Permanent Secretary. The Board meets to discuss strategic issues and to plan, prioritise and report on progress. Whilst issues are discussed at Departmental Board, decisions are made by the Minister on the advice of departmental officials or advice from relevant experts, depending on the issue e.g. during the pandemic the officials and the Minister received advice from the Chief Medical Officer/Chief Scientific

Officer and the Minister for Health. A list of Senior Officials and current staff is evidenced at **DB 001 – INQ000617087**.

11. DE has a wide and complex range of functions impacting on all areas of a child's wellbeing, having overall responsibility and accountability for the quality of education in schools, youth organisations and those services offered by early years providers. It also leads on the development of the Executive Early Learning and Childcare Strategy. Education is provided to 353,927 children and young people in the following educational settings –

Type of School /Setting	No. Of Schools/settings
Voluntary and Private Preschools	322
Nursery Schools	93
Primary Schools	781
Secondary	124
Grammar	66
Special	40

12. DE is primarily a policy department, setting strategy and policy direction, with the Education Authority and other arms-length bodies carrying out the delivery of day to day operational and advisory functions on its behalf. DE routinely exercises its statutory functions in the sphere of education in conjunction with the following strategic public sector partners and delivery partners: -

- a) **Comhairle na Gaelscolaíochta (CnaG)**; a non-statutory executive non-departmental public body (NDPB), established to encourage and promote the strategic development of, and provide guidance and advice to, the Irish medium education sector.
- b) **Council for Catholic Maintained Schools (CCMS)**; a statutory executive NDPB, responsible for the employment of teachers in Catholic maintained schools, effective planning and management of these schools and for a number of other, mainly advisory, functions.
- c) **Council for the Curriculum, Examinations and Assessment (CCEA)**; a statutory executive NDPB, established on 1 April 1994. It is responsible for keeping under review all aspects of the curriculum, examinations and assessment for grant aided schools and colleges of further education and for undertaking statutory consultation on proposals

relating to legislation. It also advises DE on matters concerned with the curriculum, assessment, examinations and external qualifications and accrediting qualifications; conducting and moderating examinations and assessments, ensuring that standards are recognised as comparable to standards of examinations and assessments conducted by other bodies or authorities exercising similar functions in the Great Britain.

- d) **Education Authority (EA)**; a statutory executive NDPB responsible for securing adequate provision for primary and secondary education and for recreational, social, physical, cultural and youth service activities for grant-aided schools and other grant-aided educational establishments.
 - e) **General Teaching Council for Northern Ireland (GTCNI)**; a statutory executive NDPB for the teaching profession which is dedicated to enhancing the status of teaching and promoting the highest standards of professional conduct and practice.
 - f) **Middletown Centre for Autism (MCA)**; a non-statutory executive NDPB (and an agreed area of co-operation within the North / South Ministerial Council) opened in March 2007 to deliver key educational services on an all-island basis for children with some of the most complex forms of autism. It is an 'area of cooperation' between the DE and the Irish Department of Education & Skills (DES) (Renamed as Department of Education 22 October 2020), with funding provided on a 50/50 basis and under the oversight of the North/ South Ministerial Council.
 - g) **Northern Ireland Council for Integrated Education (NICIE)**; a non-statutory executive NDPB, established to encourage and promote integrated education and provide guidance and advice to schools in that sector, and to those schools considering transforming to integrated status.
 - h) **Youth Council for Northern Ireland (YCNI)**; a statutory executive NDPB, established under the Youth Service (Northern Ireland) Order 1989. Following the creation of the EA as a regional body, responsibility for regional youth services funding and support transferred from the YCNI to the EA on 1 April 2016.
13. In Northern Ireland DE is responsible for the Youth Service. The statutory provision for the Youth Service is contained in the Education & Libraries Order NI 1986 (articles 37 & 115 refer) and the Youth Service (NI) Order 1989 which established the YCNI. The Youth Service in Northern Ireland comprises both statutory youth provision and a diverse voluntary youth

work sector. The EA's Youth Service Team has legislative responsibility to provide adequate facilities for youthwork activities: Article 37, Education & Libraries Order NI 1986 refers.

14. The YCNI has been non-operational since April 2019 when the then Board's term of office ended and in the absence of the Assembly, new appointments which required Ministerial approval could not be made. Since Ministers returned to office following the restoration of the NI Assembly, no decision has been taken in relation to the future of the YCNI.
15. DE invests circa £36m per annum into youth work to encourage children and young people to mature and reach their potential as responsible citizens, develop personal and social skills and encourage engagement or re-engagement in positive learning within a non-formal youth setting. Effective youth work can also overcome barriers to learning by providing opportunities to gain qualifications, volunteer into leadership roles and develop range of skills and attributes to improve their life outcomes and contribute to their community and the wider economy.
16. The decisions which will be reflected in this statement refer to various guidance notes issued to educational settings, outlining the non-pharmaceutical interventions for educational settings, including changes to the legislative requirements of DE to the restriction of attendance of pupils in schools through Continuity Directions.
17. Decisions around remote learning, provision of IT equipment and funding for those children who receive free school meals will also be highlighted and evidenced throughout this statement.
18. Under Article 86(1) of the Education (NI) Order 1998, the EA has a duty to "*make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who by reason of illness, expulsion or suspension from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them*". Education Otherwise Than At School (EOTAS) makes educational provision for children with social, emotional, behavioural, medical or other issues who, without its provision, cannot sustain access to suitable education. It allows children who have been expelled from, suspended from, or have otherwise disengaged from their registered school to participate in education until they achieve a new school place, are prepared for re-entry to an existing school place or to maintain their education until compulsory school leaving age.

19. Immigration is a reserved matter for the UK Government and not devolved to the Northern Ireland Executive or NI Departments. The Covid period to which this statement relates pre-dates the operation of Home Office/MEARS provided accommodation for families seeking asylum within NI. Children arriving in Northern Ireland seeking asylum or refugee / humanitarian protection have the same right to schooling as any other child and are provided with a school place irrespective of immigration status. The EA's Intercultural Education Service (IES) works with schools, pupils and parents to improve the quality of educational support provided to children from the Asylum Seeking and Refugee (ASR) communities. The IES assists families in relation to applications for school places, free school meals and uniforms, and transport as well as providing information around procedures to help children and young people with additional learning needs. Children who were within the education system from the ASR communities during the Covid school closure period were provided with access to education in the same manner as other children, i.e. through online digital learning, or through attendance at a specified school open for the purpose of providing education to vulnerable children and children of key workers. Vulnerable children were defined as those on the child protection register, or known to social services, and not by reference to immigration status
20. The guidance on Vulnerable Children and Young People during Covid-19 **DB 02 - INQ000617088** adopted the term “vulnerable” based on Article 17 of the Children (NI) Order 1995. The decision to use this definition was agreed by Richard Irwin Director of Special Educational Needs at the time, and his counterparts in the other Departments. Similar definitions were used in England (DfE Guidance) and Scotland (Children's Commissioner). DE's approach was closely aligned to the approach taken in Scotland (The Children Act 1995) and England (Children Act 1989).

“17. For the purposes of this Part a child shall be taken to be in need if—

- (a) he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by an authority under this Part;*
- (b) his health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or*
- (c) he is disabled,*

and “family”, in relation to such a child, includes any person who has parental responsibility for the child and any other person with whom he has been living.”

21. The DE guidance gave examples of children and young people who may be in need as follows: -
- a) Receiving support from Health & Social Services including family support, child protection and looked after children services.
 - b) On the Child Protection Register.
 - c) With statements of special education needs.
 - d) Accessing Education Otherwise Than At School (EOTAS).
 - e) Accessing Education Nurture Units.
 - f) With emerging and diagnosed mental health needs.
 - g) Who are homeless.
 - h) Who are young carers.
 - i) Subject to paramilitary threat.
 - j) Whose parents have mental health problems.
 - k) Whose parents have alcohol and drug addictions.
 - l) Affected by domestic violence.
22. Once the definition was agreed, DE published **Vulnerable Children's Guidance** (10 April 2020) **DB 003 – INQ000617091** in partnership with Department of Health (DoH), Public Health Agency (PHA) and the EA.
23. DE's expectation on schools was set out in the then Education Minister's letter 8 April 2020 **DB 003a - INQ000617154** regarding the continued provision of education for those children and young people who fell within the cross-departmentally agreed definition of 'vulnerable'.

A joint Health and Education process at an operational level with schools via the Education Authority and Public Health Agency was established to consider how best to support children with complex needs who would normally be receiving support through Special Schools and from Health services but that support has been impacted by the current COVID-19 pandemic. The multi-disciplinary and multi-agency approach sought to agree a wraparound plan and integrated support programme for vulnerable children and families throughout the pandemic. Parents were engaged initially through Health with the outcome of panel discussions provided via Special Schools and Health. A regional oversight group which included senior officers from across the statutory organisations met weekly to discuss progress and issues. DE did not set internal limits or targets regarding the proportion of children attending educational settings (including schools and pre-schools) during periods of closure. It was not uncommon for parents of vulnerable children, many of whom had special educational needs, to choose not to send them to school due to ongoing health concerns.

24. The percentage attendance by school type for August 2020 to June 2022 is attached at **DB 003b – INQ000548410** This data was sourced directly from a standard report run from the Schools Information Management System (SIMS) of primary, post primary, special and EOTAS settings. Pre-schools do not have SIMS and therefore a standard report was not available. I have also attached **DB 003c – INQ000548411** a copy of a report that was published weekly that would have included pupil attendance data. The footnotes might prove useful. For further detail on attendance, please refer to paragraphs 74-76, 124, 185 and 262
25. DE receives monthly attendance data which is extracted from the Schools Management System by colleagues within the C2K team in the Education Authority. This data is then processed to provide a range of monthly reports which are shared with colleagues within DE, the EA, the Council for Catholic Maintained Schools and the Controlled Schools Support Council. This arrangement was already in place prior to the Covid-19 pandemic and continues to be in place for attendance monitoring.
26. The Department also introduced a Weekly Reporting system across a range of EA Services to update on the status of and to monitor vulnerable children across the school closure period, with particular focus on those children / families previously in contact with social services. Meetings were held weekly via zoom with the Special School Leadership Group, Education Authority, Public Health Agency and Department of Health. These meetings addressed and informed several high-profile unique areas of support for children with complex needs. These meetings continued on a monthly basis until August 2022 and remained in place on a bi-monthly basis for 22/23 Academic Year.

27. I have attached a chronology of actions taken by DE **DB 004 - INQ000582787**, which outlines the various measures taken by DE including when messages were sent out to schools and educational settings.
28. Before addressing the specific issues raised by the Inquiry in connection with the role of DE during the pandemic, it may assist the Inquiry if we provide a brief overview of the kinds of responsibilities which are generally exercised by other Northern Ireland Departments in connection with children and young people.

Department for Economy's Role in relation to Children and Young People

29. **The Department for Economy's** (DfE) responsibilities include the operation of a range of employment and skills programmes, as well as oversight and the funding of the further and higher education sectors. There is some overlap between DfE and DE, in relation to the education of students aged 16-19 years old, with DfE having policy responsibility in relation to Further and Higher Education settings, whereas DE has policy responsibility in relation to post primary schools.

Department of Health's (DoH) Role in relation to Children and Young People

30. DoH has statutory responsibility for the regulation and inspection of childcare providers. Therefore, any decisions regarding the closure of childcare provision and guidance on restrictions to be applied during the Covid-19 pandemic were a matter for the DoH. By contrast, DE has policy responsibility for the development of the Executive Early Learning and Childcare Strategy. Working alongside DoH colleagues, DE administered funding schemes for childcare providers throughout the pandemic to support them to remain viable during periods of forced closure and Covid-19 restrictions as instructed by DoH.
31. In response to Module 2C (Core UK decision-making and political governance – Northern Ireland) Peter May provided the Inquiry with a high-level description of the Executive makeup of nine Government Departments including the DoH (in this context, 'DE'). Mr. May explained that *"the role, functions, and responsibilities both prior to and during the pandemic fundamentally remained the same including DE's statutory responsibilities under the Health and Social Care (Reform) Act (Northern Ireland) 2009 to promote an integrated system of health and social care (HSC) designed to secure improvement: in the physical and mental*

health of people in Northern Ireland; the prevention, diagnosis and treatment of illness; and the social wellbeing of people in Northern Ireland”.

32. The DoH's general duty under the Health and Social Care (Reform) Act (Northern Ireland) 2009 as outlined above, applies to children and young people in the same way it applies to adults. In summary, the DoH has a statutory duty to promote an integrated health care system to secure improvement in the physical and mental health of children and young people including the prevention, diagnosis and treatment of illness, as well as the provision of social care designed to secure improvement in the social well-being of children and young people in Northern Ireland.
33. Responsibility for children's social care (that is, the support, protection, care, adoption and after care of children and young people) in Northern Ireland rests with the DoH. By contrast, in other jurisdictions of the UK, such responsibility rests with their respective Departments for Education.
34. The Children (Northern Ireland) Order 1995 (the Children Order) and the Adoption (Northern Ireland) Order 1987 confer a range of functions and duties on Health and Social Care Trusts and the Children's Court Guardian Agency for Northern Ireland (formerly known as the Northern Ireland Guardian ad Litem Agency), each are arms' length bodies of the DoH. Their duties in relation to the provision of social care to children and young people include:
 - a) Safeguard and promote the welfare of children and young people who are in need (including disabled children) and in so far as is consistent with that duty, promote the upbringing of such children by their families by providing a range and level of social care appropriate to those children's needs.
 - b) Undertake an investigation where there are concerns that a child is at risk of, or has experienced, significant harm and take appropriate action to protect the child from such harm.
 - c) Safeguard and promote the welfare of, and provide support services to, children in care.
 - d) Provide advice, assistance and support to young people who are preparing to leave care or who have left care up to age 21, or age 24 if the young person is engaged in education or training.

e) Provide an adoption service specifically in relation to children who have been, or may be, adopted.

35. The Children Order also enables Health and Social Care Trusts, in exercising such functions, to work in co-operation with other specified statutory bodies including, for example, the EA and Northern Ireland Housing Executive, and those bodies are under a duty to comply with such a request for assistance if it is compatible with their own statutory duties or obligations.

Department of Justice's Role in relation to Children and Young People

36. The Department of Justice (DoJ) was established in April 2010, following the devolution of policing and justice matters from Westminster to the NI Executive. The DOJ functions are set out in the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010. These include functions transferred from the Northern Ireland Office and the former Northern Ireland Court Service. The DoJ is responsible for the resourcing, legislative and policy framework of the justice system.
37. The DoJ is currently organised into four directorates, a cross-Executive programme and five Executive Agencies. The four directorates (Access to Justice, Justice Delivery, Reducing Offending and Safer Communities) provide the DoJ's policy functions as well as a range of corporate services. Each directorate consists of a number of divisions.
38. As part of its work on victims and witnesses, the **Access to Justice Directorate** is responsible for developing and delivering a Victim and Witness Strategy, for promoting Victim and Witness Charters and for funding Victims Support NI and NSPCC's Young Witness Service. Grant funding for these services is provided under section 56 of the Domestic Violence, Crime and Victims Act 2004.
39. The NSPCC Young Witness Service is funded by DE to cover all courts in Northern Ireland. It supports young prosecution victims and witnesses under the age of 18 who are called to give evidence to court. The service is tailored to the needs of each young witness and helps them to give their best evidence.
40. Under the provisions of Articles 4 and 5 of the Criminal Evidence (Northern Ireland) Order 1999, children under 18 years of age who are involved in court proceedings are automatically eligible for special measures. Special measures are a series of provisions that help relieve

some of the stresses associated with attending court to give evidence. Special measures include permitting the witness to give evidence from outside the courtroom through a video link either within the court building or a remote evidence centre. The DoJ can also provide a registered intermediary who can assist the young witnesses with communication during police interviews and at the trial.

41. **Justice Delivery Directorate** is primarily a corporate services function. However, it also includes the Enabling Access to Justice Division which has policy responsibility for ensuring appropriate options and supports are in place to support citizens' access to justice, including through the legal aid system. The main primary legislation relating to the operation of the legal aid system in Northern Ireland are the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 and the Access to Justice (Northern Ireland) Order 2003. The administration of legal aid is the responsibility of the **Legal Services Agency**, an Executive Agency of the DoJ.
42. **Reducing Offending Directorate** (ROD) provides end-to-end support to individuals to reduce the risk of offending through diversion, intervention, rehabilitation and joined-up custodial services. ROD is responsible for setting reducing offending policy and for sponsorship of the Northern Ireland Prison Service (NIPS) and the Youth Justice Agency (YJA). ROD includes a small Youth Justice policy team.
43. **Safer Communities Directorate** has responsibility for the resourcing, policy and legislative framework for policing and community safety and for leading on security within the Northern Ireland Executive. One of its Divisions, Protection and Organised Crime Division, contains a small team which provides the devolved justice policy input on human trafficking and child exploitation issues.
44. The DoJ also hosts the **Northern Ireland Executive's Programme on Paramilitarism and Organised Crime** ('EPPOC'). EPPOC is a cross-Executive initiative with the overall aim of creating safer communities, more resilient to paramilitarism, criminality and coercive control. A number of the projects funded through the programme directly benefit children and young people.
45. There are five Executive Agencies in the DoJ. The sole focus of one of these Agencies – **the Youth Justice Agency** ('YJA') – is children (aged 10-17) who have offended or are at serious risk of offending. YJA has two operational directorates:

- a) Woodlands Juvenile Justice Centre, which is the sole custodial facility for children in Northern Ireland; and
 - b) Youth Justice Services which deliver community-based services from eight offices across Northern Ireland. These services include early diversion schemes and the supervision of diversionary disposals, non-custodial sentences and the community-based element of custodial orders.
46. The principal legislation under which the YJA (and the wider criminal justice system for children who offend) operates is the Criminal Justice (Children) (Northern Ireland) Order 1998. The Juvenile Justice Centre Rules (Northern Ireland) 2008, made under that Order, set out the basis under which Woodlands Juvenile Justice Centre operates.
47. The work of two of the DoJ's other Executive Agencies is also relevant to Module 8 of the Inquiry.
48. **The Northern Ireland Courts and Tribunals Service** ('NICTS') is responsible, on behalf of the DoJ, for:
- a) The provision of courthouses and tribunal hearing centres.
 - b) The provision of administrative support for courts, tribunals and the judiciary.
 - c) The provision of advice to the Justice Minister on matters relating to the operation of the courts and tribunals.
 - d) Enforcing civil judgments through the Enforcement of Judgments Office (EJO).
 - e) The management of funds held in court on behalf of minors and patients.
 - f) The registration of judgments under certain international conventions.
49. The DoJ's principal responsibilities (discharged by NICTS) in this regard are set out in Sections 68A and 69 of the Judicature (Northern Ireland) Act 1978.

50. **The Northern Ireland Prison Service** ('NIPS') is responsible for the operation and delivery of services within the Northern Ireland prison system. There are three prison establishments in Northern Ireland:
- a) Hydebank Wood Secure College and Women's Prison is a medium to low security establishment accommodating adult male young offenders (aged 18-21) and all female prisoners.
 - b) Maghaberry is a modern high-security prison housing adult male long-term sentenced and remand prisoners, in both separated and integrated conditions.
 - c) Magilligan is a medium-security prison housing shorter-term adult male prisoners which also has low-security accommodation for selected prisoners nearing the end of their sentences.
51. The main statutory duties of NIPS are set out in the Prison Act (Northern Ireland) 1953 and the Prison and Young Offenders Centre Rules (Northern Ireland) 1995.
52. Rule 65 of the 1995 Rules covers the maintenance of relationships between a prisoner and their family. The Prison Service recognises that it is important for both prisoners and their families that close links are maintained between them when a custodial sentence is being served. NIPS supports this in a number of ways, by providing visiting facilities in excess of statutory requirements and through various home and resettlement leave schemes, the prisoners' telephone system and the Prison Visit Scheme. This enables remand prisoners to have 2 visits per week and convicted prisoners 1 visit per week.
53. In terms of children in contact with the criminal justice system, education provision for young people of school age in Woodlands Juvenile Justice Centre is provided by the Education Authority through Education Other Than At School (EOTAS) arrangements under the provisions of The Education (Northern Ireland) Order 1998 (the 1998 Order). A Memorandum of Understanding (MoU) and a Service Level Agreement are in place between EA and Youth Justice Agency to cover the arrangements made by the EA for young people up to school leaving age. The Department of Justice funds the education provided by the EA and engages a private provider to meet the educational needs of young people over school leaving age.

Department for Communities Role in relation to Children and Young People

Housing

54. The Department for Communities (DfC) has policy responsibility for housing and homelessness, as well as for funding the Supporting People Programme. It discharges many of these functions through its Arm's Length Body (ALB) the NI Housing Executive (NIHE).
55. In relation to Housing, the DfC does not have a discrete children or young person statutory function. The duties discharged by NIHE are by reference to the housing and homelessness legislation which is of general application to all those living in NI, with children and young persons generally included as members of a household. However, a young person (over 16 years and under 21 years) who satisfies NIHE that they are at risk of sexual or financial exploitation, falls within a specific Priority Need category.
56. The Supporting People programme is delivered on behalf of DfC by NIHE. It offers vulnerable people the opportunity to improve their quality of life through the receipt of appropriate housing related support services. The programme has developed three thematic support areas in relation to children and young people: Young People, Homelessness and Disability and Mental Health. The Young People thematic group includes young people leaving care, those who are homeless, and those who are at risk and/or are vulnerable. Accommodation based support is available for 16–21-year-olds and floating support is available for 16–25-year-olds.

Child Poverty

57. The statutory responsibilities under the Child Poverty Act 2010 transferred from The Office of the First Minister and the Deputy First Minister (OFMdFM) to DfC pursuant to Article 3(1)(b) of The Department's (Transfer of Functions) (NI) Order 2016. An Executive Child Poverty Strategy ran from 2016-2020 (extended to 2022) and from 2016 DfC has led that Strategy, on behalf of the Executive. DE provided several initiatives that contributed to the Executive's Child Poverty Strategy that ran from 2016-2022. These included the provision of free school meals and uniform grants for low-income families. The qualifying criteria for these are mostly based on family income and assistance is targeted in the direction of those families most in need. DE also supported the Child Poverty Strategy between July 2020 - March 2023 through the provision of School Holiday Food Grant payments to children and young people (including Further Education students) entitled to free school meals to ensure that they continued to have access to regular meals during school holiday periods.

58. DE also continues to provide additional funding to support schools serving areas of social disadvantage through the Extended Schools programmes. These programmes provide additional learning opportunities and a wide range of interventions and support activities/services outside of the normal school day which focus on improved educational outcomes. Further funding is also provided to schools through schools' core budgets in recognition of the additional challenges and costs involved with supporting children and young people from disadvantaged backgrounds as well as those at risk of educational underachievement.
59. Since 2022 it has been the intention the issue of child poverty should be a part of the wider Executive Anti-Poverty Strategy, the development of which is led by DE for Communities. This strategy is currently being developed with input from all government departments.

Benefits

60. Depending on individual circumstances, certain support in the social security system may be available in respect of a child or young person. Benefits/payments have been available to qualifying claimants in both the pre and post Covid-19 period and were not specific measures targeted towards children/young people because of the pandemic.

Sport and Leisure Activities

61. While the DfC does not have specific responsibility for enabling children and young people to access sport and other leisure activities, the DfC does work with other NI Government departments, local councils, Sport NI and community organisations to support access to sport and other leisure activities for the population of Northern Ireland (including children and young people).

Department of Agriculture Environment and Rural Affairs Role in relation to Children and Young People

62. The College of Agriculture, Food and Rural Enterprise (CAFRE) is a college for further and higher education, which is operated by the Department of Agriculture and Rural Affairs (DAERA) and which provides education, knowledge transfer and innovation programmes, training and advisory services to people entering into and to those within the agri-food industry. Its programmes are focused on agriculture, horticulture, food production, equine, agri-food business, rural enterprise and environmental sustainability.

63. CAFRE has three campuses: Greenmount Campus, Antrim, for Agriculture and Horticulture programmes; Loughry Campus, Cookstown, for Food and postgraduate programmes in Business for Agri-food and Rural Enterprise; and Enniskillen Campus, for Equine programmes.
64. Applicants leaving school after Year 12 with GCSE or equivalent qualifications, or those working in the sector may apply for Further Education courses classified as Level 2 and Level 3 programmes.
65. Applicants leaving school after Year 14 with A-Level or equivalent qualifications may apply for Higher Education courses which are Foundation and Honours Degree programmes.
66. A proportion of learners at CAFRE, particularly those attending Further Education programmes, are under the age of 18.

The Relationship Between DE and DoH During the Pandemic

67. DE and the DoH worked closely together during the pandemic in respect of a joint response for vulnerable children and young people.
68. This included ongoing discussion in relation to:
 - a) The continued requirement for the Temporary Modification Notices that were brought forward under the Coronavirus Act 2020.
 - b) Maintaining access to Special Schools to support those children and young people with the most complex medical needs.
 - c) Updating the contingency planning for vulnerable children and young people.
 - d) The issuing and updating of guidance to support staff working with vulnerable children and young people.
 - e) Roll out of asymptomatic testing across Special Schools.

- f) Funding of a post to support joint working with vulnerable children and young people **DB 005 - INQ000617093**.
 - g) Discussions with the Joint Committee on Vaccination and Immunisation in relation to prioritisation of Special School staff.
 - h) Liaison with EA and Trusts in relation to Special School pupil Covid-19 testing.
69. To support the work which was being developed to address the needs of vulnerable children and young people, DE established the Joint Health/ Education Oversight Group. in April 2020 as a response to emerging concerns about maintaining health and education support to children and young people with complex needs during the Covid-19 pandemic. This group initially acted as a mechanism to support risk assessments of vulnerable children and young people (specifically those with SEN and/or disability attending special schools) to address their access to school and to consider how best to provide Allied Health Professional support that was impacted due to the reprofile of AHPs to front line covid19 response. The group evolved to support discussions in relation to emergent issues facing this cohort of children & young people as the covid-19 pandemic progressed. This group was jointly chaired by Richard Irwin of the DE Senior Leadership Team and the DoH Grade 5.
70. The group consisted of Senior Officials from the Department of Education (DE), the Department of Health (DoH), Education Authority (EA), Public Health Agency (PHA) and the Strategic Planning and Performance Group (SPPG). The principal strategies adopted to safeguard the education and wellbeing of vulnerable children during the pandemic were operational matters for both the Education Authority and the Health & Social care Trusts.
71. An example of guidance provided can be evidenced by the link to “GENERIC INDIVIDUAL RISK ASSESSMENTS GUIDANCE RELATING TO COVID-19” provided to the group on 27 August 2020, **DB 005a - INQ000548412** Minutes were taken at each meeting, e.g. 11 June 2020 draft notes, **DB 005b - INQ000548413** 23 July 2020 draft notes, **DB 005c - INQ000548414** which also included re-opening special schools guidance, **DB 005d - INQ000548415** and 20 August 2020 draft notes **DB 005e - INQ000548416**
72. As part of the joint health/ education weekly meetings DE invited representatives from the Special Schools Strategic Leadership Group to discuss any emergent issues they were facing as it was within Special Schools that the major issues of supporting children with

complex needs were developing. This group was also chaired by Richard Irwin and included participation from EA, PHA and the DoH.

73. The group discussed the significant issues facing special schools which included:
- a) Resources that were required to maintain the safety of special schools.
 - b) Bespoke guidance development.
 - c) Engage Programme for Special Schools programme development.
 - d) Vaccination Programme for high-risk children.
 - e) Vaccination programme for staff working in special schools.
 - f) Salvia Based Testing Programme.
 - g) Transport of children requiring Aerosol Generating Procedures.
 - h) General issues emerging for special schools arising from the Covid -19 pandemic: staff including resourcing issues; PPE supply; additional training needs for staff.
74. Initial surveys conducted by DE Statistics and Research Team in relation to attendance did not provide a breakdown by school type. It was simply sent to all Playgroups, Day Nurseries, Nursery Schools, Nursery Classes, Reception, Primary, Prep. Departments, Secondary (Non-grammar), Grammar, Special and EOTAS settings (not Independent Schools or Further Education establishments) with overall summary information provided. The accuracy of the information recorded was dependent on correct input of DENI reference numbers and names. However, it has been confirmed that there were numerous errors with this information, and, due to capacity issues, there was no process for validation or analysis of school types.
75. A number of Special Schools (initially predominantly Belfast and Arvalee – Omagh) were open for those children and young people with complex needs who had been referred through their local HSCT and EA assessment process. Schools themselves also did a lot of work engaging with families where there were identified concerns and a need to have 'eyes on' the child. There was a general sense across the system that because of messaging and

parental choice many parents were not sending children to school initially. The most common reason reported via the daily survey for closure was that there were no requests to open.

76. When schools closed on 23 March 2020, a daily survey was issued to collect information on pupil attendance. The purpose of the survey was to provide DE's Top Management Group and Senior Management Team with information on the number of schools which were open / closed and the number of pupils presenting at school each day and the number of education professionals at school / working from home. Additional questions were added at certain points in time to seek answers to specific questions. For example, the number of vulnerable children in attendance, capacity to cluster with other schools. This information was used to keep the DE Senior Management Team abreast of the situation on a daily basis and to facilitate the decision-making process. The survey covered Playgroups, Day Nurseries, Nursery Schools, Nursery Classes, Reception, Primary, Prep. Departments, Secondary (Non-grammar), Grammar, Special and EOTAS settings.
77. Officials are aware of the Northern Ireland Commissioner for Children and Young Peoples report 'A New and Better Normal' which provides a statistic of 17% sourced from research by the Family Fund stating: 'Whilst published data gathered over that period does not provide a breakdown of attendance of children with SEN in either mainstream or special school settings, research conducted by the Family Fund⁴² highlighted that, prior to returning for the new school year in September 2020, less than one in five children and young people with a disability (17%) had attended their nursery, school or college since the beginning of the COVID-19 pandemic.' The Department was unable to provide attendance data specifically for pupils with SEN or a disability during this period so would be unable to comment on the accuracy of this external research. However, DE have no evidence to contradict the statistic.
78. It did not cover Independent Schools or Further Education establishments. No breakdown of the responses by educational setting was undertaken due to data quality issues (i.e., educational setting information was entered manually by respondents with validation not possible due to time pressures). From 4 June 2020, the survey was reduced to issue on only three days per week. A survey of pupil attendance was issued to all educational settings from 23 March 2020 to 29 June 2020, but a breakdown by school setting type was not possible.

a) Information relating to the period March to June 2020 is available at: **DB 005f –**

INQ000548417

b) Information relating to the period August 2020 to June 2021 is available at: **DB 005g – INQ000548418** The first page of each report includes pupil attendance data by school type.

c) Information relating to the period August 2021 to June 2022 is available at: **DB 005h – INQ000548419** The first page of each report includes pupil attendance data by school type.

79. Temporary Modification Notices were issued under the Coronavirus Act 2020 and focused on the duties of the Education Authority, Health & Social Care Trusts and schools. This included the statutory assessment process, and the provisions as set out in the statement of SEN. DE retained the 'Best Endeavours' test to the duties rather than 'reasonable endeavours' like the other UK jurisdictions. DE did not monitor the impact or consistency of application of the modification notices. More detail in relation to these notices is set out in paragraphs 442 - 443 and 502.

PART B – PRE-PANDEMIC PLANNING

80. DE holds a Major Emergency Response Plan (MERP) **DB 006 – INQ000617094** which provides a framework for the central management and coordination of a high-level response, by DE, to a range of possible emergencies which may involve DE. This document, which is an inward facing document relating primarily to DE and its staff, was created in 2008, reviewed and updated regularly, and, along with business continuity plans, was invoked at the onset of Covid-19, including the implementation of a Departmental Operating Centre (DOC), the role of the DOC is explained at paragraph 116. All ALBs and schools have responsibilities for contingency planning in their respective roles. The MERP was invoked on 19 March 2020 and de-escalated on 25 May 2020. All ALBs and schools have responsibilities for contingency planning in their respective roles, with the Department having an oversight role and having sought assurance from its ALBs on the contingency planning.
81. DE contributes to regional level civil contingency arrangements, including through representation on the NI Civil Contingencies Group (CCGNI – typically Permanent Secretary level and chaired by the Head of the Civil Service); and Command, Control and Coordination (C3) Leads (Director Level). These are coordinated regionally by The Executive Office (TEO).
82. Within this context, DE has specific responsibility for oversight of preparedness, response and recovery arrangements for the Education Sector. This includes liaison with DE's Arm's Length Bodies including but not limited to the Education Authority (EA), Council for Catholic Maintained Schools (CCMS) and Council for the Curriculum, Examinations and Assessment (CCEA).
83. Under the regional arrangements, DE was involved in planning for emergencies such as those associated with EU Exit risks and a flu-type pandemic. The DoH led on pandemic preparedness with policy input from the DE on matters such as the criteria for exceptional school closures.
84. Arrangements for any major civil contingency issue, if stood up, included DOCs reporting to a regional NI Hub (TEO-led).
85. DE held Board meetings from January 2020 onwards as part of the response to the pandemic. DE is managed by a Departmental Board, made up of senior staff and two independent Board members under the leadership of the Permanent Secretary, which met to discuss strategic issues and to plan, prioritise and report on progress. Covid-19 / Restart

was added as a standing agenda item with regular meetings held during 2020 / 2021 / 2022 when 19 Board meetings took place, minutes in **DB 007 – INQ000617114** .

86. A draft Pandemic Influenza Plan **DB 008 – INQ000617116** and associated Planning for a Human Influenza Pandemic documents **DB 009 – INQ000617118**, **DB 010 – INQ000617119**, and **DB 011 – INQ000617144** were held within DE pre-January 2020. This draft plan outlined wider educational sector issues primarily relating to Contingency Planning and centred on school closures which would be invoked to ensure the welfare and safety of children in the event of a Pandemic or Civil Emergency.
87. The maintenance of children's services is primarily the responsibility of the Education Authority. EA have a Safety Team who manage their Emergency Planning Services. This business area provides advice and guidance on all aspects of Resilience including Integrated Emergency Management, Emergency Planning and Business Continuity Planning across all areas of the EA including more than 1,000 schools to ensure that the EA can effectively prepare, respond and recover from incidents. The service develops Corporate Resilience within the EA, embedding a culture of Prevention, Preparedness, Response and Recovery regarding major internal and external emergencies. DE's role in supporting the maintenance of children's services would be primarily through the Business Continuity Plan **DB 012 – INQ000617165** and MERP exhibited above.

PART C – EDUCATION

The initial response to the pandemic by the government in Northern Ireland - closure of Schools

88. Prior to the 18 March 2020, the Department maintained its normal response to schools requesting closure, i.e. that the circumstances had to be exceptional and fully justified. Since there was no agreed Executive position prior to the 18 March 2020 on whether or not schools should close, officials maintained the basic position that all schools should remain open until advised to do otherwise.
89. DE was not involved in the discussions and is not aware of what discussions took place at a higher level prior to the announcement to shut all schools to most pupils made by the First and Deputy First Ministers. These may have been covered in Module 2C. No preparatory work was undertaken by DE other than those set out in paragraphs 80 - 87 above and what is set out in the next paragraphs. Prior to the announcement and in the following months both Minister Weir and Minister McIlveen held regular weekly meetings throughout their tenures as Ministers with Top Management Group (Permanent Secretary and deputy Secretaries) to discuss issues facing DE. The principal source for professional advice on opening and closing of schools was the Chief Medical Officer (CMO) and Public Health Agency (PHA) who advised on issues of public safety. The Practitioner Group (i.e. a representative group of school leaders from across the educational sector selected from a pool of nominees put forward by the Trades Unions and all education partners) and TUS also provided advice on how guidance could address concerns within schools and adopting different types of Non - Pharmaceutical Interventions (NPIs) to be best used within schools.
90. Covid-19 was first mentioned in the Issues meeting of 24/02/20 **DB 013 - INQ000617178** at which point officials were directed to ensure the Business Continuity Plan was up to date and to produce a submission to the Minister on the Coronavirus: Pandemic Flu Bill. DE did not provide advice to the Executive on the impact of transmission if schools closed.
91. In the meeting note of the 02/03/20 **DB 014 - INQ000617215**, the Minister agreed that DE should carry out a desktop review of its contingency planning and a submission on Coronavirus was to be raised to the Minister. Officials were not considering at this stage the possibility of school closures as the pandemic was still evolving and whilst officials monitored what was happening globally as schools closure were not a consideration.

92. At the following meeting on the 09/03/2020 **DB 015 - INQ000617242** the Minister requested that all ALB's were to assure DE that they had appropriate contingency plans in place. DE was also to liaise directly with the EA on the provision of soap and hand gels etc. to schools.
93. The expected Issues meeting the following week was cancelled **DB 016 - INQ000617264**, although Issues meetings did continue to take place at regular intervals throughout the Covid-19 pandemic. Examples of Notes can be found in **DB 017 - INQ000617278**, **DB 018 - INQ000617307** and **DB 019 – INQ000617320**, further examples can be provided on request.
94. Clauses within the Pandemic Influenza (Emergency) Bill were drafted and submitted on 13 February 2020 and approved by the Education Minister on 19 February 2020. This submission was included within the Covid Inquiry Module 2C **DB 020 – INQ000176129** with Ministerial correspondence to the Health Minister issuing thereafter on 19 February 2020 **DB 021 – INQ000176136**.
95. Officials also engaged with Middletown Centre for Autism in relation to the use of its site for Northern Ireland Blood Transfusion Service **DB 022 - INQ000617384** and again in relation to the potential use as a Covid-19 isolation facility **DB 023 - INQ000617402**.
96. During February 2020, as part of the NI wide contingency planning, DE was engaged in preparing draft legislation to provide legal authority for it to order schools and educational establishments to close. **DB 024** See DB 020 - INQ000176129 and **DB 025 - INQ000254430** – Draft submission to the Minister Pandemic Influenza (Emergency) Bill; and. **DB 026 - INQ000176132** – Coronavirus – Key Public Health advice and action to be taken by public authorities. **DB 027 - INQ000176130** – Power to Direct closure of schools etc in Northern Ireland. **DB 028 - INQ000176141** – Restriction of access to childcare providers in Northern Ireland.
97. On 13 March 2020 DE met with Education Sector Stakeholders to discuss the emerging issues caused by the pandemic. Minutes of this meeting are shown in **DB 028 - INQ000176141**. DE had noted an increase in the number of schools requesting exceptional closure days due to either staff having to self-isolate reducing teaching capacity or schools having to carry out deep cleans due to confirmed cases of staff/pupils being identified as being positive or preparation of work should schools have to close for a longer period **DB 028a – INQ000651641**. There is no limit on the number of exceptional closures that can be granted to a school although requests in “normal” circumstances are generally for no more than a few days at a time. The legislation that provides for this is paragraph 14(5) of the

Primary Schools (General) Regulations (Northern Ireland) 1973 and paragraph 11(5) of the Secondary Schools (Grant Conditions) Regulations (Northern Ireland) 1973.

98. Thereafter, on 16 March 2020, DE issued a letter and Covid-19 advice to all School Principals for Educational Settings on behalf of the Minister **DB 029 - INQ000617535**. This letter advised that it was likely that a decision to close schools would have to be taken by the Minister “at some point in the future”. This was then followed by a letter on 18 March 2020 with instructions that schools, pre-schools and statutory nurseries will close at the end of the day on 20 March for all pupils and children **DB 030 - INQ000617557**. Following this, **DB 031 - INQ000617121** the Letter to Education Sector dated 19 March 2020 was issued to confirm closure. At this stage in the pandemic there had not been any significant focus on preparing schools to provide education for children at home as the expectation was always that schools would reopen.
99. Regular engagement with all the Trade Unions took place throughout this period including a meeting on 16 March 2020 to discuss the guidance issued to schools and the contingency plan arrangements. A further meeting was held on 19 March 2020, immediately following the closure decision, attended by the Minister alongside DE and Management Side officials to discuss the arrangements for continuity of education for all children and specific support for the children of key workers. Conference calls (initially daily), led by DE and involving all relevant Management and Trade Union representatives were established from Monday 23 March 2020 onwards.
100. CCEA advised officials that it had substantial, established and tested contingency plans for examination disruption which were shared across the UK and entitled “JCQ Joint Contingency Plan”. This plan was designed to be implemented in the event of major disruption to the system. However, the size and scale of the disruption caused by Covid-19 caused CCEA to reconsider mitigations on an unprecedented scale.
101. The DE MERP and DOC were formally invoked / established on 19 March 2020 by the then Permanent Secretary at a meeting of the DE Covid-19 Contingency Planning Group see **DB 031a - INQ000087625** which contains the minutes of meeting. A further meeting including the ALBs was held on the 10 April 2020, minutes are evidenced as **DB 031b - INQ000176142**. The MERP was then superseded by Covid-19 specific arrangements with the reactivation of C3 Structures in DE (i.e. the DOC) thereafter, with the formal de-escalation of the DE MERP taking place on 25 May 2020.

102. Minister Weir and Minister McIlveen both attended Executive meetings. In the Executive meeting of the 16 March 2020 **DB 032 - INQ000425597** a proposal by the First Minister that the closure of schools should be handled in accordance with the Chief Medical Officer's advice was voted on and agreed by the Executive. Minutes of the Executive meetings provided would highlight any input from the DE Minister. DE are not aware of who all attended the Executive meeting on this date or what senior civil servants were in attendance when the decision was made to close the schools. Officials understand that all Ministers attended these meetings, along with Head of the Civil Service and senior civil servants and the minutes of these meetings which are on record with the Inquiry would identify the attendees.
103. At this point DE officials were not involved in any decision making as it was envisaged that schools would remain open, with this only changing when the First Minister and deputy First Minister (FMdFM) made the announcement. DE officials were not included in nor had sight of any approach which was being taken by the Westminster Government. The Executive Office would be in a better position to provide clarity on any contact with the UK governments. The civil contingency emergency plans previously mentioned were in place prior to the announcement. The Education Minister attended the Executive meeting where it was agreed that schools should close. The Education system within NI is different to the system in England, therefore DE did not communicate any information to local authorities as DE has responsibility for Education in NI and local authorities are only involved in decision making as consultees or when invited to be part of a group. DE's position was that schools would be open until the announcement by FMdFM.
104. There were 38 Executive papers generated from DE between 01 Jan 2020 and 28 Jun 2022. Twenty of these papers were directly connected with the Covid-19 pandemic any discussions which took place within the Executive Committee were minuted and would have been received as part of Module 2C. Such papers are generated at the Ministers request (example **DB 033 - INQ000400737**, **DB 34 – INQ000617619**, cleared by the Minister **NR** **NR** and issued for comment to Executive Ministers. If the paper is agreed, it will be included in the Executive business schedule for debate. Officials are not aware of what was discussed within the Executive or if they discussed the ability of schools to close or if there was adequate planning in place.
105. Minister Weir and Minister McIlveen made a number of statements to the NI Assembly over the Covid-19 period, initially in written form as the Assembly was on lockdown, but later, as restrictions eased, it was possible to make oral statements.

106. Decisions taken at the Executive level are based on Executive papers. These are produced by Departments and circulated to all Departments for comment. The First Minister and Deputy First Minister (FMdFM) determine when the paper becomes a Final Executive paper and is included on the Executive agenda of the next available meeting. If the paper is relevant to DE, or the Education Minister, then the policy team will raise a submission to the Minister for their consideration to note or reply. It has been formally acknowledged that Covid was primarily a health issue, therefore DE took advice from the PHA, CMO and Chief Scientific Advisor on health matters. Officials liaised with the DoH during the Covid period to prepare submissions for the Education Minister, whilst availing of the expertise of the Practitioner Group for advice around issues of workable NPI solutions within the school environment and TUS on issues around employment/staffing issues.
107. The submission would then be passed to the Special Adviser (SpAd) for consideration and comment before going to the Minister for their consideration and comment or agreement. The Ministers approval and/or comments, along with those of the SpAd, would then be relayed to the relevant team for action.
108. DE had not been informed schools would be closing prior to the decision by the Executive and the announcement made by the First and Deputy First Minister on 18 March 2020, whilst an indication had been given that schools may have to close in the future. The public announcement of closures came within days to schools being made aware of the potential. Whilst DE/schools were starting to build resilience into plans, the sudden announcement by the Executive did not allow sufficient time for this work to be fully completed. This is evidenced in paragraph 88 with schools requesting exceptional closures to plan for the any potential closure of schools. DE officials did not give specific advice on whether schools should be closed, nor were plans drawn up in the eventuality that all schools would close. DE officials were not involved in the decision to close schools or the timing of the announcement, this was made by the Education Minister and the NI Executive.
109. Until the announcement on 18 March by the FMdFM it was officials' understanding that schools would remain open. Officials were not informed of any thinking of the UK Governments Secretary of State for Education nor what their intentions were. DE officials are not aware of this issue being raised at Executive level or if any meetings took place.
110. After the announcement the Minister then wrote to all schools as per **DB 031 – INQ000617121** on 19 March 2020 to inform them that they would be required to close from 20 March 2020. This letter also provided information in relation to how schools were to

maintain education for pupils, and on related issues such as examinations, remote learning, child welfare, and provision for key workers.

111. **I established** the DE Incident Management Team (IMT), which held its first meeting 16 March 2020. The IMT comprised DE's top management. This was chaired by myself with membership initially including all Deputy Secretaries, the Chief Inspector, the Director of Corporate Services and Governance, the Head of Press Office and Head of Business Services Team. This membership was assembled so that the IMT was best placed to address the major elements of the DE response to education sector impacts and key business priorities for DE, including support to staff. The final set of minutes for the IMT are dated 13 October 2020.
112. During this period the IMT met daily, to ensure an agile and timely response to the crisis as DE's decision makers. The Minister and/or his SpAd were invited to all meetings, and regularly attended, thereby ensuring regular information flows to the Minister, Civil Contingencies in The Executive Office, DE staff, and wider sector stakeholders together with Ministerial input to the day-to-day implementation of the DE Covid-19 Response Plan. Schools would have had plans to close as per the Flu Pandemic Guidance issued, what level schools were at to facilitate this would be down to the individual schools. No consultation took place as DE were only made aware of the decision to close schools when the announcement was made.
113. DE initially paused some areas of work and reallocated resources to form a Covid-19 Response Team which coordinated the sectoral response, including supporting the restriction of attendance at schools, the rollout of technology and guidance for the operation of schools out-with lockdown periods. There was no evaluation of the technology infrastructure at this stage, however an exercise took place by the Education Authority (see paragraph 233), following the closure of schools. School resources and technology are down to individual schools and finance available therefore there would be no centrally held information to inform this.
114. There was no work undertaken or plans in place for the provision of education should schools close or for the availability of education for those who continued to attend. Nor were any assessments made of the impact of school closures on children in the short, medium or long term as it was officials' belief that schools would remain open until the announcement to the contrary.

115. DE are not able to answer whether schools were prepared to close and start to provide education at home. The guidance issued in relation to Human Influenza Pandemic documents, mentioned previously, highlighted the need for schools to have plans in place for this eventuality. No discussions with stakeholders or within DE took place prior to the announcement in relation to remote education or any consequences of school closures.
116. The Acting Director of Corporate Services and Governance established DE's Departmental Operations Centre (DOC), in response to the Covid-19 outbreak, on Monday 16 March 2020 **DB 035- INQ000617676**. The DOC consisted of a Policy Cell, an Operations Cell, a Situation Cell and Liaison Officers, led by a Chief of Staff and DOC Lead who reported to the Senior Reporting Officer at Grade 3 Level **DB 036 - INQ000617709**, **DB 037 - INQ000617728** and **DB 038 – INQ000617744**. The DOC facilitated the flow of information to The Executive Office NI Hub through daily situation reports, the first of which issued on 20 March 2020 **DB 039 - INQ000176143**.
117. Officials within DE liaised with other United Kingdom (UK) jurisdictions including England, Scotland and Wales to inform policy for Ministerial approval on educational issues. DE's Covid-19 management met virtually with colleagues from England, Scotland and Wales informally on a fortnightly or on an as necessary basis to exchange information. Given the uniqueness of Northern Ireland and the land border with the Republic of Ireland I also had a number of informal and un-minuted telephone conversations with his counterpart in Dublin, the Secretary General of the Irish Department of Education, to exchange information about their respective plans for addressing some of the challenges posed by the pandemic for education, focusing on remote teaching and learning, addressing the needs of special needs pupils and arrangements for public examinations. While there was monitoring of what other European countries were doing, decisions were primarily driven by what the DoH and CMO were advising the Executive.
118. No assessment of how schools could deliver remote learning was conducted. Schools have exceptional closures due to emergencies, weather/heating etc regularly and schools should have plans in place to deal with these closures and the provision of continued learning in place. There had never previously been occasion for the long-term closure of all or even a significant number of schools in Northern Ireland. Officials did not consult with relevant stakeholders prior to the announcement due to the speed with which the announcement was made.

119. During late February and early March 2020, DE officials had been liaising closely with colleagues in Education Departments in England, Wales and Scotland, as well as with colleagues in the Council for Curriculum, Examinations and Assessment (CCEA) around contingency planning for the summer exam series in light of the evolving Covid-19 situation. Key considerations across all jurisdictions were the need to ensure that all students, but especially final year A level students, were awarded their qualifications so they could progress to the next stage of their education or into employment, and to ensure that all students were treated fairly.
120. A key consideration for DE was the importance of ensuring that the qualifications achieved by Northern Ireland students continued to be recognised as comparable to those in England and Wales to ensure that Northern Irish students would continue to be able to access further/higher education and employment across the UK. To that end, ensuring consistency of approach across England, Wales and Northern Ireland was essential and DE officials worked closely with officials from the other jurisdictions to achieve this aim.
121. DE officials also worked closely with CCEA, the Northern Ireland exams body and the Northern Ireland qualifications regulator to develop the response to the evolving emergency in early 2020. DE officials relied heavily on CCEA for expert advice on qualifications and examinations. Prior to the pandemic DE's engagement with the examination system involved a couple of meetings a year with CCEA who provided assurances about arrangements for the next exam series and a read out of any issues from the last series that needed to be reflected in future series.
122. The discussions between myself and my Irish counterpart did not include the synchronisation of partial closures or re-opening of schools, as the various UK governments and ROI were at different stages throughout the pandemic and adjusted the mitigations as required.

Pre-School Education

123. Pre-School Education was also paused with the Pre-school Education Programme Team acting as a communication hub for the pre-school sector by helping to implement and communicate decisions and guidance that were made elsewhere for the education sector, to ensure that decisions and guidance were properly applied and understood by all funded pre-school settings. Examples of this included dissemination of the Safefood 'Rufus' hygiene guidance **DB 040 - INQ000617840**, guidance provided by Department for Health **DB 041 - INQ000617864** and supplementary guidance to the overarching DE guidance for pre-schools

that reflected the decisions taken by the Executive. Lists of available open schools and registered clusters of schools that remained open to cater for the needs of any vulnerable children and children of essential workers, including children of pre-school age, were made available on the DE website see paragraph 163.

124. Initial surveys conducted by DE Statistics and Research Team in relation to attendance did not provide a breakdown by school type. It was simply sent to all Playgroups, Day Nurseries, Nursery Schools, Nursery Classes, Reception, Primary, Prep. Departments, Secondary (Non-grammar), Grammar, Special and EOTAS settings (not Independent Schools or Further Education establishments) with overall summary information provided. The accuracy of the information recorded was dependent on correct input of DENI reference numbers and names. However, it has been confirmed that there were numerous errors with this information, and, due to capacity issues, there was no process for validation or analysis of school types.
125. The 'New School Day' guidance for statutory and non-statutory pre-school education providers in the Pre-school Education Programme (PSEP) was published on 17 August 2020 to reflect the updates made to the 'New School Day' guidance published on 13 August 2020. This was co-designed by DE and school and pre-school leaders and informed by the constructive comments made by the consultation group comprising Managing Authorities, sectoral support bodies and trades unions. The paper was agreed by the DE Restart Programme Board and published on the DE website **DB 042 - INQ000617904**.
126. DE officials wrote to all non-statutory pre-school settings **DB 043 - INQ000617913** following the Minister's letter of 19 March 2020 to all education settings. The purpose of this correspondence was to provide additional clarification on what the information in the Minister's letter meant for those pre-school settings and to provide reassurance in respect of their funding arrangements as this issue was not addressed by the Minister's letter. Subsequently, the team also sought and gained approval **DB 044 - INQ000617915** to provide similar clarity to settings about funding arrangements for the 2020-21- and 2021-22-years **DB 045 - INQ000617916**, **DB 046 - INQ000617917** and about the return to face-to-face learning in March 2021 **DB 047 - INQ000617918**.
127. Input was also provided to other officials as appropriate to ensure that the pre-school sector and its funding arrangements and needs were fully considered in DE's response to the pandemic. This included providing advice on the correct terminology to be used for the sector so that this could be reflected in advice and guidance issued by DE and by providing

information on various operational issues such as funding arrangements **DB 048 - INQ000617919**.

128. The pre-school team provided updates to decision makers on the pre-school programme throughout the period as appropriate, submissions to Minister on the admission process **DB 049 - INQ000617920** and **DB 050 - INQ000617921**, **DB 051 - INQ000617922** and **DB 052 - INQ000617923**, and the Pre-School Education Admissions Arrangements – Socially Disadvantaged Circumstances **DB 053 - INQ000617924**.

Youth Services

129. Officials from DE continued to participate in quarterly virtual meetings of the British-Irish Council Early Years work sector group which provided a useful platform for discussion on the impact of the pandemic on early years and childcare services and which enabled DE to test proposals for the Childcare sector. Meetings during the covid period took place on 23.06.2020, 13.10.2020, 26.01.2021 and 07.05.2021 **DB 053a - INQ000651643**, **DB 053b - INQ000651647**, **DB 053c - INQ000651654** and **DB 053d - INQ000651665** respectively. Meetings of the British-Irish Council Early Years work sector group continue to be attended by DE Officials.
130. Facilitated by DCMS through a 4-Nations group, youth policy leads in each jurisdiction met on a regular basis to share information on emerging issues, plans and good practice experience. Issues covered were topical and wide ranging, including guidance, timetable and plans related to closing/re-opening youth centres, country specific plans/interventions, challenges experienced by outdoor education centres and relief efforts, mitigations to reduce risk of infection and ensuring ongoing support for vulnerable/at risk young people. Regular contact with the relevant Irish Government youth policy lead was also in place to share information and practice.

Temporary Modifications Notices for Special Educational Needs Duties

131. Further to the assent of the Coronavirus Act 2020, DE issued the first Temporary Modification Notice ('the Notice') 2 April 2020 **DB 054 - INQ000400821** modifying the statutory duties set out in:

- a) Articles 6 to 21B Article 21B which was inserted by The Special Educational Needs and Disability (Northern Ireland) Order 2005 into the Education (Northern Ireland) Order 1996 (duties in relation to special educational needs).
 - b) Regulations 5 to 22 of the Education (Special Educational Needs) Regulations (Northern Ireland) 2005 (duties in relation to assessments and statements).
132. The temporary closure of schools in Northern Ireland and the reallocation of Education Authority or health and social care resources to meet other essential services arising from restrictions imposed as a result of the outbreak of the coronavirus in Northern Ireland impacted on the EA, Board of Governors of Schools, Principals and the Special Educational Needs and Disability Tribunal, in their ability to meet the statutory duties as set out in Part II of the Education (Northern Ireland) Order 1996 and the Education (SEN) Regulations (Northern Ireland) 2005.
133. DE understood that in England the duties in respect of children and young people with SEN, were diluted to 'reasonable endeavours' at that time to allow for greater flexibility. In conjunction with DSO and as part of the considerations, DE acknowledged that there would be difficulties for statutory bodies in relation to complying with their duty to meet the needs of children with SEN, due to the Covid-19 pandemic, but it was emphasised that there was still a requirement to demonstrate their 'best endeavours to meet the duty'. The outline of the duties are set out in **DB 054a - INQ000651670** .
135. Seven temporary Modification Notices in relation to the statutory duties for SEN were issued every 28 days between April – August 2020. The requirement for a Notice was reviewed in conjunction with key duty bearers during each notice period with the Minister taking a decision to issue a continued Notice based on advice. DEs decision-making processes in respect of these Notices were the subject of judicial review proceedings which were successfully defended: see the decision in the Matter of Applications by JR154, JR155 and JR156 (All Minors) and Their Next Friends for Leave to Apply for Judicial Review [2022] NIQB 54 **DB 054b - INQ000548420**

Emergent Issues

136. A submission was sent and approved by the Minister on 20 March 2020 **DB 055 – INQ000617927**, **DB 56a – INQ000617929**, **DB 56b – INQ000617931** and **DB 057 – INQ000617932** for direct payments to make families entitled to free school meals in lieu of

receiving a meal when schools were closed. Further detail is contained at paragraphs 513-525.

137. On 31 March 2020, former Minister Peter Weir wrote to schools and pre-school settings emphasising the need to continue to be open to accommodate vulnerable children and children of key workers who were unable to secure alternative arrangements for their care. Guidance on Covid-19 **DB 058 – INQ000617934** and **DB 059 – INQ000617935**.
138. Given the requirements within Special Schools to provide intimate care and feeding for pupils, the provision of additional PPE was a priority. Officials met with colleagues from across the 4 nations to discuss additional supply requirements and best practice guidance. Information obtained during these discussions was then used to inform DE's Guidance which was prepared in conjunction with colleagues in the PHA(PHA), to support safe working in educational settings in Northern Ireland (published 4 June 2020).
139. The meetings covered the modelling of PPE requirements across schools and shared drafts of guidance on use of PPE. **DB 060 – INQ000617936** – Read out from meeting of four nations policy leads meeting on PPE 30/4/2020-, **DB 061 – INQ000540882** – Actions Arising from four nations policy leads meeting on PP 19/5/2020, **DB 062a – INQ000207924** and **DB 062b**
See DB 062a - INQ000207924 Read Out cabinet Office Meeting PPE in non-clinical settings 20/5/2020, **DB 063 – INQ000617940** – Submission to Minister Guidance to Support Safe Working in Educational Settings, **DB 064 – INQ000617943** – Email iro PPE Shortages and Contingency Plans 5/6/2020 and **DB 065a – INQ000617945** and **DB 065b – INQ000617946** – Submission decision of Guidance.

Curriculum Support including Remote Learning

140. The Curriculum, Qualifications and Standards Directorate had regular meetings at least weekly with officials in the other UK jurisdictions, at three levels of seniority from March 2020 onwards: Deputy Secretary/ Director General level; Director-level; and 'working level' (Grade 7 and 6). These meetings were an important contributor to informing policy for Ministerial approval because they facilitated a comparison of approaches for awarding GCSEs, AS levels and A levels awarding following the cancellation of public examinations in March 2020. The substance and regularity of the meetings, cross-referenced at three levels of organisational seniority, helped DE align approaches to qualification awarding with those in England and Wales. These were informal catch-up meetings arranged and led by the Department for Education in England. There were no formal agendas or minutes circulated.

Over time the need for these meetings diminished - they were not formally stood down but from November 2021 they continued (and still continue) at director level on a regular but less frequent basis (approximately monthly but this can vary).

141. Furthermore, whilst Scotland offers different general qualifications at the equivalent of KS4 and post 16, the inclusion of counterparts from Scotland in these meetings helped inform general approaches to the relevant Results Day and examination appeals processes. These meetings have been retained throughout subsequent examination series to safeguard GCSE, AS level and A level comparability and portability between jurisdictions as all jurisdictions chart a return to pre-pandemic awarding standards.
142. The first curricular guidance relating to remote learning was issued to schools on 5 June 2020 after a period of development – see Circular 2020/5 **DB 066 – INQ000617179**. This was advice and guidance to schools on supporting remote learning drawing from both what schools had reported over the first period of remote learning and a detailed review of the relevant local and international literature. Following the publication of this guidance, steps were immediately taken as part of the Continuity of Learning Project, to provide opportunities for schools to learn from each other's emerging practice by publishing a number of case studies which schools shared with link officers and to develop more detailed phase specific guidance. Circular 2020/06 Curriculum Planning 2020/21 was latterly published on 23 June 2020 which provided guidance and support for schools as they designed their curriculum for 2020/21. At that time, it was envisaged schools would have to operate a blended model of delivery mixing face-to-face and remote learning provision.
143. DE Restart Guidance – September 2020 – **DB 066a –INQ000651671** included chapter on curriculum and sections of remote learning – and provided advice to schools and clear expectations on what needed to be provided in terms of remote learning and when. For example, when a group of pupils or class needed to self-isolate or in event of a school closure, as schools planned for reopening in September. The Restart Guidance was updated on a significant number of occasions throughout 2020/21.
144. When the Executive decided to close schools in January 2021, Departmental Circular 2021/01 – Updated Guidance on Remote learning (which included the EA Readiness for Continuity of Learning at Home checklist) – immediately issued to schools on 4 January 2021 **DB 067 – INQ000615177**. In February 2021, the Department published a one-page, quick glance document for schools entitled Effective Practice in Remote Learning, which provided

simplified and easy to access guidance. Latterly, on 6 December 2021, the Department issued revised guidance on remote learning and the circumstances in which it can be used (Circular 2021/15). This reflected the most up-to-date public health situation, and the difficulties schools were having in securing staffing cover both teaching and non-teaching which may necessitate the use of remote learning. It provided a checklist of considerations for school leaders to think about prior to reverting to remote learning.

145. Noting the issues encountered, from the start of January 2022, the Department (School Improvement Team) commenced a rolling weekly survey to gather data from schools to determine the use of remote learning in order to consider the level of disruption that schools continued to face due to the need for either staff or pupils to self-isolate. The survey was completed by pre-school settings, primary, post primary and special schools, as well as EOTAS. The survey was required at this time as there were not universal school closures and remote learning as in 2020 and 2021, but rather individual schools were experiencing differing levels of disruption and it was important for the Department to understand the overall levels of disruption across the education system. The questions specifically asked whether schools had utilised remote learning in the previous week and if it was for whole school or individual pupils. Additional questions regarding remote learning for year 12 and 14 pupils were regarded as crucial as pupils prepared to take public examinations.
146. Questions regarding the reason for remote learning, including the shortage of teaching/support staff were also included. Headline findings of weekly comparison data were published on the Department's website **DB 067a INQ000651672** and **DB 067b INQ000651674**, and the findings were used to consider the ongoing impact of the pandemic on learning and to the extent of staffing shortages. This enabled further action to be taken such as inviting retired teachers to join the supply teacher register, relaxing requirements around the supervision of final year student placements and to utilise staff employed through the Engage II Programme to sustain normal classroom teaching, with the cost being met from their Engage budget.
147. The Education and Training Inspectorate (ETI) was commissioned by DE as part of the Continuity of Learning Programme, to provide guidance on effective ways in which the curriculum could be tailored i.e. planned for, implemented and assessed across the range of areas of learning and subject areas for a phased return for children to full-time education. ETI completed a series of pieces of work to reflect the changing circumstances in which schools were working to provide up-to-date advice and guidance on an ongoing basis. ETI

subsequently published a number of reports setting out the lessons learned during the Covid-19 response and recovery phases with a specific focus on remote learning. These are exhibited later in the report at paragraphs 176 and 177.

Food in Schools

148. A regular informal meeting of colleagues with policy responsibility for school food from across England, Scotland and Wales was established in the early weeks of the pandemic. These meetings initially focused on sharing information around plans and approaches being considered on how pupils entitled to free school meals would be supported by each nation in terms of school food provision during periods of school closures, which were not minuted. As the pandemic progressed, the discussions widened to include aspects such as provision to these pupils during periods of school holidays and other non-pandemic related areas of school food policy. These meetings continued through and since the pandemic and while at the start of the pandemic they were usually weekly meetings, the group currently meet monthly.
149. The impact of school closures on Free School Meal pupils' access to food is addressed in detail later in this statement at paragraphs 513 - 549

Ventilation

150. In September 2021 following increased correspondence and discussions at the Education Committee regarding ventilation in schools, Investment and Infrastructure Directorate (IID) within the Department of Education submitted a submission to the Minister, seeking her approval for:
- a) Agree for action plan and roll out of CO2 monitors.
 - b) Agree of capital allocation of £100k for purchase of initial 1000 CO2 monitors.
 - c) Agree of capital allocation of £100k for purchase of 100 mobile air filtration units.
 - d) Agree a COVID bid of £2m is submitted as part of October 2021 monitoring round.
 - e) Agree of wider allocation of CO2 monitors across the schools' estate with initial order of 10,000 units.

151. The Department had discussions and advice from the NI Assembly, EA and Department of Education in England, Public Health Guidance and advice from the Health and Safety Executive who recommended the importance of ventilation to mitigate transmission of COVID-19 including appropriate ventilation rates and providing baseline on carbon dioxide (CO₂) concentrations in indoor air that indicate good or poor ventilation. **DB 067c - INQ000548422** The Education Minister approved the rollout of CO₂ monitors with a capital allocation of £100k for 1000 monitors and £100k for air filtration monitors and agreed a Covid-19 capital bid of £2m for wider allocation of CO₂ monitors across the school estate.
152. Details can be found at **DB 068 – INQ000617951**.
153. The Finance Minister wrote to Departments on 11 January 2021 noting availability of capital and asking Departments if they wished to avail of funding to purchase air filtration or ventilation devices. IID raised a submission and correspondence on the 12 January 2021 to the Minister seeking her approval to continue to liaise with the Health Minister on use of air filters and noting that she would liaise with the EA if there was scope to invest in more ventilation works or maintenance in the financial year. Details can be found at **DB 069a- INQ000617952** and **DB 069b – INQ000617955**.
154. The dashboard from the Education Authority Ventilation Remedial Team highlighted the need for 122 air filtration units in schools. IID made a submission seeking the purchase of an additional 100 air filtration units, at an approximate cost of £150k. The EA secured an initial stock of 100 units in stock and, given the number of units required, the EA believed that an additional supply was required, requesting approval to purchase an additional 100 units. Submission was approved by the Minister on 14 February 2022. The EA addressed the concerns raised by schools in relation to ventilation issues, by seeking funding for air filtration units. The EA records indicate 200 mobile air filtration units were purchased and supplied across the school estate. There are no ongoing works from a maintenance perspective and no active requests/reports from schools. Details can be found at **DB 070a – INQ000617958** **DB 070b – INQ000617961** .

Volunteering

155. On 27 March 2020, former Minister Peter Weir launched a Volunteering Scheme to provide educational supervision in our schools for the children of 'key workers' and vulnerable children **DB 071a – INQ000617963** and **DB 071b – INQ000617964**.

156. On 6 April 2020 (in addition to all teachers, staff in the DE, EA, CCMS and the ETI, Minister Weir then widened the call for volunteers to include members of Boards of Governors, retired Teachers and Classroom Assistants and the wider education sector. This was driven by an awareness of the need to consider contingency planning for the Easter holidays and the threat of a surge in the impact of the virus which NI had been told to prepare for **DB 072 – INQ000617966**.
157. There was a very positive response to the Volunteering Scheme with over 1000 applications received. DE collated a database containing the details of the volunteers and a data sharing agreement was developed and signed between DE and the EA, as it was intended that the volunteers would be contacted by the EA in relation to need.
158. A process was developed which determined the order in which volunteers would be called to provide assistance if this was required:
- a) Category 1 - Existing staff in the school.
 - b) Category 2 - Wider teacher workforce.
 - c) Category 3 – Northern Ireland Supply Teacher Register (NISTR).
 - d) Category 4 - DE wider education sector volunteers.
159. On 27 April 2020, Minister Peter Weir agreed that the Volunteering Scheme should be paused due to the high number of volunteers already registered, the much-reduced number of applications being received at that time and the fact that volunteers were unlikely to be required imminently - as schools appeared to be coping well with the resources, they had **DB 073 – INQ000617967**.
160. It was recognised, however, that the Volunteering Scheme could have been restarted and widened if additional volunteers had been required to support staff in those school settings where provision was required.
161. All volunteers were then contacted to advise of the pausing of the scheme and to establish their availability over the May bank holidays and the school summer holiday period, should it have been necessary to deploy volunteers.

162. In the event, it was not necessary to call upon the volunteers who registered with DE, because as it transpired the teaching and non-teaching staff in school settings providing for vulnerable children and the children of key workers coped well with the challenges they faced.
163. To assist the placement of key workers' children, the EA introduced a helpline, school link officers and caseworkers to deal with key worker requests and to reduce the number of unplaced children. Lists of available open schools and registered clusters of schools were made available on the DE website. There were 33 registered clusters, involving 98 schools, on the last published list on 5 June 2020.
164. On 3 April 2020, the Minister sent a further letter **DB 074 – INQ000617968** and **DB 075 – INQ000617969** to schools outlining the situation at that time and asking all schools, where possible, to work with link officers and other schools in their local area to put in place arrangements to provide places for vulnerable children and the children of key workers who needed them. The Minister also agreed that consideration should be given by the EA to setting up Emergency Hubs to operate over the Easter Period in the event that major gaps in provision emerged. The Emergency Hubs were only to be implemented when all other cluster arrangements had been exhausted.

Youth Services

165. The Youth Service in Northern Ireland responded positively to the impact of the pandemic and was amongst the first to respond to the needs of children and young people **DB 076 – INQ000617970**.
166. While all generic and most targeted youth work was suspended from March 2020 **DB 077 – INQ000617971** and **DB 078 – INQ000617973**, targeted youth work to support the most vulnerable and at-risk young people continued to be provided under the direction of the EA.
167. Funding for youth services was continued throughout the pandemic **DB 079 – INQ000617974**, **DB 080 – INQ000617975** and **DB 081 – INQ000617976**. An additional £0.4m for the Youth Service response was provided **DB 082 – INQ000617977**.

168. Most youth work providers sought to move services on-line, including the EA statutory Youth Service which adopted a new Youth Online portal. Through the Stay Connected programme, the Education Authority Youth Service provided an online service to directly support young people through digital youth work engagement. This included online group engagement with interactive activities, online events and a range of programmes designed to meet the needs of vulnerable groups. This helped widen the geographical reach and allowed young people to meet up with friends and reduced feelings of isolation and loneliness. Programmes included Health and Wellbeing, Mental Health, Personal and Social Development and online events including quizzes. Our Facilitating Life and Resilience Education (FLARE) programme demonstrated the innovative use of digitally based youth work to engage young people online providing mental health support. The START programme engaged children and young people providing innovative and creative programmes through online platforms to support them during lockdown. However, several local youth work providers did not have the necessary IT capacity to do so. Officials put forward a business case to provide additional laptops for those groups who did not have access to them. DE secured funding of £1m to make IT equipment available to the voluntary sector which was administered by the Education Authority. It was agreed that this would be made available to all Voluntary organisations in receipt of Local Area or Project Funding and 6 groups funded to deliver the Targeting Paramilitary Programme. Groups could apply for £15,000 to purchase devices to help support vulnerable children and young people access services. This funding was allocated through a score criteria application process. The new IT equipment increased access to online/blended targeted youth work provision, improved service delivery and led to improved outcomes for marginalised children and young people.
169. The EA Youth Service quickly established Youth Online as a mechanism to keep in contact with young people and keep them engaged through a range of activities, ideas and challenges designed to help young people look after themselves, learn a new skill and have some fun. Guidance for youth workers operating online was issued **DB 083a – INQ000617978** and **DB 083b – INQ000617979**.
170. Youth Online also provided advice on keeping safe and on how to ensure access to help if needed (food, mental health, etc). All requests were followed up via text, WhatsApp or video/voice call with a youth worker and arrangements were put in place for parental consent. Codes of conduct were developed for young people accessing the service and youth workers responding to needs **DB 084a – INQ000617978** and **DB 084b** See DB 083b - INQ000617979 Weekly update reports were provided to DE on service delivery through Youth Online **DB 085a –**

INQ000617982 and **DB 085b – INQ000617161**. Youth Online continued to provide guidance and resources for safely restarting youth service activities.

171. For vulnerable and at-risk young people arrangements were made to continue to provide face-to-face support where necessary with mitigations in place to stop the spread of the virus **DB 086 – INQ000617984**. This included young people impacted by mental health (180 young people) and under risk from paramilitaries (272 young people). In addition, over 500 young people were provided with a bespoke response to their specific needs because of contacting the EA Youth Service **DB 087 – INQ000617985**.
172. The EA worked closely with the Police Service of Northern Ireland in relation to young people at risk **DB 088 – INQ000617986**. At the request of the Police Service of Northern Ireland the Youth Service also provided drop in places of sanctuary for young people at risk of domestic violence or child sexual exploitation. The Education Authority appointed 26 centre-based staff members across Northern Ireland as part of its Sanctuary programme to support young people at risk of domestic violence. There were no requests for support from this programme during the period that it operated.
173. As well as the provision of youth services, the EA Youth Service supported the response to those experiencing food poverty by providing weekly food boxes to over 3,000 young people known to youth workers to be at risk through the 'Eat Well, Live Well' scheme. In an extension to the 'Eat Well, Live Well' scheme, the Youth Service continued to provide weekly food boxes to around 5,000 young people during July and August 2020 to address holiday food poverty.

Education and Training Inspectorate

174. On 18 March 2020, in response to the developing Covid-19 pandemic, the then Chief Inspector Noelle Buick, informed all schools and educational settings that the ETI was taking the unprecedented action of pausing all inspections with immediate effect and until further notice **DB 089 – INQ000641912**. ETI having listened to schools and providers considered how best it could work with, and be responsible to them and the wider education system - the Chief Inspector took the decision in consultation with the DE Permanent Secretary in the context of the wider emergency response arrangements, to enable schools and settings to focus on the health and wellbeing of staff, pupils and students and to plan for imminent closures.

175. All ETI inspectors and staff were redeployed to support the education system. Inspectors worked collaboratively with CCMS, CSSC and EA officers to support individual schools as designated Covid-19 link officers providing support for Covid-19 related issues and school day guidance. Other aspects of support included: publishing evaluations of children and young people's experiences of learning remotely during the Covid-19 pandemic; providing advice and guidance on learning and teaching to support continuity of learning; and providing policy advice and support to DE in relation to the creation, implementation and evaluation of alternative approaches to learning and assessment, including alternative assessment for public examinations.
176. ETI phase reports based on inspection and evaluation activity, and other work carried out between September 2018 and December 2020 aimed to promote improvement in the interests of all learners. Each report identified examples of effective provision, in the context of school leaders and staff adapting and developing professional solutions to a wide range of educational challenges, as well as highlighting areas for consideration going forward. These reports were not specifically around Covid-19 but covered the period of the pandemic.
- a) **DB 090 – INQ000641964** pre-school-phase-report-September-2018-December-2020.
 - b) **DB 091 – INQ000641965** primary-phase-report-September-2018-December-2020.
 - c) **DB 092 – INQ000641963** post-primary-phase-report-September-2018-December-2020.
 - d) **DB 093 – INQ000641966** special-schools-phase-report-September-2018-December-2020.
 - e) **DB 094 – INQ000641961** eotas-phase-report-september-2018-december-2020.
 - f) **DB 095 – INQ000641967** youth-phase-report-September-2018-December-2020
177. The latest Phase Insight Reports from 2021 - 2024 reflect ETI's mission to empower improvement for those working in education and include links to external guidance and support from a range of sources. Primary, Post Primary, Youth and Further Education phase insights reports refer to the impact of post-pandemic challenges and the legacy of Covid- 19. These reports are exhibited and referred to later in the statement.
- a) **DB 096 – INQ000617995** early-years-insights-report-Sept 2021-2024.

- b) **DB 097 – INQ000617996** primary-insights-report-Sept 2021-2024.
- c) **DB 098 – INQ000617997** post-primary-insights-report-Sept 2021-2024.
- d) **DB 099 – INQ000617998** youth-insights-report-Sept 2021- 2024.
- e) **DB 100 – INQ000617120** further-education-and-training-insights-report-Sept 2021-2024

The announcement of 18 March 2020 that schools would close

178. The Executive Committee, consisting of the First Minister, the deputy First Minister and the other Northern Ireland Ministers was the body primarily responsible for the Northern Ireland response to the pandemic. DE officials had no input into the initial decision taken by the Executive to close schools, whilst policy areas were being developed the announcement was not foreseen by officials and they were not privy to the exchange in the Executive. Officials understand that the reasoning behind the decision was driven by the DoH /CMO, however Module 2C evidence would highlight what discussion took place.
179. Following the announcement on 18 March 2020 DE established a Practitioner Group made up of school principals from across the educational sector including EA representatives which meet on an ad hoc basis to discuss changes or ways to implement them when required, this group was not minuted to allow free and frank discussion. A separate group of trade union organisations representatives helped inform mitigation measures which would be considered reasonable for both schools and employees. Officials understanding was that school closures or restriction to access of schools would help reduce contact between individuals and therefore slow the transmission of the virus, this was informed by PHA and CMO information around how the virus was transmitted.
180. The Minister wrote to schools on 19 March 2020 **DB 101 –** See DB 031 - INQ000617121 highlighting the need to continue to provide an education to children through the method of remote learning, through online learning and lesson packs. Schools were also advised of the need to stay open to provide supervised learning for vulnerable children and those of key workers. DE did not conduct any work in relation to the keeping of schools open as the decision made by the Executive provided no alternative other than partial closure. DE did not retain figures of the number of schools who closed completely.

181. Officials continued to engage with school principals and EA to try and address issues being highlighted by telephone conversations and email and seeking clarity around various proposed mitigations and how schools could prepare for pupils' attendance. Schools were directly responsible for the implementation of NPIs within their own environments and EA and DE provided policy advice and funding as required. Both EA and DE issued guidance notes to schools via email circulation lists.
182. When DE guidance in relation to attendance and the use of Covid-related attendance codes was introduced or updated, it was communicated to schools via e-mail from the dedicated attendance mail account and copied to the Education Authority for information purposes also. Additionally, DE webpages were updated as and when required.
183. In view of the increasing concerns regarding schools remaining open at this time (March 2020), many schools were quickly making arrangements to close to virtually all pupils and planning how they could support pupils in learning from home and the small number of pupils that would continue to attend school. Whether schools were ready to close is debatable, but the vast majority were planning to do so, given the priority to safeguard children's health and safety and that of the educational workforce. In March there were groups of school children out of Northern Ireland on school trips and concerns were beginning to arise as travel restrictions began to be put in place and with decisions being taken in adjoining jurisdictions where pupils were travelling across borders. This became a focus of discussion and concerns were raised by schools' principals/parent and coverage by local media.
184. At the same time officials were engaging with the EA, DoH and PHA on guidance to issue to schools and they began to look at what NPIs **DB 102 – INQ000617122** were being implemented across UK regions as well as in Ireland and other European countries to help inform the development of the guidance for schools.
185. Advice was issued to schools regarding the coding of pupil attendance on pre-lockdown **DB 103 – INQ000617136**. From lockdown on 23rd March 2020 schools were advised to use Code ! – attendance not required; this did not adversely impact upon pupil attendance **DB 104 – INQ000617137**.

Assessments and epidemiological advice on school closures

186. DE officials had no role in the initial strategies in relation to community testing, surveillance, the move from “contain to delay” or in providing advice to health or social care providers. These decisions were taken by the Executive Committee. At the early stage of the pandemic, when the Executive decision had been taken that schools should restrict access for most pupils, the restrictions became the most significant NPIs that DE implemented.
187. DE did not have access to its own epidemiological advice on transmission rates, nor did it participate in any modelling or provide advice on the appropriateness or otherwise of NPIs, nor did DE provide any input into modelling scenarios. Instead, DE discussed with the DoH, PHA, the Practitioner Group and TUS representatives in determining how the transmission rates could be contained and reduced. Again, these meeting were on an ad hoc and when needed basis.
188. DE did not provide advice to the Executive on behavioural management or public communications in relation to the pandemic. During 2020/21, while formal inspection of individual organisations was paused, a range of ETI District Inspector (DI) activity continued across all phases of education and training, including the advisory role carried out by Inspectors as DIs for schools and settings. Inspector activity allowed for the identification and sharing of good and effective practice via reports published on the ETI website. In the primary and post-primary sectors, there was a focus on monitoring and evaluating the DE-funded Engage Programme, which aimed to limit any long-term adverse impact of Covid-19 by supporting pupils’ learning and engagement on their return to school/setting through provision of high-quality one-to-one, small group or team-teaching support in every school/setting in Northern Ireland. This programme is discussed in further detail from paragraphs 445 - 455.
189. In December 2020 DE officials began to commission a Rapid Evidence Review Terms of Reference **DB 105 – INQ000617139** to identify emerging research and evidence related to the Covid-19 pandemic, and the associated interruption in schooling, and its impact on educational outcomes for primary and post-primary pupils. In June 2020, officials in conjunction with QUB published a Rapid Evidence Review research paper **DB 106 – INQ000617140** to identify current research and thinking in relation to the reopening of schools and what if any differences Northern Ireland was experiencing in comparison to other jurisdictions, including EU countries. ETI also commissioned a report **DB 107 - INQ000617141**.

190. The Rapid Evidence Review was intended to inform policy development and responses across DE and to review priorities for Restart including –
- a) Physical Protection – We must protect the physical health of our workforce and learners as they return to schools and settings – minimising the risk of Covid-19 transmission.
 - b) Well-being – We must promote the mental health and emotional well-being of our workforce and learners as they adjust to a “new normal”.
 - c) Vulnerable Children and Special Educational Needs (SEN) Services – We must ensure the delivery of vital services to vulnerable learners, including SEN services.
 - d) Standards and Learning – We must maintain (or re-dress) educational standards, provide continuity of learning and ensure appropriate assessment. Including preparation for ongoing blended learning.
 - e) A new school day – We must make practical arrangements to deliver a new normal which is consistent with guidelines on social distancing, including issues relating to school transport, provision of school meals and physical distancing in the education context.
191. QUB conducted a review of the evidence related to the impact of the Covid-19 pandemic. The project was completed in two stages: the creation of an Evidence and Gap Map (EGM) and the production of three evidence summaries on pupil attainment, pupil wellbeing, and teacher practices. Together, the EGM and evidence summaries identify, collate, and synthesise the evidence available during the first 18 months of the Covid-19 pandemic (until June 2021). The Pupil Attainment, Wellbeing, and Teacher Practices during the Pandemic: Findings from an Evidence and Gap Map **DB 108 – INQ000617142** and **DB 109 – INQ000617143** and were published on 10 May 2022.
192. The key findings are listed below -
- a) Pupils’ learning progression was hindered by the Covid-19 pandemic. This is echoed across studies that examined the perspectives of pupils, parents, and teachers.
 - b) There were socio-economic differences in the learning progression of pupils, whereby pupils from more deprived backgrounds were reported to be doing less well than their

peers. Learning progression was measured by teacher reported indicators including pupils returning set work and pupils' standard of work.

- c) The average time spent on learning by primary and post-primary pupils was negatively affected by the Covid-19 pandemic.
- d) There was no consensus in the studies included in this summary on whether socio-economic background affects the time spent on learning.
- e) Vulnerable pupils were exposed to heightened risk factors that negatively affected learning outcomes (for example, loss of specialist support).
- f) Vulnerable pupils reflected lower engagement rates in learning than their peers.
- g) There is evidence that school closures had a negative impact on the mental health and wellbeing of pupils and young people. For example, pupils and young people scored lower than normal on wellbeing measures.
- h) However, there is also evidence that school closures and remote teaching had a positive impact on the mental health and wellbeing of pupils. For example, spending more time with family and being removed from difficult relationships in school.
- i) The positive and negative effects of school closures and remote teaching on pupil wellbeing impact different areas of mental health. For example, independence, writing creatively and adapting new learning strategies were positively impacted, whereas loneliness, social interaction and anxiety were negatively affected.
- j) There were also mixed findings on the impact of school closures during the Covid-19 pandemic on the social and emotional wellbeing of pupils. There was evidence that socio-emotional wellbeing was positively influenced by increased opportunities such as playing with siblings. However, there was also evidence of a negative impact such as the lack of social interaction and loneliness.
- k) These mixed findings on mental health and wellbeing, and social and emotional wellbeing were also evident among studies examining the impact of school closures and remote teaching during the pandemic on vulnerable pupils.

- l) One study also examined the welfare of vulnerable pupils during school closures in the pandemic. A higher proportion of senior leaders and teachers in the most deprived schools were concerned for the welfare of vulnerable pupils compared to those in the least deprived schools.
 - m) Senior leaders in post-primary schools were also more concerned for the welfare of vulnerable pupils than those in primary schools.
 - n) The most common tasks conducted by teachers during their working day were contacting pupils/parents and creating distance learning resources for pupils.
 - o) Post-primary teachers were more likely than primary school teachers to set work for pupils using an online platform. The methods of online teaching also varied between schools with primary school leaders more likely to report the use of educational websites or apps than post-primary leaders.
 - p) Teachers understood the need to be flexible with their pedagogical practices during remote teaching.
 - q) There was variation in the level of teacher contact with pupils according to the school deprivation level. A smaller proportion of pupils from the most deprived schools were in regular contact with teachers. In contrast, senior leaders in the most deprived schools were more likely than those in the least deprived schools to make telephone or video calls with pupils.
 - r) There was variation amongst schools in the teaching practices used with vulnerable pupils. For example, one study reported that vulnerable pupils attending the most deprived schools were more likely to receive pastoral support than curriculum content when compared to those attending the least disadvantaged schools.
 - s) One study provided policy recommendations on how remote teaching practices could be more effective in the future. Teachers reported that better provisions of IT equipment and facilities for both teachers and pupils, and training in remote learning strategies and virtual learning environments would improve their practices.
193. ETI published reports detailing aspects of the significant work undertaken by Special Schools during the pandemic, including an evaluation of how a number of Special Schools with varying access to, and models of, multi-disciplinary support, met the often-complex needs of

their pupils effectively and reflecting on the positive impact on their holistic development and learning.

194. As part of the District Inspector role, information was gathered by ETI on the adaptations school principals (including Special Schools) made in relation to the changing needs of their pupils as a result of:
- a) The impact of Covid-19 related events and changed routines at home and at school.
 - b) In response to the increase in the number of pupils presenting with complex learning, physical and emotional health and wellbeing needs.
195. The potential impact on pupils entitled to free school meals no longer being able to access these meals during periods of schools being closed and the need to put in place an alternative approach to ensuring these pupils had access to food during the periods of school closures was documented in a submission to the Minister on 12 March 2020 **DB 110 – INQ000617145** and **DB 111a – INQ000617417**, **DB 111b – INQ000617418** and **DB 111c – INQ000617150**. Further information on this and the subsequent introduction of direct payments to families entitled to free school meals during periods of school closures is documented in the later food security part of this statement at paragraphs 513 -549.

Vulnerable children

196. The cross departmental definition of vulnerable children and young people was agreed for the purposes of Covid-19 interventions. This was:
- The term “vulnerable” encompasses those children who need protection, or are in need, as defined by the Children (NI) Order 1995.*
197. The DE guidance gave examples of children and young people who may be in need as follows: -
- a) Receiving support from Health & Social Services including family support, child protection and looked after children services.
 - b) On the Child Protection Register.
 - c) With statements of special education needs.

d) Accessing Education Otherwise Than At School (EOTAS).

e) Accessing Education Nurture Units.

f) With emerging and diagnosed mental health needs.

g) Who are homeless.

h) Who are young carers.

i) Subject to paramilitary threat.

j) Whose parents have mental health problems.

k) Whose parents have alcohol and drug addictions.

l) Affected by domestic violence.

198. Sure Start programme supports children (0-3 years) and their families, living in the most disadvantaged areas in Northern Ireland. Sure Start is a DE programme, delivered collaboratively with the DoH. DE officials liaised closely with the DoH throughout the pandemic to ensure that vulnerable children and families within Sure Start received support appropriate to their needs. Information was collated **DB 112 – INQ000617152** providing the various factors which may determine if a child is vulnerable. Sure Start services were then designed and delivered to ensure support to vulnerable children and families. In cases where face-to-face Sure Start services were temporarily moved to online provision, services for vulnerable children continued to be available e.g. via home visits, on-site engagement.

199. Departmental colleagues were in close liaison throughout the pandemic to consider the impact of temporary pandemic arrangements **DB 113 – INQ000617153** on Sure Start children and families. Since the pandemic, DE and DoH colleagues have continued to consider the impact of the pandemic on existing Sure Start provision and DE has secured additional resources to help meet increased need as a result of the pandemic, so as to stabilise existing provision. From March 2020 to June 2022, ETI undertook a range of inspection activity to understand how pre-schools were responding to the Covid-19

pandemic, including the adaptations made by pre-school settings and Sure Start services in response to the pandemic. ETI completed a department-commissioned thematic evaluation on the Consistency of parental engagement within the Sure Start developmental programme for 2- to 3-year-olds **DB 113a** **INQ000548427**

200. During the first period of school closures DE's Additional Educational Needs Team (AENT) worked in conjunction with its Special Education Team (SET) to support vulnerable children through facilitating and encouraging their continued attendance at school, or through supervised remote learning facilitated by their school. This involved opening schools on a cluster basis (i.e. one school per area opened to provide education for a cluster of nearby schools) to allow continued attendance of vulnerable children and the children of key workers in a controlled Covid safe environment.
201. Some Special Schools remained open despite the decision to close given the profile of their pupils and families, with individual school leaders developing procedures and risk assessments to ensure that the most vulnerable could be kept safe. This early work was supported by the EA and Health Trusts to prioritise services to those schools given the complex medical/ care needs of the children and the requirements for therapeutic interventions.
202. The Minister wrote to all schools in this regard on 08 April 2020: available at DE document **DB 003a** – **INQ000617154**, **DB 114b** – **INQ000617155** and **DB 115** – **INQ000617156**. Guidance on the opening of schools to allow for the continued education of vulnerable children was published by DE on 10 April 2020.
203. During July/August 2020 DE published additional guidance on the support available to vulnerable children across the school summer holiday period. This included the provision of out-of-school and summer activities operating from a range of premises including schools and other regulated educational institutions, or other community premises such as village halls. This guidance is available at DE document **DB 116** – **INQ000617160**.
204. In April 2020, the Additional Educational Needs Team (AENT) developed and implemented a reporting system for its EA to ensure that vulnerable children and young people continued to have access to the support they and their families needed during the Covid-19 school closure period. This reporting system provided the Minister with continued assurances that

support was in place for vulnerable children, with the EA reporting to DE on a weekly basis on each of the following services:

- a) Child Protection Support Service (CPSS).
- b) Education Welfare Service (EWS).
- c) Intercultural Education Service (IES).
- d) Vulnerable Persons' Resettlement Scheme (VPRS).
- e) Youth online.
- f) START.
- g) Facilitating Life and Resilience Education (FLARE).
- h) Exceptional Teaching Arrangements (ETA).
- i) Primary Behaviour Support and Provisions.
- j) Post Primary Behaviour Support and Provisions.
- k) EOTAS (including Woodlands).
- l) Looked After Children Service.
- m) School Aged Mothers Programme.
- n) Independent Counselling Service for Schools (ICSS).

205. A sample of weekly reports across the period of enquiry are attached at **DB 116a - INQ000548428** **DB 116b - INQ000548429** and **DB 116c - INQ000651675**, together with a summary report provided to the Minister as per **DB 039 - INQ000617709**.

206. DE wrote to the EA on 24 April 2020, enclosing a weekly update report template for completion. These documents are available at **DB 117a** See DB 085b - INQ000617161 and **DB 117b** – **INQ000617162**.

207. Parents with children and young people attending Special school were encouraged to send their children to school, if it was agreed that it was the best place for them. This was agreed at a school level and taking into account any involvement from Health and Social Care teams around the child. DE was not party to these discussions, nor did DE consider it appropriate to make school attendance compulsory for children with SEN given the individuality of each child's circumstances.

Communications with local authorities and schools

208. DE did not communicate directly with local authorities between January and March 2020 nor during the first school closures. Local authorities have no jurisdiction in education in Northern Ireland. The Executive Information Service (EIS) provides high-quality communication services and support across all NI Executive departments. Within the Executive Office, EIS managed central NI Government a large-scale public information campaign throughout the duration of the pandemic. The DE supplemented the over-arching Executive public information campaign with additional communications to schools, parents and pupils.

209. DE issued letters directly to schools and other educational settings to update them throughout the pandemic as changes to legislation or guidance came about, and these are encompassed throughout the statement in relation to guidance notes etc. Other communications were carried out by DEs Press Office.

210. DE also engaged with Special Schools specifically through the Joint Health/ Education Oversight Group and the Special Schools Strategic Leadership Group in relation to children and young people with complex needs.

211. Public communication to parents and pupils, in relation to the pandemic, was taken forward by the Press Office. The Press Office was staffed with one Principal Information Officer (PIOs) (Grade 7) and 3 full-time Senior Information Officers (SIOs) (Deputy Principal) and one part-time SIO.

212. The Press Office was responsible for overseeing day-to-day media activity and the press officers would use their judgement to identify issues that needed to be brought to the attention of the Education Minister and senior officials.
213. News releases and organic social media content outlining Ministerial decisions were issued regularly throughout the pandemic. In total, the DE issued 246 press releases from February 2020 to June 2022.
214. The press releases summarised advice and guidance for parents and pupils and key announcements relating to schools. Topics ranged from Covid-19 guidance for education settings, guidance on remote learning and face coverings, measures to support childcare settings, and announcements for summer schemes and counselling services amongst other information.

Press Conferences, interviews and media briefings

215. Press Conferences were held by the Executive Office to reinforce the key public health messages and to explain relaxations and restrictions during different phases of the pandemic, and the Minister participated in a number of these.
216. The DE provided input every morning to a daily Covid-19 Key Issues and Lines-to-take document. This was co-ordinated by the Executive Office and once compiled and updated, the document was distributed to all Ministerial Private Offices and press offices in advance of the daily press conference by Ministers.
217. Media interviews and briefings were organised around major announcements, including the return to school and the launch of Covid-19 funds.
218. Media invited to these conferences included BBC NI, UTV, Press Association, Downtown Radio, Belfast Live/Daily Mirror, Belfast Telegraph, News Letter and Irish News.
219. Not all interviews conducted by the Minister during the pandemic were organised by DE's Press Office. On some occasions, the Minister would appear on the media for interviews that had been organised through political channels and DE would only become aware of these when the interview was aired. This is not unusual in media relations.

Advertising Campaign

220. On 21 December 2020, the Minister made a statement to the Assembly/ Ad Hoc Committee of the Assembly on the resumption of schools following the Christmas break in 2020, and about potential further actions to be taken within the education sector to limit the transmission of the Covid-19 virus.
221. As part of the statement, the Minister expressed the need for several additional steps and actions to be taken in education to help limit the spread of the virus and protect students, parents and education staff alike.
222. These steps included how messaging could be used to make an impact within educational settings and with young people in the following areas:
- a) Extension of the use of face coverings within post primary schools.
 - b) Compliance on face coverings and safety measures on school transport.
 - c) Improving behaviour around drop off and collection of students at the school gates.
 - d) Improving responsible behaviour and safety in connection with the pandemic.
 - e) DE had an advertising campaign contract with Ardmore Advertising and the Press Office worked with the Government Advertising Unit to develop an advertising campaign.
223. Once the campaign objectives were agreed, the advertising agency worked to establish target audiences and develop key messages.
224. The creative approach used photo imagery of children in school and included agreed messaging around face coverings, safety measures on school transport, drop off and collection of pupils at the school gates, and improving responsible behaviour and safety in connection with the pandemic.
225. Using NI TGI (Target Group Index – an industry market research tool that provides consumer insights and media consumption), Ardmore Advertising analysed all NI commercial media outlets for the most effective channels and performance was continually reviewed to ensure value for money.

226. The media channels used to promote the messages included: 48 sheet posters (billboard), 6 sheet poster sites and adshels. The advertising company targeted advertising sites (where available) within 300m of schools across Northern Ireland. This targeted pupils and parents on their way to school and those who lived in close proximity.
227. Audio channels were also used, including radio, podcasts and Spotify. Adverts were aired during drivetime and breakfast slots to target parents and pupils travelling to school drop-off and collection.
228. Digital content was also developed for social media and online. Facebook and Instagram were specifically used to target both pupils and parents. Snapchat and TikTok targeted younger pupil attendance. Online advertising was targeted at parents only.
229. The first phase advertising campaign started w/c 22 February 2021 and finished w/c 29 March 2021. With priority being given to pre-school, nursery and primary school pupils in P1 to P3 returned to school on 8th March 2021 and students in years 12 to 14, returned to school on 22 March 2021.
230. All remaining school year groups returned on 12 April 2021 and a second phase of the campaign was launched w/c 12 April 2021 and finished w/c 3 May 2021.
231. The advertising campaign and all associated spend was approved by the Education Minister. As previously referenced, the Joint Health / Education Oversight Group and the Special Schools Strategic Leadership Group, were the main points of contact for our director in relation to vulnerable children and young people.

Access to technology

232. Prior to March 2020, DE had not undertaken work to regulate or develop standards for remote learning when schools were closed, nor to monitor its provision for delivery.
233. The Minister asked officials to make available digital devices for use at home. Work was progressed with EA to identify what could be purchased and the potential cost.
234. Following school closures, a Departmental survey on 24 April 2020 revealed that in response to questions on distance learning approximately 96% of School Principals reported that they used online learning as part of their distance learning provision. Collectively they estimated 8,942 lacked access to devices and 8,238 pupils would benefit from the loan of a laptop or

tablet device. The EA conducted a needs analysis of requirements in respect of children's access to technology and provided advice to DE on 10 May 2020 which is set out in Annex B of **DB 118 – INQ000617163**. Finance referenced an EA paper highlighting challenges with the existing C2k infrastructure **DB 119 – INQ000617164**. In response, the Minister approved the procurement of portable IT devices. Further advice on 15 May 2020 outlined prioritisation criteria: year groups: 11, 13, 6 and 3 in that order; and categories: Free School Meal Entitlement (FSME), Special Educational Needs (SEN) 1-5, Newcomer target groups (this means Asylum Seeker, Refugee and Roma children), Children Looked After (CLA) and children who are considered vulnerable. **DB 120 – INQ000617167**.

235. Evidence of the approach taken by DE is outlined at paragraph 234 **DB 118 – INQ000617163**
236. A business case was developed jointly by DE and the EA on 25 May 2020 and approved by the Education Authority Gold Command on 10 June 2020 and subsequently approved by the Department of Finance (DoF), enabling procurement and implementation. A three-stage model for device lending was proposed: (1) immediate need, (2) short- to medium-term need, and (3) long-term need **DB 121 – See DB 118 - INQ000617163**
237. On 22 May 2020, the Minister issued a letter to all schools confirming the lending scheme. He stated *"I have now agreed to process to lend digital devices including laptops and tablets to those children who would benefit most in terms of supporting their learning. The first stage of this initiative involves the prioritisation of existing school stock which will begin this week. Once this step has been completed and devices been distributed to pupils, schools will work with the EA to identify how many new laptops are required. We anticipate having around 3,000 new laptops in the coming weeks and, if needed, will purchase more. I am committed to doing all I can to support those who will, in the coming year, be studying for GCSE's, A Levels and those children going into P7. Therefore, priority will be given in these circumstances and also those who are considered vulnerable and in disadvantaged groups including those entitled to a free school meal and newcomer children"* **DB 122a – INQ000617169** and **DB 122b – INQ000617170** and **DB 123 – INQ000617171**. No devices had been allocated before 22 May 2020.
238. In July 2020, a scheme was launched to provide free Wi-Fi and mobile connectivity to disadvantaged learners. DE worked with BT and the EA to deliver this, targeting FSME pupils, those with SEN, Newcomer and CLA children. Broadband access challenges were also addressed in the Digital Devices OBC, with efforts to explore data charge exemptions

and rural access solutions. Given the initial prioritisation of making devices available, demonstrable action to assist children with no access to Wi-Fi did not occur until July 2020.

239. In a Press release dated 08 July 2020 Minister Weir said *“I am conscious that internet access is an issue for many vulnerable and disadvantaged children and young people. In May, I outlined proposal to lend digital devices such as laptops to those children who would benefit most in terms of support their learning. A key element of this scheme was to ensure that pupils who did not have access to the internet were able to use the digital devices for online learning. My Officials have been working with the EA to progress this issue as quickly as possible. I am pleased to announce that BT is assisting us to provide a range of solutions to address connectivity problems for those pupils”*
240. Continuing Minister Weir Said *“I want to thank BT for their support in helping some of our most vulnerable children. Whilst my Department will provide most of the funding for this important scheme, they are offering their products at a greatly reduced costs, including several hundred wi-fi vouchers provided free of charge. The Covid-19 pandemic has greatly impacted our children and young people. I am committed to doing all that I can to support them in the months and years ahead”*.
241. In December 2020, further to the scheme announced in May 2020 (paragraph 236 refers) to assist disadvantaged and vulnerable learners without access to IT hardware at home, Minister Weir approved the procurement of 6,872 additional devices and the refresh of 3,664 previously loaned units totalling 10,536 devices at an estimated cost of £2.92m **DB 124 – INQ000617172**.
242. The Tackling Educational Disadvantage Team developed criteria that could be used to determine prioritisation for the lending of digital devices to pupils, and submissions were sent to the Minister on 15 May 2020 **DB 125** See DB 120 - INQ000617167 The Minister approved the submission on 18 May 2020 **DB 126 – INQ000617174**. An update on progress was provided to the Minister on 8 February 2021 **DB 127 – INQ000617175** which was as follows:

Device Distribution

- **Initial Launch** (May 2020) Aimed at supporting disadvantaged and vulnerable pupils (FSME, SEN 1–5, Newcomer groups, Children Looked After, and other vulnerable children).

- **Priority Year Groups:** Initially Years 4,7,12 and 14: later extended to Years 11 and 13.

- **Devices Provided (as of 05 February 2021):**

- 13,824 devices (laptops and Chromebooks) distributed to schools and priority year groups.
- Requests continued to be processed via the C2k Exchange platform

Additional Procurement

- 9 December 2020 approval

- 10,536 additional devices approved (6,872 for all year groups plus 3,664 for primary school refresh.

- January 2021 Surge in Demand:

- 7,200 more devices procured due to increased remote learning needs.
- Total Devices procured: 17,736 (in addition to the original 11,664)
- Deployment: Devices were being configured at a rate of 1,000 per week by Capita and allocated by the EA.

Device Loan Period

- Devices are intended to remain with pupils throughout the school year and potentially into the next to support:

- Possible future restrictions or isolation
- Long-Term digital learning needs post-COVID

Connectivity Support/ Wi-Fi and MiFi Access

- Announced July 2020: Free Wi-Fi and mobile connectivity for disadvantaged learners

- Support Provided:

- 5,500 Wi-Fi vouchers
- 1,600 Mi-Fi devices

- BT partnership: Cap on hotspot vouchers removed; vouchers now issued with every new device.

243. Regarding the access of vulnerable children with sensory needs, the EA Sensory Service advised that arrangements were made in March 2020 for all children to be able to take their assistive technology home to enable continued access to learning. Guidance on the use of assistive technology was made available on the Sensory Service area of the EA website.

Parents had direct access to Teachers of the Deaf for any troubleshooting issues or advice on the use of assistive technology at home.

244. DE also understands that assistive technology for the new school year (September 2021) was purchased by EA Sensory Service and was ready for children and young people when schools re-opened. Children and young people were able to take assistive technology home with support provided on appropriate use. The provision of assisted technology most likely mirrored the approach of device provision insofar as the EA provided the technology to the school, who in turn provided it directly to the pupil.

The provision of education in the event of schools closures

245. The Curriculum Qualifications and Standards CQSD Covid-19 Contingency Programme (the Programme) was part of a wider programme of work which began in March 2020 which focused on providing assurance to the Minister, Executive and public that appropriate action was being taken to secure, as far as possible, the learning, progression and wellbeing of our children during the Covid-19 pandemic. The Programme was developed in response to the significant impact of Covid-19 on activities and processes that were planned for this period of time and would normally be considered 'business as usual'. The challenges of developing and implementing contingency arrangements were heightened because the position on Covid-19 was exceptionally fast moving and the length of time that contingency arrangements needed to be in place was unknown. In addition to being responsive to the needs of children and young people, fairness and inclusion was at the core of considerations around mitigation and response to Covid-19.
246. An example of the decisions made by the Programme Board are in the minutes of the meeting held on 20 March 2020 **DB 128 – INQ000617176**, extract below:
247. CCEA flagged the need for statistical support. It is understood that the reference to statistical support refers to CCEA's need for additional statisticians who could work with CCEA on the development of the alternative awarding arrangements [this refers to their need for access to additional statisticians to assist with specific aspects of the technical work and statistical modelling involved in developing a solution to awarding qualifications without exams]. Fiona noted she had contacted the CEO of NISRA. DE to liaise with CCEA regarding statistical support. Distance Learning and Alternatives were also discussed:

- a) C2K delivery of online options was being tested by teachers and pupils and use was being regularly monitored.
- b) Study packs/plans distribution was underway.
- c) Arrangements for disadvantaged / vulnerable pupils need to be considered and monitored.

248. The key issues raised at that meeting were:

- a) PID to be revised to take account of CCEA / EA comments.
- b) Stakeholder/Communications Plan Outline to be circulated to EA/CCEA for comment.
- c) Programme Board membership.
- d) CCEA FAQs to be shared with DE.
- e) Statutory Assessment – current legislation to be suspended following enactment of Emergency Covid-19 legislation – DE to consider Direction to that effect once emergency legislation is passed.
- f) ETI, CCEA and DE to have KIT meeting every other day. Schedule of KIT meetings to be arranged.
- g) EA to share with DE the list of schools identified as requiring support in terms of continuing delivery of the curriculum to pupils.
- h) EA to share with DE their initial ideas on supporting schools to continue to deliver the curriculum in the summer term and beyond.
- i) Continuity of the Curriculum project to be mobilised. Initial meeting to discuss to be arranged for Tuesday 24 March 2020 – CCMS and ETI to be invited to attend.
- j) Issues which the Minister, Chair and SRO need to be aware of to be communicated to DE Project lead and SRO, cc'd to Karen McCullough.

k) CCEA & EA to notify DE on Legal Issues arising.

249. The Programme Board was responsible for delivering a managed programme of work to oversee the ideas, options and implementation of the contingency plans focusing on key areas of the Directorate's work specifically impacted by the pandemic, the core objectives were: continuation of learning and curriculum delivery; equitable, transparent, fair and robust methodology for awarding qualifications during COVID-19 pandemic; effective monitoring, assessment and reporting frameworks; and effective maintenance and utilisation of C2K to support distance learning. The Terms of Reference of the Programme Board can be seen at **DB 129 – INQ000617177**.
250. One of the central strengths of the Programme Board (which was chaired by Fiona Hepper Deputy Secretary) is that it brought together a range of education partners identified as key to successfully developing a co-ordinated strategy for addressing a range of issues that comprised the 'continuity of learning' programme [list of education members noted in the ToR – Education ALBs and ETI] this did not include schools or groups representing children. This group working with DE on the full range of contingencies around continuity of learning, examinations etc, and facilitated co-ordination of activities across the education system. The Programme Board also set out the necessary elements required to deliver the programme including communications, reporting requirements and structures, quality assurance, standards and timeframe.
251. DE's Curriculum, Qualifications and Standards immediately set up a Contingency Programme to support all aspects of education provision during the period of school closures. Advice on resources and key websites for schools and parents was published on CCEA, EA and DE websites within the Programme, a Continuity of Learning Project was established by DE to oversee the production and dissemination of a range of high-quality support and guidance for teachers, parents and learners. This was co-ordinated by the EA, working in collaboration with a wide range of other education support organisations and drawing on input from school leaders and teachers.
252. The Continuity of Learning Project provided an opportunity for practitioners, school leaders and education support organisations to work together, to support children and young people and to sustain learning.
253. Circular 2020/5 **DB 130 – INQ000617179** set out high-level principles that schools could consider when further developing their remote learning programmes and as they planned for

See DB 066 -

a blended approach to learning. The guidance was intended to provide support and assistance only. One key learning point that had emerged worldwide during the school closures was that schools should not expect to make similar progress to taught lessons in any given period of remote learning. It was noted that it would be necessary to identify key learning priorities, without necessarily sacrificing breadth across the curriculum. Schools were encouraged to take a pragmatic approach to delivering the curriculum, prioritising key knowledge, understanding and skills in each area of learning.

254. Prior to the events of March 2020, there had not been significant focus on preparing for periods of significant or extended school closures as any such closures would have been unprecedented in national history. DE had, however, provided guidance on the effective use of mobile technology in the classroom **DB 131 – INQ000617180** and esafety guidance **DB 132 – INQ000617181**. Given this starting point, it was not possible to provide minimum standards or expectations prior to the announcement of school closures. However, expectations were increasingly defined as the pandemic progressed, with key principles and considerations defined in the June 2020 circulars **DB 133** See DB 066 - INQ000617179 and **DB 134 – INQ000617183**; the legislative provision in January 2021; and its guidance on features of effective practice **DB 135 – INQ000617184**. Schools were supported to develop evidence-based approaches to providing teaching and education remotely. A minimum number of hours daily of remote learning was not stipulated and would have been impractical given the differing home circumstances of children as well as needing to be age and stage specific. However, the guidance on effective practice stipulated that schools should have systems for checking daily that pupils are engaging with their work; procedures for monitoring work completion and engagement across the curriculum and to contact the parent or carer by email or telephone if a lack of engagement is highlighted.
255. ETI completed a series of pieces of work to reflect the changing circumstances in which schools were working to provide up-to-date advice and guidance on an ongoing basis. ETI published several reports setting out the lessons learned during the pandemic: see paragraphs 176 - 177.
256. The “Remote and blended learning: curricular challenges and approaches” was a phase-specific publication presenting views of settings and schools in June 2020 which covered:
- a) Pre - school curricular challenges and approaches taken.
 - b) Primary curricular challenges and approaches taken.

- c) Post Primary curricular challenges and approaches taken.
- d) Special Schools curricular challenges and approaches taken.
- e) Learning Support Centres curricular challenges and approaches taken.

257. During this period, ETI provided updates to the Education Minister on the work of ETI, key findings from inspection activity and briefing on forthcoming publications. ETI provided regular updates to the DE senior management team, setting out a summary of Covid-19 specific work, i.e. advice and support. The Chief Inspector and the senior inspection team attended virtual meetings of the Heads of Inspectorates in England, Scotland, Wales and Republic of Ireland, at which the latest developments, issues and challenges were discussed, and practice and emerging findings were shared. There was no formal monitoring on the impact of school closures as DE did not have the expert knowledge or capabilities to conduct such monitoring.

Access to technology

258. Prior to the announcement on the 18 March 2020 DE had not conducted any assessment of how schools delivered remote learning, in June 2020 DE Circular 2020/5, DE set out high-level principles that schools could consider when further developing their remote learning programmes and as they plan for a blended approach to learning.

Monitoring of the impact that the closure of schools was having during the first lockdown

259. DE did not participate in any epidemiological impact assessments, nor did DE provide any input into these scenarios. Officials relied on expert advice from the CMO and PHA when reviewing Departmental policies and the impact they may have on the spread of the pandemic. Nor were officials aware of any assessments which were conducted within the NICS or its' ALBs. The Department examined options to commission a specific Northern Ireland assessment regarding the impact of the pandemic in the key areas of literacy and numeracy. However, there were significant practical barriers to delivery of such an assessment and already existed a wide body of coherent international evidence which indicated the significant impact of COVID-19 on children's attainment in these areas.

260. During 2020/21 while formal individual school inspections were paused a range of ETI district inspector activity continued across all phases of education and training, including the identification and sharing of good and effective practice via reports published on the ETI website. In the primary and post-primary sectors, there was a focus on monitoring and evaluating the DE-funded Engage Programme, which aimed to limit any long-term adverse impact of Covid-19 by supporting pupils' learning and engagement on their return to school/setting through provision of high-quality one-to-one, small group or team-teaching support in every school/setting in Northern Ireland.
261. The Minister agreed to the plans for the Engage programme on 24 July 2020 and it was launched in September 2020 to address the effects of schools being closed to most pupils during the previous March to June period because of the pandemic – see paragraph 450. It sat within the broader context of the Standards and Learning Project within the Education Restart Programme. The aim of the Engage Programme was to limit any long-term adverse impact of the COVID-19 lockdown on educational standards by supporting pupils' learning and engagement on their return to school through provision of high quality one to one, small group or team-teaching support. As part of the programme, schools were asked to identify their intended outcomes and success criteria and to monitor and evaluate the impact of the programme on pupils' attainment using the Targeting Social Need Planner. The emphasis for school evaluation was the impact pupils' attitudes to and dispositions for learning, as well as their attainment. In 2024-25, the Department reintroduced end of Key Stage Assessment which measures the literacy and numeracy attainment of pupils in Years 4, 7 and 11 (end of Key Stages 1, 2 and 3). Data shows a decline in educational attainment compared to pre-pandemic levels. A system level sample assessment in literacy and numeracy will be completed annually from 2025-26 to allow a robust measurement of educational standards over time.
262. The ETI's 2022 report *'Stepping Up and Stepping Forward: 10 Learning Insights on how well Northern Ireland's education system is responding to Covid-19 and other challenges'* provided a commentary publication which drew upon learning from the education and training system's response to the pandemic. 'Stepping Up and Stepping Forward' provided a series of timely insights (from October 2021) on how everyone in the education sector could work more collaboratively and move forward confidently and optimistically in support of all learners.

263. While there was no specific monitoring of the impact of school closures on vulnerable children & young people - DoH and DE prioritised the opening of Special Schools following the requests from paediatricians/ social workers in respect of those children with complex medical needs as there were safeguarding concerns if they were to remain out of school. Special Schools were re-opened quite quickly in the first lockdown period. The Department receives monthly attendance data which is extracted from the Schools Management System by colleagues within the C2K team in the Education Authority. This data is then processed to provide a range of monthly reports which are shared with colleagues within DE, the EA, the Council for Catholic Maintained Schools and the Controlled Schools Support Council. This arrangement was already in place prior to the Covid-19 pandemic and continues to be in place for attendance monitoring.
264. In terms of the impact of school closures on the ability of children in poverty to access food, the two post-project evaluations carried out in relation to the direct payments made in lieu of free school meal provision **DB 136 – INQ000617185** and **DB 137 – INQ000617212** assessed that children entitled to FSM during term time had access to food over the period of school closures. A survey of parents conducted by DE on this issue found over 98% of survey respondents agreed that receiving the direct payments helped to provide food for their children.
265. DE is not responsible for monitoring usage of internet or search engines, nor would it have the technical or professional insight into how to monitor such activity. Internet Safety is already covered within the statutory curriculum under the Personal Development and Mutual Understanding (primary) and the Learning for Life and Work (post-primary) Areas of Learning.
266. Online learning or how the resources to provide online learning were being utilised was not monitored. Individual schools provided this as they were aware of the individual circumstances of their pupils and staff, and it would not be viable for DE to try and monitor this. ETI did publish some reports post pandemic on impacts, but none were conducted during the specified period. Nor is DE aware of any other Department who carried out any assessments.
267. DE was not in a position to be able to conduct any monitoring during the pandemic. DE found itself in a position of adapting to new ways of working and having to change policy and legislation at high speed and did not have the staffing capacity to carry out any formal reviews. Nor would it have the expertise to conduct such monitoring as to the impact of the

closures on different children from different backgrounds. Outsourcing of reviews was considered for specific policy areas and identifying where gaps had occurred like the Pupil Attainment survey discussed and exhibited at paragraph 191. DE officials worked closely with its Arm Length Bodies, however given the pace of the pandemic and the ever-changing dynamics of the regulations and timescales for commissioning/bidding for funding etc of such reviews it was not considered practicable.

The decision to cancel exams

268. In response to the emerging public health crisis, CCEA along with the other awarding organisations across the UK began in February 2020 to implement emergency responses, but this was in the context of schools remaining open. The intention was to try to operate within the published timetable for exams but provide additional contingency papers in several subjects. At the same time Departmental officials were working with their counterparts across the UK on input to the draft Coronavirus Bill to ensure emergency provisions were included that would allow CCEA to implement its contingency plans. This included provisions around the use of alternative premises for exams, or powers to open schools on a limited basis to facilitate exams. At this stage the cancellation of exams was not considered to be an option.
269. On 17 March 2020 CCEA provided detailed advice **DB 138 – INQ000617213** to Departmental officials on scaling up the contingencies already in place in response to the developing public health situation and requested a Ministerial decision by 23 March 2020 in respect of the summer 2020 examination series, taking account of the anticipated decisions to be taken by the UK Government (about school closures and/or cancellation of exams) affecting England, but which would likely impact all UK jurisdictions.
270. On 18 March 2020 officials provided advice to the Minister **DB 139 – INQ000617214**, based on the advice submitted by CCEA, which included two options: continue as planned with the exam timetable in May/June 2020 on the basis that schools would close in March but re-open in May in time for the exams; or cancel exams and move to a process of calculated grades. Up until that point possible contingencies to facilitate exams were still being considered. The first option carried risk related to the degree to which students, invigilators and examiners might be impacted by illness and which, if realised, would not leave time to develop and implement an alternative awarding arrangement. This could have resulted in students not being awarded their qualifications in August. The second option also carried risk as it required further work to develop a new, untested process for calculating grades, but

CCEA advised they were confident that this would result in a workable solution, and it was also the option that the other jurisdictions had indicated as their preferred option.

271. On the basis of the CCEA advice and engagement with officials in the other jurisdictions, officials recommended that the Minister approve the cancellation of the summer exam series and the implementation of CCEA's recommended option 2, i.e. use of estimated/calculated grades to award qualifications. (SUB-1167-2020) CCEA was asked to implement this option urgently. The submission also contained a draft Ministerial statement to announce this decision, after the anticipated announcement of a similar arrangement for England, in the House of Commons by the Secretary of State for Education, due at 5pm on 18 March 2020. The recommendation was approved by the Minister on 18 March 2020.
272. As part of a broader announcement, on 19 March 2020 the Minister announced the cancellation of the summer 2020 exam series, provided a high-level indication of proposals for awarding qualifications in summer 2020, and confirmed that further announcements would be made when further detailed work had been completed. While CCEA had indicated that work on developing alternative arrangements had commenced prior to the Ministerial statement, on 26 March officials, who were in daily contact with CCEA throughout this period, formally commissioned CCEA to "work with DE to develop a robust process to issue calculated grades and to provide advice in this area which should include assurances on the robustness, accuracy and fairness of the grades being awarded" **DB 140 – INQ000617216**. CCEA were asked to provide this advice as soon as possible and were advised that the alternative arrangements should be agreed by the Minister before they were published.

Decisions about how exam grades would be substituted by a process of calculation

273. This section sets out in detail the range of issues taken into consideration in developing options for alternative awarding arrangements and includes an explanation of the standardisation process implemented by CCEA, and the subsequent changes made to the awarding process in August 2020.
274. An early decision that was required about alternative awarding arrangements related to the dates on which results should issue to students. Setting this date would provide a timeframe within which CCEA would need to deliver an alternative approach to awarding. On 30 March 2020 officials provided advice to the Minister **DB 141 – INQ000617217** on developments in England and Wales in relation to the Summer 2020 exam series, in particular potential changes to the dates results were to be issued, bringing those dates forward to July rather

than August 2020. The Minister agreed that Northern Ireland should align with arrangements in England and Wales to ensure Northern Ireland students were not disadvantaged, particularly in relation to university admission processes. (SUB-1191-2020).

275. The next decision which was required related to which qualifications should be awarded by an alternative methodology and what methodology should be used. For these decisions officials needed the advice from CCEA which had been commissioned on 26 March 2020. Qualifications awarding is highly technical and officials relied on our expert advisers in CCEA to provide the technical detail in relation to awarding qualifications, and our colleagues within the ETI to provide professional educationalist analysis of the technical solutions being developed by CCEA.
276. CCEA provided Departmental officials with sight of advice in draft form on 1 April 2020, to expedite the process of analysis and consultation. This approach enabled them to begin work on preparing advice for the Minister, including seeking professional advice from the Education and Training Inspectorate and engaging with key stakeholders to seek their views on the recommended options before the finalised advice was received.
277. In response to DE's formal request of 26 March 2020, CCEA provided the finalised advice on options for alternative awarding, cleared by, CCEA Council, on 2 April 2020 **DB 142a – INQ000617218, DB 142b – INQ000617219, DB 142c – INQ000617220 and DB 142d – INQ000617221**. However, following reflection on some of the options (specifically those in relation to the AS qualifications), this advice was further refined, and an updated version was sent to officials on 6 April 2020 **DB 143a – INQ000617222 and DB 143b – INQ000617223**.
278. CCEA's advice set out a range of options for implementing alternative awarding arrangements for Summer 2020 GCSE, AS and A level qualifications based on a combination of methodology used previously for calculating grades where a candidate has missed a paper (known as Z score methodology) and teacher professional judgement using evidence available to the school such as mock exams, homework or class tests. CCEA were clear that the most reliable method of awarding qualifications was through external examinations, but in the absence of examinations what they were putting forward was an analysis to identify the "least worse option" as an alternative. There were risks associated with every option, for example in relation to the availability of reliable data sets to use for grading purposes and CCEA provided an analysis of these risks and challenges in its advice.

279. Fear of grade inflation was not a factor in considering the options for an alternative to using examinations to award grades – this was not a term that had been coined at that point in time. The central focus was on ensuring that students could be awarded their qualifications to enable them to progress and that these grades would have currency, validity and portability. It was therefore important to identify a methodology in which the public could have confidence and that could be fully developed and delivered within the normal timeframe for awarding. The validity of qualifications and therefore their portability and value over time depended on the public having confidence that the outcomes were a realistic reflection of the abilities of the learners and that there was consistency across schools. CCEA worked closely with the other jurisdictions to ensure that there was comparability of approach, while recognising that it was not always possible to exactly replicate the approaches being taken elsewhere due to differences in data available and the structures of some qualifications.
280. CCEA advised that the best way to award was to use reliable data sets, and therefore the options which they explored looked at what data was available and the reliability of that data. For example, A level candidates had completed the AS level exams in 2019 which provided a very reliable basis for calculating A level outcomes because they had been externally examined and awarded. However, with GCSEs, there was no reliable data set for that cohort as only some pupils had completed modules in Year 11 and there was no Key Stage 3 data for the cohort as there had been no Key Stage 3 assessments in Northern Ireland for a number of years due to industrial action (known as action short of strike). Therefore, CCEA needed an alternative approach for GCSE awarding. CCEA advised that an average centre performance model, based on the average performance over the previous three years, was the best alternative.
281. Teacher professional judgement was recommended as part of the awarding process, but as this would involve an increased workload for some teachers there was some uncertainty initially about the acceptability of this approach, given that there had been ongoing industrial action prior to the pandemic.
282. The modularity in the Northern Ireland exam system – i.e. each qualification comprises a number of modules which can be taken at different times over the course of the programme of study – introduced additional complexities/risks. For example, there were particular issues to be resolved in the case of year 11 students who had been preparing to sit some modular GCSE exams in 2020 and complete the remaining modules to be awarded the qualification in 2021.

283. In its advice to DE, CCEA set out a range of options for awarding each type of qualification – GCSE (both for those completing the qualifications and for those taking exams for specific modules), AS level, and A level qualifications. Each option was assessed against four principles, which had been agreed across all UK awarding bodies. These were: fairness to all candidates; reduced burden on the system; limit the impact of the alternative process to the summer 2020 series; and minimise uncertainty for students and school leaders. CCEA advised that these principles were also endorsed by stakeholders in Northern Ireland.
284. CCEA's advice sets out the detailed analysis of each of the options considered including the challenges/risks associated with each option but also noted that all of the options would require further development, and therefore the decision required from the Minister was in relation to the general approach to awarding that would then enable CCEA to progress further development work.
285. Normal awarding processes also involve standardisation. CCEA advised that it would not be possible to standardise grades before they were submitted by schools, but it proposed using a statistical methodology, developed in conjunction with other exam boards and regulators, to standardise grades across all centres. CCEA advised that there was more development work needed to set out the detail of this methodology.
286. On 10 April 2020, officials provided detailed advice to the Minister **DB 144a – INQ000617224, DB 144b – INQ000617225, DB 144c- INQ000617223, DB 144d – INQ000617227, DB 144e – INQ000617228, DB 144f – INQ000617229 and DB 144g – INQ000617230** setting out an analysis of the proposals contained in CCEA's advice on Summer 2020 awarding arrangements, including advice from the Education and Training Inspectorate on CCEA's proposals and feedback from other stakeholders such as head teacher representatives and teaching unions. (SUB-1234-2020).
287. ETI endorsed CCEA's proposed approach. Teacher representatives were also generally content but wanted assurances that teacher professional judgement would be given appropriate weighting. CCEA's CEO, Justin Edwards, gave an undertaking to take this concern into account in developing the statistical modelling. It is worth noting that while the CCEA advice refers to teacher validation, officials advised that, "...in discussion CCEA accepted that it would be preferable to use teacher professional judgement in the same way as Welsh counterparts – i.e. to arrive at an assessment, based on their knowledge of the

individual and evidence of their progress and achievement, of the most likely grade a candidate would have achieved had they taken the exam". On this basis officials recommended CCEA's preferred options to the Minister.

288. The Minister met with officials and CCEA's Chief Executive on 14 April 2020 **DB 145 – INQ000617231** to discuss the proposals for alternative awarding for CCEA general qualifications set out in the submission from officials. The Minister agreed the recommendations and agreed further work should be taken forward by CCEA as a matter of urgency in relation to the detailed implementation of the agreed process, particularly around statistical modelling as well as considering the appropriate weighting to be given to teacher professional judgement. The Minister subsequently announced his decisions on alternative awarding arrangements for Summer 2020 examinations via an oral statement to the ad hoc Assembly committee on 16 April 2020 (SUB-1246-2020) **DB 146 – INQ000617232**.
289. As CCEA has a legal duty to provide examinations, there was a concern that this may be used to try to undermine the alternative arrangements which were being developed (as they were not based on external exams), which would be detrimental to the young people now expecting to be awarded their qualifications in summer 2020 by an alternative process. Therefore, to provide a legal basis for the alternative awarding arrangements, on 15 April 2020 (following advice from officials based on an initial, informal legal opinion) the Minister issued a legal direction under Articles 74(1)(a), 74(6) and 78(4) of the Education (NI) Order 1998 **DB 147 – INQ000617237**, directing CCEA to implement the agreed alternative arrangements (SUB-1241-2020). On 12 May 2020 the Minister accepted updated advice from officials and re-issued the direction to CCEA to implement the agreed alternative awarding arrangements, citing Article 78(3) of the 1998 Education (NI) Order and Article 101 of the Education and Libraries (NI) Order 1986. (SUB -1329-2020) **DB 148 – INQ000617239**.
290. The legal direction required CCEA to standardise the approach to mitigate the risk to standards, to mandate that final awards should be based on evidence provided for each learner, and as far as possible, to ensure a distribution of grades similar to previous years. CCEA was also tasked with making every effort to ensure that private candidates could be accommodated and to develop an appeals mechanism.

Decisions on Vocational Qualifications

291. While much of the focus at that time was on GCSE and A level qualifications – pupils in Northern Ireland schools were also studying for a range of other qualifications that were also impacted by the pandemic. The Entitlement Framework requires schools to offer a balance of applied and general qualifications and as a result many students in schools were studying for vocational qualifications. Policy on vocational qualifications generally rests with the DfE, and DE officials worked closely with officials in that department to ensure the interests of pupils in schools were taken into account in any decisions taken by the Economy Minister. DE officials kept the Minister briefed on decisions in relation to vocational qualifications **DB 149 – INQ000617240**.

Decisions on Other CCEA Qualifications

292. CCEA offer a small number of qualifications that fall into the category of other general/applied/vocational. However, as CCEA is an Arm's Length Body of DE, decisions in relation to those qualifications fell to the Minister. On 28 April 2020, officials provided advice to the Minister **DB 150 – INQ000617243**, drawing on advice provided by CCEA, setting out options for alternative awarding arrangements for Occupational Studies, and CCEA Entry Level Qualifications. The advice to the Minister included not only the advice received from CCEA, but also advice from ETI and feedback from stakeholders. (SUB-1285-2020) The Minister accepted the advice on the recommended approach and his direction in respect of these qualifications is included in the legal direction issued on 12 May 2020.

Additional Actions to Ensure Accuracy and Fairness of the Alternative Awarding Process

293. In order to protect the interest of all students, and make sure as far as possible that the processes put in place would be implemented as fairly as possible, there were a number of actions taken to protect teachers from external pressures that might have influenced their decision-making. The following paragraphs set out those steps. While these measures provided teachers with protection from challenges or any tendency to feel under pressure to artificially inflate the grades of some pupils in order to avoid, for example, confrontation with parents/pupils or having their own performance linked to the grades awarded to pupils, ultimately these actions were for the benefit of all pupils who were to receive awards through alternative arrangements.

Data Protection decision

294. On 5 May 2020 officials in England were tasked by their Ministers to explore the possibility of extending exemptions under the Data Protection Act (DPA) 2018 to provide greater protection for teachers in terms of the release of information on the data provided by schools as part of the process for calculating grades for the 2020 exam series. The concern was to protect the confidentiality of the data, and in particular consideration was given to providing that students should not be able to request the estimated grades submitted by their school as those grades would be subject to a standardisation process and could change.
295. DE officials provided advice to the Minister, updating him on developments and asking him to indicate his position on the issue which would be communicated to officials in England by noon that day. The Minister indicated that Northern Ireland should align with England on this issue (SUB - 1308-2020) **DB 151 – INQ000617253**. Ministers in England subsequently decided not to pursue an exemption to the DPA and DE officials advised the Minister of this development on 15 May 2020 **DB 152 – INQ000617254**.

Decision to suspend collection of outcomes data

296. Following announcements in England and Wales to suspend the collection of qualification outcomes data for accountability and inspection purposes, on 12 May 2020 officials provided advice to the Minister **DB 153 – INQ000617255** and sought his agreement to suspend, and to put in place similar arrangements in Northern Ireland for collecting exam outcomes data from schools (the Summary of Annual Exam Results - SAER) for one year, and that exam outcome data for 2020 should not be used by ETI for accountability purposes. (SUB-1330-2020) The purpose was three-fold: to align with arrangements in England; to remove any incentive to be over generous in grading; and to assure schools and teachers that their performance would not be judged against the outcomes generated by the alternative awarding process.
297. DE officials continued to liaise with CCEA as the technical details of the approach were developed and rolled out by CCEA. CCEA communicated the operational details of the process to schools, including the standardisation methodology and the appeals mechanism once they were developed and agreed with CCEA Council. Departmental officials liaised closely with CCEA throughout this period, meeting formally at least twice per week, often with ad hoc meetings or phone calls between formal meetings. Due to the speed at which things were developing, and the pressures on support staff who were fully engaged in responding to the hundreds of pieces of correspondence about examinations, there were no

minutes kept of these meetings. CCEA reported formally to DE through the provision of highlight reports for the Curriculum, Qualifications and Standards CQSD Covid-19 Contingency Programme (the Programme) Board that had been established to oversee continuity of learning including qualifications, curriculum issues and provision of devices. A small secretariat supported the Programme Board and kept a formal record of these meetings. An example of the decisions made by the Programme Board are in the minutes of the meeting held on 20 March 2020 see **DB 128 – INQ000617176** and paragraphs 244-249 for further information on the Programme Board.

Standardisation

298. There was much interest in the statistical modelling being undertaken by CCEA as a means of standardisation of outcomes across centres to ensure consistency and fairness. There were discussions with officials on a number of occasions and assurances provided as to the robustness and fairness of the modelling. CCEA brought in external expert statistical assistance as a means of providing further reassurance. However, details of the modelling were not made available to DE until just before the issue of results. On 10 August 2020 CCEA provided DE with a presentation **DB 154 - INQ000617256** on the standardisation process, which was also presented to school leaders, and published details on its website. The main points in CCEA's presentation explaining the approach to standardisation are set out below.
299. CCEA's Explanation of the Standardisation process.
- a) Each year, outcomes from examinations of individual subjects are subjected to a process of statistical standardisation to bring the outcomes in line with regulatory reporting tolerances. This year, the process was revised to account for the exceptional circumstances due to the health pandemic and the subsequent cancellation of the examination series.
 - b) The statistical standardisation process ensures the grades awarded are comparable across centres, awarding bodies, jurisdictions and examination series.
 - c) While adjustment has been made to centre assessed grades as part of the standardisation process, no changes have been made to the rank order data. Data shows that, without standardisation, overall outcomes would have been significantly higher than previous years. These grade outcomes would not be acceptable to CCEA

Regulation and may have serious implications for portability and maintaining standards across examining bodies and jurisdictions, and across examination series.

- d) Standardisation has always been a feature of the awarding process. In order to maintain standards and comparability of qualifications across England, Wales and Northern Ireland, the raw examination results are put through a standardisation process before grades are generated every year.
 - e) A range of models were tested using actual past years' examination outcome data. The model which gave the highest level of accuracy in terms of the model's grade prediction matching a pupil's actual grade outcome was chosen.
 - f) Leading assessment experts from a range of external organisations validated the model.
 - g) CCEA Regulation commissioned a chartered statistician from Oxford University to complete an independent report to look at the issue of equity. The finding of the report was that the modelled grades can be defined as equitable as they showed no pattern of bias by measurable characteristics at an individual pupil or centre level.
 - h) The A level model produces predicted A level grade outcomes for the centre based on the candidates' previous AS performance with an adjustment for resitting candidates; this is a significant strength of the A level model.
 - i) CCEA personnel have gone through a series of post-standardisation checks on the A level grades awarded for every centre. Where there may be some discrepancy, CCEA have written to the centre.
 - j) A centre's previous performance was not a factor in the statistical standardisation model for A level outcomes. It was used in the modelling process for AS outcomes, as testing showed that it was a good predictor, alongside the teacher professional judgement data and the mean GCSE performance.
300. Further details of how the calculation was arrived at could be provided by CCEA, if required. At no stage did CCEA use the term or provide advice on the use of an "algorithm". CCEA noted the risk in terms of fairness to all if there was not a means of standardising outcomes across centres – they therefore developed a statistical standardisation model. While the

issue of “downgrading outcomes” was not explicitly discussed, it was accepted that outcomes were not considered final until standardisation had been applied. Schools were therefore instructed not to tell pupils what centre assessed grades had been submitted to CCEA as there was the potential for these to be adjusted (up or down) as part of the standardisation to ensure fairness across all examination centres. Teacher unions in particular were concerned that the methodology for arriving at centre assessed grades needed to give appropriate weight to teacher professional judgement, as well as making allowances for potential (conscious or unconscious) bias in relation to gender, age, or in respect of children eligible for free school meals. CCEA agreed to consider these issues including in the context of an equality impact assessment.

301. It has recently been brought to the Department’s attention (by the Covid Inquiry Team) that Sir John Coles wrote to the Secretary of State for Education in England in July 2020 raising serious concerns about Ofqual’s proposed methodology for alternative awarding. The Department was not aware of this correspondence until it was brought to our attention by the inquiry team and his concerns were not raised with the Department in relation to the proposed approach to awarding being taken by CCEA. While the jurisdictions worked together in developing alternative awarding arrangements, the final approach was not the same in each jurisdiction due to the differences in qualification structures and available data. CCEA had advised they had access to high quality data for most of its qualifications due to their modular structure which meant that many pupils had already completed assessments for some modules the previous academic year. For example, the AS qualifications awarded in 2019 provided 40% of the marks for the A levels to be awarded in 2020.

Communication with key partners and Governance

302. From March 2020 DE officials met formally with the top management team in CCEA (both awarding organisation and regulation officers and the Chief Executive) initially twice per week, as well as further (frequent) ad hoc meetings and informal telephone contacts on specific issues as required. These formal meetings were eventually reduced to once per week and then continued on a fortnightly basis when overseeing the arrangements for 2023 awarding. Formal minutes were not kept of these meetings.
303. As indicated above (paragraphs 244 - 249) a Curriculum, Qualifications and Standards Covid-19 Contingency (CQSD) Programme Board was established in the early weeks of the pandemic as the formal governance and oversight structure for a number of workstreams,

including the examination arrangements. CCEA provided weekly highlight reports to the Board. These meetings were reduced to once a month later in 2020 and, as part of DE's Restart Programme, the oversight group was renamed the "Learning and Standards Programme Board".

304. An example of the weekly highlight report submitted by CCEA to the Programme Board for the meeting held on 10 April 2020 **DB 154a** - **INQ000548431** extract below:

- a) Reporting period 06/04/2020
- b) Activities completed for the reporting period – Options and additional evidence to the Department of Education, support for stakeholder engagement completed. Guidance for Head of Centre, Students and Teachers in Draft – subject to direction. Statutory Assessment advice provided – await instruction. VTQ holding line created. VTQ principles developed.
- c) Key Priorities – Launch advice and public information on options. VTQ assessment of occupational studies, essential skills and EL qualifications. Guidance for appeal process commence.
- d) Risk 1 - The Secretary of State has stated that awarding of GQ grades will take place in July. A precise date has not been specified and it is unclear as to whether this relates to A Level or GCSE qualifications. CCEA, as AO needs maximum available time to implement solution and would prefer 16 August as date. However, divided dates for awarding might place learners on different programmes or in different jurisdictions at risk. Mitigation - Advise DE that the best approach is to maximise time available as to be able to safely award new solution, although alignment will be required to protect NI learners. RAG - Green. Owner CCEA.
- e) Risk 2 - QW Wales have issued some clarity on approach to grading and will continue to issue more clarity on approach. England are also in the final stages of preparing advice. If England issue advice, then this could lead to pressure from NI public in regard to advice here. Mitigation - Advise DE of options as soon as possible, with intent of them issuing Ministerial Directive for CCEA. RAG – Green. Owner – CCEA
- f) Risk 3 – Any change to approach to grading of GCSE and GCE is open to judicial review. Advice is required on new powers to allow CCEA to implement new grading

approach in emergency. Mitigation - Advise DE of options as soon as possible, with intent of them issuing Ministerial Directive for CCEA. Owner – CCEA.

g) Milestone 1 - Communication for centres and public on implementation of Minister's requirements for awarding of grading to General Qualifications. Date due – 04-06-2020. Status – Amber. Comment – Dependent on Ministerial decision on approach to awarding. Change in approach from recommended option would leave CCEA having to reconsider approach and would delay communication.

h) Milestone 2 - Communication for centres and public on implementation of Minister's requirements for awarding of vocational qualifications. Date due 04-08-2020. Status – Amber. Comment - Dependent on DfE Ministerial agreement on approach to vocational qualifications, that is in line and shared with DE Minister. Also, dependant on Ofqual's position given that large part of the market is English based / operated.

305. DE officials in the Qualifications Team also met with officials responsible for qualifications and examinations from the other UK jurisdictions twice per week to keep informed of developments in each jurisdiction and how decisions elsewhere might impact on the NI qualification arrangements.

306. DE officials were also involved in the separate arrangements put in place by the Department for the Economy in relation to the alternative awarding of vocational qualifications. The Education Minister was kept informed of developments in relation to vocational qualifications, but decisions on vocational qualifications (except those delivered by CCEA) were taken by the Minister for the Economy and are therefore not included in this statement.

Decisions to Change the Approach to Awarding in August 2020

307. On 16 August 2020, following the release of AS and A level calculated grades on 13th August, CCEA wrote to the Minister **DB 155a – INQ000617257**, **DB 155b – INQ000617258** and **DB 155c – INQ000617259** setting out the significant challenge facing CCEA in processing high volume of appeals received following the publication of AS and A level awards and the implications that dealing with this challenge would have for the GCSE awarding and post-awards process the following week. In particular, it was emphasised that there could be delays in the processes and that this risked creating anxiety for pupils.

308. In a departure from previous arrangements, and to maintain alignment with arrangements in the other jurisdictions, CCEA's appeals were free of charge in summer 2020, and this led to a significantly increased volume of appeals in respect of AS and A level outcomes. It was anticipated that the volume of GCSE appeals could be even greater than for AS and A levels. While CCEA's analysis of the situation indicated that they could manage AS and A level appeals, there was a significant risk that CCEA would not be able to process GCSE appeals within the required timeframe, leading to increased anxiety amongst those students who were waiting on a final outcome. There was also a concern that processing these appeals would place a significant burden on schools to provide the necessary information to CCEA. CCEA recommended that the Minister agree that they should use centre assessed grades without standardisation to award GCSEs.
309. Officials provided urgent advice to the Minister recommending that he agree CCEA's recommendation and issue a direction to that effect. The Minister accepted this advice and his decision in respect of the change to GCSE awarding was published on the DE website. CCEA immediately halted the standardisation process that would lead to calculated grades and GCSE results were processed using the centre grades only **DB 156 – INQ000617260** (SUB-1632-2020).
310. On the morning of 17 August 2020, the Minister met with officials to discuss GCSE, AS and A level awarding following the earlier announcement about the changes to GCSE awarding (agreed on 16 August 2020) and confirmation that GCSE outcomes awarded based on centre assessments would issue on 20 August. In the course of that meeting the Minister took a call from the Secretary of State for Education (Gavin Williamson) who advised that he planned to announce later that day that AS and A level qualifications in England would be re-calculated and re-issued on the basis of centre assessed grades (i.e. taking a similar approach to the approach the DE Minister had already announced in respect of CCEA GCSEs in Northern Ireland). The Minister decided that similar changes would be announced in respect of CCEA AS and A level awards, to align with the changes about to be announced in England, and revised grades would be issued as quickly as possible **DB 157 – INQ000617261**.
311. Officials subsequently provided advice to the Minister **DB 158 – INQ000617262** seeking his approval to issue an Article 101 direction to CCEA to implement his decision regarding the agreed changes to the alternative awarding approaches to CCEA GCSE, AS and A level

qualifications. (SUB-1633-2020). The Minister announced his decisions in the Assembly the next day, 18 August 2020 **DB 158a – INQ000651679** .

Arrangements for Qualification Awarding in 2020/21 Academic year – Introduction

312. This section sets out the extent of the detailed work undertaken over a number of months in 2020 to develop arrangements for a return to public examinations in Summer 2021, including work on contingencies in case of further disruption and then the refining and implementation of those contingency arrangements following the second lockdown which led to the cancellation of exams for a second year. It sets out the development of adaptations to exam specifications, specifically the option to omit some units, to take account of the disruption experienced by pupils in the previous academic year. It then sets out how the contingency arrangements engaged in early 2021 were refined and finalised, taking account of lessons from 2020 arrangements and included the provision of more detailed support and guidance for schools, including specific training for teachers, the release of unused exam papers to facilitate the collection of good quality evidence on which to base centre assessed grades, and a process of moderation to ensure greater consistency in awarding against grade descriptors and across exam centres.

Planning for a return to examinations

313. Discussions about planning for Summer 2021 awarding began at the CQSD Contingency board in May 2020, in the context of a recent announcement by the Minister that he was planning to open schools in September 2020, in particular for pupils in exam years. The Minister concurred with CCEA's assessment that exams were the fairest means of awarding qualifications and so the focus was on a return to examinations. Departmental officials wrote to CCEA on 1 June 2020 **DB 159 – INQ000617263** to commission advice on the awarding process for 2021, including issues that would need to be considered in more detail and an assessment of the range of options for delivering the examinations process that would take account of the ongoing public health issues and would be capable of providing fair and robust outcomes in 2021 that would mitigate against any disadvantage to students due to the public health situation, particularly those students impacted in 2020. CCEA were specifically asked to assess how they might take account of the mental health and well-being of students resulting from the pandemic. In addition to advice on a return to examinations, CCEA were also asked for advice on contingencies in case of a resurgence of the pandemic that might impact the ability to hold exams in summer 2021.

314. As part of this commission, CCEA was tasked with drawing on lessons learned from the experience in 2020 and include consideration of potential contingencies in case of a second wave of Covid-19 over the course of the next academic year. There was a focus on the need to take account of the impact of lost teaching time in the current academic year and potential for disruption in the next academic year.
315. Consideration was to be given to adjustments that would be fair to all, reduce the burden on pupils and teachers and would result in robust outcomes that would facilitate progression.
316. On 10 June CCEA presented their initial thoughts to officials see slide presentation **DB 160 – INQ000617265**. This initial discussion was used as the basis for briefing the Education Minister in advance of a four countries Ministerial meeting which included an agenda item on plans for adapting GCSE and A level specifications for summer 2021 exams.
317. CCEA provided their initial written response to the 1 June request on 19 June 2020 see DB 159 – **INQ000617263, DB 161b – INQ000617267 and DB 161c - INQ000617268**. In it, CCEA not only set out an initial analysis of options for CCEA's qualifications and a range of issues for consideration but also acknowledged an added complexity due to the open qualifications market in Northern Ireland. Some pupils in Northern Ireland take qualifications offered by exam boards based in England and Wales. Ofqual considers that it regulates products delivered by English exam boards, regardless of where they are delivered. That meant that if the easing of restrictions differed between England and Northern Ireland, the requirements placed on English exam boards by Ofqual may not be compatible with the restrictions in place in Northern Ireland. CCEA agreed to monitor the situation carefully.
318. The following week Ofqual launched a consultation on proposals for examinations in England in summer 2021 which included a proposal that the examinations timetable should extend into July. This necessitated an exchange of emails between officials **DB 162 – INQ000617269** and a discussion at Ministerial level **DB 163 – INQ000617270** as Northern Ireland schools close on 30 June each year and the first two weeks in July are traditionally when large numbers of Northern Ireland families go on holiday. There was close liaison with colleagues in England to arrive at a solution that would ensure that any Northern Ireland pupils taking examinations with English boards would be able to complete their exams by 30 June 2021.
319. DE officials liaised with ETI colleagues who were observers on CCEA's subject advisory groups and who were contributing to the development of CCEA's proposals, and on 29 June

2020 DE officials met with a group of post-primary school principals to seek their feedback on CCEA's initial proposals for Summer 2021 awarding **DB 164 – INQ000617271** and to discuss CCEA's emerging thinking. The feedback from the principals was very helpful in understanding the potential impact of various scenarios and adaptations of pupils and staff. It was noted that students were being told that every internal assessment would matter in case they were needed to award qualifications in the event of another lockdown.

320. A key concern for the principals was the timing of information – that any modifications to specifications or assessments should be communicated to schools well in advance of the start of the new school year to allow teachers time to plan. The comments were communicated to CCEA at one of the regular meetings with DE on the issues of examinations, which were continuing to take place at least twice per week.
321. On 1 July 2020 CCEA provided DE with further advice that built on the earlier paper and provided a detailed subject-by-subject analysis of potential adaptations to specifications **DB 165 – INQ000617272**. DE provided a detailed written response on 3 July 2020 **DB 166 – INQ000617273** which pointed out a range of concerns/issues that DE wanted CCEA to address. In addition to the principles CCEA used in assessing options for awarding in 2020, DE asked that CCEA add a further principle - flexibility/adaptability.
322. This was to take account of the continuing uncertainty around the public health situation and how it may evolve and change over the next year. DE sought advice on the degree to which proposals for examinations could be adapted in response to changing circumstances. It was felt that this would also contribute to the principle of minimising uncertainty (a concern specifically raised by school principals meeting with DE officials) as there would be an understanding at the outset of how different proposals might be adapted should the public health situation change.
323. CCEA's advice indicated they had consulted with stakeholders to inform the development of the advice. DE sought details of who had been consulted and requested that CCEA also consult specifically with pupils and parents. CCEA had proposed a "mini consultation" on the options it proposed for 2021, and DE indicated agreement to this. Feedback from CCEA's consultation would inform final decisions.
324. In critically examining and querying some of CCEA's proposals, DE sought to ensure that CCEA had taken sufficient account of the needs of learners impacted by the pandemic, that the approach was fair and consistent and did not negatively impact the integrity of the

qualifications which young people would need for access to further/higher education and employment. DE also sought explanations where CCEA's approach differed from that proposed in England for similar qualifications, given CCEA's duty to ensure comparability and portability of qualifications to protect the interests of learners in Northern Ireland.

325. CCEA provided a response to DE's comments as per **DB 166 – INQ000617273**, CCEA's response on 16 July 2020 and further updated that response on 17 July 2020 to take account of developments in the other jurisdictions **DB 167 – INQ000617274**. DE's analysis of CCEA's advice concluded that as there were inconsistencies between some of the options, it was unclear if some of the previous points raised by DE in relation to the 1 July paper had been adequately addressed, and it was unclear which option CCEA was recommending to DE **DB 167 – INQ000617274** and **DB 168b – INQ000617276**. Officials acknowledged that there was no perfect solution and that there had been mixed views from stakeholders on the way forward.
326. Throughout this period there were regular meetings to discuss the details of their proposals so that officials could better understand the potential impacts on learners and, where appropriate, challenge CCEA to consider further refinements to their proposed approach to enable officials to make a recommendation to the Minister.
327. On 21 July 2020 the Minister met with post-primary school principals to discuss their concerns about CCEA's initial proposals in relation to the Summer 2021 examination series. In particular, the principals were asked for their views on potential adaptations to GCSE examinations (2021) to facilitate fairness and safeguard the mental wellbeing of students, taking account of the disruption to learning experienced in 2020 and the uncertainties about the risk of potential further disruption in the next academic year **DB 169 – INQ000617277**.
328. On 22 July 2020 DE took receipt of formal advice in respect of the arrangements for awarding qualifications in 2021, ratified by CCEA Council **DB 170 – INQ000617279**. The advice focussed on facilitating a return to examinations that would take account of lost teaching and learning but maintain the integrity of the qualifications. Over the next couple of weeks there were regular exchanges and meetings between DE officials and CCEA to clarify the proposals for 2021 awarding on which CCEA would conduct a consultation. Officials used these exchanges to supplement the formal advice which was being prepared for the Minister on plans for 2021 awarding.
329. On 4 August 2020 the Minister met with senior officials to discuss a draft advice paper setting out CCEA's proposals for the examinations process for the in-coming (2020/21) academic

year, and CCEA's proposed course of action **DB 171 – INQ000617280**. It was agreed that officials should ask CCEA to initiate a two-week consultation on options, further refine the advice and provide further information on contingencies in the face of further disruption. Considering the issues raised during the discussion, the Minister requested a number of amendments to the draft paper and asked that an updated paper be submitted for his consideration and decisions.

330. On 5 August 2020 officials provided the Minister with formal advice **DB 172 – INQ000617290** setting out CCEA's updated proposals for a managed return to public examinations in 2020/21 and seeking the Minister's decision on a range of issues including confirmation that CCEA should conduct a short public consultation on the proposals and provide further advice to DE by the end of August 2020 (SUB-1607-2020). The Minister's decisions in respect of consultation on plans for a return to exams were communicated to CCEA by a senior official on 10 August 2020 **DB 173 – INQ000617292**. That letter also commissioned CCEA to provide formal advice to DE on contingencies to respond to a range of scenarios up to and including a second full lockdown and cancellation of exams.
331. Following the challenges with the 2020 awarding process that necessitated the withdrawal and re-issuing of AS and A level outcomes, and in particular the concern that there would be little or no public confidence in any form of calculated grade following that experience, there were a series of exchanges between CCEA and DE, with ETI also invited to comment, to refine the proposals for 2021 on which CCEA was about to consult. CCEA amended proposals where there was calculation involved in arriving at the grade and prioritised adaptations that would enable qualifications to be awarded based on student performance in exams and assessments.
332. A final version of the consultation document was agreed with the Minister on 24 August 2020 (SUB 1653-2020 – **DB 174a – INQ000617293** and **DB 174b – INQ000617294**. He noted that there was a strong case for optionality in exam papers (i.e. questions on all topics within a specification would be provided in each exam paper so that candidates could choose to answer questions on topics that they have revised). This would reduce the burden of assessment on pupils as they could focus their preparation on a smaller range of topics for each subject, something which CCEA had not supported but which other stakeholders, including ETI did support. DE's deputy secretary subsequently wrote to schools **DB 175 – INQ000617297** providing advice on how to approach teaching exam years at the start of term, while CCEA was still consulting on the final arrangements for 2021 exams.

333. The CCEA consultation ran for two weeks from 24 August 2020 to 7 September 2020. On 16 September 2020 CCEA provided DE with a copy of a report analysing the feedback from the consultation on arrangements for 2021 exams, and advice on CCEA Council's recommendations considering the responses to the consultation **DB 176a – See DB 173 - INQ000617292** **DB 176b – INQ000617299** **DB 176c- INQ000617300**, **DB 176d INQ000617301**, **DB 176e – INQ000617302** and **DB 176f – INQ000617303**. DE had asked CCEA (on 10 August 2020) to provide advice on a range of options for contingencies in the event that examinations could not proceed as planned. However, CCEA Council appeared to be asking CCEA officers to develop advice for DE based on one single approach to contingency arrangements for 2021, contrary to the original request from DE, and therefore on 18 September 2020 officials provided advice to the Minister **DB 177 – INQ000617304** seeking his agreement for officials to write to CCEA seeking confirmation that advice would be provided on a range of options, including further adaptations to exams in case the health situation worsened, and an assessment of the proposals in England and Wales that might impact on the portability of qualifications (SUB-1729-2020). The Minister agreed.
334. Over the course of the following months there was intense engagement between DE officials and CCEA officers around several very specific and detailed proposals for a range of adaptations to arrangements for examinations. Some of these exchanges were very detailed and technical as officials sought to develop ways to take account of the lost learning, including reducing the burden of assessment on young people while maintaining the integrity of the qualifications. There were several detailed pieces of advice to the Minister over this period, and discussions with officials as the proposals were being refined.
335. While officials continued to develop contingencies, the first GCSE modular exams were timetabled to proceed as scheduled in November 2020. Over the course of an academic year in Northern Ireland there are several opportunities to take modular exams which will contribute to the overall qualifications awards – these are spread across November, January, March and the main series in the summer – May/June. The provision of winter exams enabled pupils to complete some modules of their qualifications early – although these are limited to GCSE English, Maths (in January), and Science (in November and March). Some pupils may use this as an opportunity to resit their exams to try to get a higher grade, but the majority of pupils taking modular exams in the winter/spring will complete their qualifications the following summer. The November modular GCSE Science exams are usually held just after the autumn mid-term break each year and 2020 was no different.

336. In response to the Northern Ireland Executive's decision that schools should take an extended mid-term break in 2020, CCEA developed contingencies in case this extended break impacted on the winter exam series which was due to start on 11 November 2020. On 16 October 2020, officials provided advice to the Minister **DB 178 – INQ000617305** based on the advice from CCEA and sought (and secured) the Minister's agreement to contingency arrangements to adjust the winter exam timetable, if necessary, in response to changes to the mid-term break (SUB-1831-2020). These modular exams subsequently went ahead successfully.
337. On 4 September 2020 officials provided advice/proposals to the Minister in respect of an independent review of CCEA awarding arrangements for GCSEs, AS and A levels in 2020. The advice included terms of reference and options for delivery **DB 179 – INQ000617306**. Deloitte were subsequently commissioned to undertake the review and produce a report for the Minister and DE.
338. On 20 January 2021, officials presented the Minister with the final report of the independent review of CCEA awarding arrangements for GCSEs, AS and A levels in 2020 carried out by Deloitte and sought his agreement to: publish the report; send a copy to the Education Committee; write to CCEA highlighting the key points/lessons learnt; and requesting a response on actions CCEA will take to address the issues highlighted. In finalising the arrangements for alternative awarding in 2021, CCEA was asked to take account of the lessons from 2020 as set out in the Deloitte report **DB 180 – INQ000617308**.
339. Key lessons/recommendations in the Deloitte report are:
- a) In the absence of exams, more weight should be given to the professional judgement of and assessment by teachers.
 - b) Statistical standardisation using an algorithm should not be used in arriving at grades.
 - c) There needs to be transparency in the arrangements.
 - d) Needs to be direct link between the grade awarded and actual work completed by the learner.
 - e) Public acceptability of any arrangements needs to be considered.

- f) There should be early and regular engagement with key stakeholders.
- g) The approach adopted should align with approaches across the other UK jurisdictions.
- h) Equity and fairness issues should be considered and clarified.
- i) There should be moderation of centre assessments within and externally across centres.
- j) Grounds for appeal need to be considered from the learner's perspective; and
- k) Needs to be earlier engagement with centres to address any anomalies in awarding identified.

340. On 10 November 2020 the Welsh Government announced that exams in Wales in Summer 2021 were to be cancelled, and they were moving to alternative awarding arrangements. However, at that time there were no details about how these alternative arrangements would operate. This decision, made without any consultation, impacted pupils in Northern Ireland as many took qualifications offered by the Welsh exams board, WJEC. CCEA Regulation provided advice to DE on possible approaches to awarding for Northern Ireland candidates taking WJEC qualifications. On 18 December 2020, drawing on the advice provide by CCEA, DE officials provided advice to the Minister **DB 181 – INQ000617310** seeking a decision on the approach to be taken by Northern Ireland schools delivering WJEC qualifications (SUB-2088-2020).

341. On 15 December 2020 the Minister made a statement in the Assembly setting out the full range of adaptations to assessments for the planned 2021 exams, following which letters were issued to schools, pupils and parents to communicate the message directly **DB 182 – INQ000617311** and **DB 183 – INQ000617312** respectively. As schools broke for Christmas all plans were finally in place for examinations in 2021 with a range of adaptations to take account of the impact of the pandemic on pupils and ensure fair and reliable awarding of qualifications.

Alternative Arrangements for Qualification Awarding in 2021 following cancellation of Exams

342. On 6 January 2021 the Minister made a statement to the Ad Hoc committee of the Assembly announcing school closures and the cancellation of all public exams for the remainder of the academic year.

343. Following the Minister's announcement that external exams for the remainder of the academic year were cancelled, DE immediately engaged with CCEA to discuss how to build on and accelerate the planning that was already in train to develop alternative awarding arrangements, drawing on the lessons from 2020. DE had commissioned CCEA, in the letter of 10 August 2020, to develop proposals for a range of scenarios up to and including all schools closing. While the focus in the intervening months was largely on the development of adaptations to enable examinations to proceed, work on other contingencies continued in the background. On 12 October 2020 CCEA provided advice to DE which included advice on contingencies in case exams had to be cancelled **DB 184 – INQ000617314**.
344. These proposals were discussed with DE at a meeting on 15 October 2020 **DB 185 – INQ000617315** with the officials providing feedback to CCEA on the advice provided. On 17 December 2020, following the announcement about adaptations to examinations, DE wrote to CCEA **DB 186 – INQ000617316** to ask that work on contingencies in case exams could not proceed as planned should be progressed quickly. Specifically, CCEA was advised that this planning should take account of the findings of the (Deloitte) independent review of the 2020 awarding arrangements which were due to be published.
345. On 7 January 2021 officials sought the Minister's decision **DB 187 – INQ000617317** on a number of points of detail in relation to alternative arrangements for different types of qualifications, as well as clearance of initial communication to pupils, parents and schools to update them on developments in relation to examinations that had been planned for 2021 (SUB-0016-2021). GCSE English and Maths modular exams due to take place the following week were cancelled at short notice. Therefore, while there was considerable detailed work required to finalise contingency arrangements for awarding qualifications without exams for a second year, drawing on lessons from 2020, it was important to issue initial communications to principals **DB 188 – INQ000617318**, parents and pupils **DB 189 – INQ000617319** quickly to provide as much clarity as was possible at that point in time.
346. Over the following number of weeks DE met regularly with CCEA to refine the proposals for alternative awarding arrangements. On 11 January 2021 the plan to consult stakeholders about the proposed arrangements was discussed **DB 190 – INQ000617321**. Further details were discussed on 18 January **DB 191 – INQ000617322**.
347. On 19 January 2021 the Minister met with officials **DB 191a - INQ000651680**, to discuss progress with CCEA on refining arrangements for awarding qualifications in 2021 and

specific issues to be considered and advice to be sought from CCEA in refining proposals. It was agreed that officials should bring forward advice as soon as possible with a view to the Minister being able to make decisions and announce the arrangements in the Assembly in two weeks' time. All involved were conscious that providing clarity for pupils as soon as possible was essential to reduce anxiety and provide reassurance to pupils and their parents about the process to award their qualifications.

348. Over the next couple of weeks both Departmental officials and CCEA held discussions with a range of stakeholders to seek feedback on the proposals being developed. DE developed a short briefing paper **DB 192 – INQ000617323** to support consultation with stakeholders. Meetings were held with teacher representatives **DB 193 – INQ000617324**, **DB 194 – INQ000617325**, managing authorities **DB 195 – INQ000617326**, principals **DB 196 – INQ000617327**, pupils, parents **DB 197 – INQ000617329** and further education colleges. In addition to these meetings ETI provided written feedback **DB 198 – INQ000617350**.
349. On 21 January 2021 DE provided CCEA with feedback from the meeting with the Minister and DE's engagement with stakeholders **DB 199 – INQ000617334**. The Minister subsequently advised officials that he was content with the engagement and feedback up to that point and did not feel it was necessary to produce a formal consultation document as this would delay decisions and stakeholders had indicated they were broadly content but wanted clarity in relation to the process as soon as possible. It was therefore decided that the focus should be on refining the proposals to enable the Minister to make an announcement at the earliest opportunity **DB 200 – INQ000617339**.
350. CCEA provided advice on detailed options for alternative awarding arrangements on 22 January 2021 **DB 201a – INQ000617340** and **DB 201b – INQ000617341**. DE wrote to CCEA on 24 January detailing issues which needed further work or clarification, many of which were required to protect the interests of the pupils **DB 202a – INQ000617342** and **DB 202b – INQ000617341**. CCEA submitted a further paper on 26 January **DB 203 – INQ000617344**, taking account of the issues which had been raised in the letter from officials. On 28 January 2021, the Minister had a further meeting with officials **DB 204 – INQ000617345** to discuss CCEA's proposals for alternative awarding arrangements in Summer 2021. A number of specific issues were explored and the Minister indicated where further advice should be sought from CCEA.
351. Following the 28 January meeting, officials sought further clarification from CCEA on several issues and on 29 January 2021 provided detailed advice and analysis (including the further

clarification provided by CCEA) for the Minister's consideration **DB 205a** – See DB 203 - INQ000617344

DB 205b – INQ000617347, DB 205c – INQ000617348, DB 205d – INQ000617349, DB 205e

See DB 198 - INQ000617350

DB 205f – INQ000617351 and DB 205g – INQ000617354. The Minister was asked to make a number of decisions on arrangements for awarding CCEA qualifications in 2021. The advice provided included advice from ETI on the CCEA proposals and feedback from the stakeholders consulted – principals, unions, young people, parents, managing authorities, further education colleges and Department for the Economy (SUB-0110-2021).

Teacher professional Judgement

352. In finalising the proposals for 2021, officials had the benefit of learning lessons from the experience of the 2020 awarding arrangements and having already commissioned CCEA to develop proposals drawing on these lessons. A key lesson that emerged from the review of the 2020 arrangements, and which was highlighted within the findings of the Deloitte report, was the need for a direct link between the grade awarded and actual work completed by the learner. Therefore, the process announced by the Minister had this at its core. An additional concern that needed to be considered in developing proposals for awarding arrangements in 2021 was that pupils would have had significantly more disruption to their education (due to the pandemic) than was the case in March 2020, and that this disruption was not evenly distributed. During the autumn term in 2020, while schools were open, many had to close or partially close (some sixth forms within schools) for short periods of time due to a localised spike in infections. The arrangements, therefore needed to take account of the differential experiences to ensure all pupils were treated fairly.
353. The Minister announced that qualifications awards in summer 2021 would be based on teacher professional judgement with moderation, to be carried out by CCEA, but no algorithm to standardise the awards would be applied. There was an emphasis on the need to maximise teaching and learning so that pupils could cover the curriculum sufficiently to enable them to acquire the appropriate level of knowledge and skills to enable them to progress. To that end, schools were advised that grades should not be submitted until the end of May 2021 to give young people the opportunity to progress and develop before their teachers made a determination.
354. Grades, which would be known as centre determined grades (CDG), were to be based on the school's professional judgement of the evidenced standard at which the student was

performing within each specification. Additional support and training was provided by CCEA to ensure grades were awarded fairly and consistently.

355. CCEA provided support for schools and colleges on evidence gathering as well as moderation and internal standardisation of judgements based on a range of evidence to ensure that the judgements which were made were objective and fair. This included support from the Chartered Institute of Educational Assessors. The aim was to build on the best practice evident across schools and colleges in 2020, with the aim of providing greater consistency within and across centres.
356. The guidance and information provided included:
- a) on-line training for heads of centre on developing robust processes for managing the moderation and standardisation of centre professional judgements within their centre.
 - b) Good practice exemplars to support centres to develop a robust centre specific approach.
 - c) A data pack to include information about past performance at the centre at subject level to assist in the internal moderation and standardisation of grades within the centre.
 - d) General guidance documentation and a series of webinars for schools on gathering evidence and producing grades to include principles of assessment, avoiding unconscious bias and fairness for all students; the type, quality and value of evidence; adjustments to accommodate access arrangements or special considerations including loss of learning due to the pandemic; arriving at final judgements, and internal moderation of judgements.
 - e) Training for heads of departments and teachers at a subject-specific level.
357. Schools were asked to make evidence-based, holistic decisions on the grades to recommend for their students and that, where possible a breadth of evidence should be used to inform a teacher's assessment of their students' grades. Schools were advised that the portfolio of evidence for each student could include controlled assessments or coursework, other class tests and mock examinations, or any other work completed (for example practice examination questions, or extended essays).

358. To assist in the collection of evidence that would demonstrate the standard at which each student was working towards the end of the academic year, schools were strongly encouraged to provide students with the opportunity to take assessments in April/May 2021. These assessments would be set and marked internally by the school - they were not to be high stakes exams. CCEA released the exam papers (known as CCEA Assessment Resources) that would have been used in 2021 had exams proceeded. This provided teachers with a selection of unseen questions to use as part of these assessments. It was felt that past papers would not be reliable as many pupils would be familiar with the questions as they were readily available and widely used for exam preparation and revision purposes.
359. However, teachers were given flexibility in how to use the unseen questions. Students would only be assessed on content that had been covered by the school. Students were not required to have completed a specified amount of content or demonstrate knowledge, understanding and skills across the full specification. In this way the process took account of the differential learning loss, recognising that some students had suffered more disruption to their learning than others. The assessments would also only be one part of the evidence used by the school.
360. To ensure a fair and consistent approach across all schools, CCEA provided support guidance and training for teachers in February and March 2021 to help them understand how to apply standards consistently. Throughout June 2021, senior examiners and subject officers in CCEA carried out external quality assurance checks which involved reviewing samples of students' work in every school to ensure that the grades submitted accurately reflected the evidence provided. However, where CCEA felt that the evidence did not support the grades, CCEA would not change the grades but would require the school to rerun their process and resubmit the grades and evidence. Students would also have the opportunity to appeal their grades.
361. On 29 January 2021, officials provided the Minister with separate advice on options for alternative awarding for CCEA's Occupational Studies qualifications, CCEA's Entry level qualifications and CCEA's vocationally related qualifications **DB 206 – INQ000617355**. The advice included formal advice from CCEA seeking agreement to proposed solutions, and feedback from ETI, principals, unions, and further education colleges (SUB-0109-2021).
362. The Minister's decision on both General qualifications and the Occupational Studies, Entry level and vocationally related qualifications was announced in the Assembly on 2 February

2021 (SUB-0116-2021) **DB 207 – INQ000617356**. On 3 February the Minister also agreed comprehensive communications to issue to stakeholders providing details of the arrangements he had agreed and announced. This included a guide for parents and students to help them understand what the decisions meant for them (SUB-0127-2021) **DB 208 – INQ000617360** and **DB 209a – INQ000617367**, **DB 209b – INQ000617368**, **DB 209c – INQ000617369**, **DB 209d – See DB 209c** and **DB 209e – INQ000617371**.

363. On 4 February 2021 DE officials advised the Minister of a discussion at a meeting of education officials from the 4 UK jurisdictions on the possibility of moving GCSE, AS and A Level summer 2021 results days to earlier in August and sought the Minister's view. The Minister indicated that while the proposal may cause some issues for Northern Ireland schools, the results days should align across the jurisdictions to ensure Northern Ireland students were not disadvantaged, particularly in relation to university admissions. It was also noted that due to the open qualifications market in Northern Ireland, alignment was important to ensure that pupils in schools could receive their GCSE and A level results at the same time regardless of awarding body. (SUB-0133-2021) **DB 210 – INQ000617373**. The Minister subsequently raised the issue of implications for Northern Ireland students of changing results days at a meeting of the UK Education Ministers on 18 February 2021.
364. In response to information about decisions made by the Secretary of State for Education and a letter he issued to Ofqual about awarding qualifications in England in 2021 (following the 4 countries discussions at both official level and Ministerial level) officials provided the Minister with advice **DB 211 – INQ000617374** on the latest developments and sought a decision on changing the dates on which CCEA results would issue in August 2021 (SUB 0224-2021). The Minister confirmed that CCEA qualification results days should be changed to align with arrangements in England – with AS and A level results issuing on 10 August 2021 and GCSE outcomes issuing on 12 August 2021.
365. As a result of the decision to align Northern Ireland results days with those in England, it became apparent that the administration of issuing results and supporting the centre review element of the appeals process would require some teachers in Northern Ireland schools to work during their summer holidays. This raised contractual issues (which were highlighted by the teaching unions). To address this issue, the Minister was asked on 27 May 2021 **DB 212 – INQ000617375** to agree to provide funding for substitute teachers cover to schools to enable those who did work during this period (but were not contractually required to do so) to take time off in lieu when schools returned (SUB -0548-2021).

366. In order to support teachers in the additional work involved in assessing students for the purpose of awarding qualifications, as part of the agreed contingency arrangements, officials provided advice to the Minister on 1 March 2021, **DB 213 – INQ000617376** and sought his agreement to the provision of two “Qualification Procedure Days” to set aside time for teachers to complete the assessment and moderation processes. The Minister agreed and a communication was drafted and issued to schools (SUB-0243-2021).
367. Implementing alternative awarding arrangements in place of exams meant that CCEA could not fulfil its statutory duty to provide examinations. Officials therefore sought legal advice on the need for a legal direction. Separate legal opinion was also sought on a potential issue, brought to DE’s attention by CCEA, in relation to the processing of “evidence” for the purposes of awarding in relation to the decision that evidence could be drawn from any point across a specification, and specifically the use of AS level evidence in awarding the A level qualifications.
368. Officials provided the Minister with advice on both issues on 1 March 2021 **DB 214 – INQ000617378** and **DB 215 – INQ000617379** and sought his agreement to issue an Article 101 direction to CCEA to address the issue of the statutory duty in respect of exams (SUB-0246-2021). The Minister agreed and the direction was issued.
369. As schools/teachers were to be asked to play a central role in the assessment arrangements for awarding CCEA qualifications, officials provided advice to the Minister on 24 March 2021 **DB 216 – INQ000617380**, on the potential risk to schools (in terms of legal challenge in respect of their role) and sought agreement to put in place a legal indemnity subject to approval by the Department of Finance (DoF) (SUB-0329-2021). On 20 April 2021, following approval received from DoF, the Minister approved the issue of the formal legal indemnity letter to schools (SUB-0416-2021) **DB 217 – INQ000617381**.
370. The approaches across the UK jurisdictions were not identical and DE needed to ensure that Northern Ireland’s young people were not disadvantaged by the differences of approach. The open qualifications market in Northern Ireland meant that a significant number of pupils were taking qualifications through the Welsh awarding organisation, WJEC. Following publication of guidance by Qualifications Wales on the arrangements for awarding WJEC qualifications in Wales, CCEA Regulation (after consultation with WJEC) provided advice to DE setting out three possible options for awarding WJEC qualifications (A levels) to NI candidates, taking account of the arrangements for awarding other qualifications in Northern Ireland.

371. Officials provided advice to the Minister **DB 218 – INQ000617382** on 26 March 2021, analysing CCEA's advice and recommending and seeking the Minister's decision on a preferred approach. (SUB-0349-2021). The Minister agreed that the "JCQ approach" - an approach being used by WJEC for qualifications delivered under its "Eduqas" brand in England, and which was very similar to the CCEA approach, should be adopted for WJEC qualifications delivered in NI schools.
372. Once decisions were in place to progress arrangements for awarding in 2021, DE monitored the implementation of those arrangements through regular and ongoing engagement with CCEA. DE also turned very quickly to beginning to plan for the next academic year to ensure that there was clarity for young people, their teachers and parents as early as possible.

Impact of the decision to cancel exams on children

373. The importance of students being awarded their qualifications to enable them to progress was recognised from the outset. Following the cancellation of exams, the priority for officials was on ensuring that there were robust arrangements in place in 2020 and again in 2021 to ensure that learners were awarded their qualifications and enabled to progress. Officials working on qualifications arrangements did not undertake any systematic monitoring or assessment of the impact of the cancellation of exams on learners. However, officials did receive feedback from various sources that enabled them to understand in general terms the impact of the cancellation of exams and the move to alternative arrangements for awarding qualifications. This included feedback from CCEA on their engagement with the Children's Commissioner's Youth Panel, from link officers and ETI engagement with schools and school leaders (though discussion at the CQSD Programme Board), through DE engagement with a principals' reference group established to consult on exam arrangements, and from engagement with young people through the Secondary Schools Union Northern Ireland (SSUNI).
374. DE also received a significant amount of correspondence from pupils, parents and teachers on the issue of the cancellation of exams and the alternative awarding arrangements. The consistent messages from this feedback were that young people wanted certainty that they would be awarded their qualifications, clarity about the methodology that would be used to award the qualifications, and assurance that the methodology would be fair.

375. CCEA's consultation on the proposed options for a return to exams in Summer 2021 asked respondents to outline any specific equality impacts which they felt should be considered. Some of the issues raised included: the differential impact of the lockdown on students from differing socio-economic backgrounds; variable access to resources such as the internet and devices; variable parental support with home-based learning; and the disproportionate impact on learners with additional needs.
376. Through feedback from principals and other education partners, and correspondence received from pupils and their parents, DE was aware that student mental health and well-being was a concern and one of the wider impacts of the lockdown on young people. In developing proposals for a return to exams in 2021 CCEA was asked by officials to take account of the mental well-being of students, in particular the impact of the burden of assessment on students. This led to the development of a policy of unit omission to reduce the burden of assessment without impacting the integrity of the qualifications being awarded. While unit omissions were not needed in 2021 following the cancellation of exams, the policy was implemented in 2022 to ease the transition back to external examinations.

The decision to reopen schools

377. As the original decision that Northern Ireland schools close was taken by the Executive Committee, DE did not specify any criteria or framework for closures. Schools were best positioned to make these decisions based on their own unique circumstances as schools/board of governors/principals were aware within their own physical environment on whether they could implement NPIs or the staff/pupil numbers who were identifying as positive and therefore having to self-isolate, or as instructed by legislative restrictions. Officials continued to work closely with the DoH and PHA in order to minimise potential risks by implementing NPIs.
378. By the end of April 2020, DE was conscious that the immediate response phase to the Covid-19 pandemic was nearing an end and consideration needed to be given to planning for recovery and restart (when public health conditions allowed). As a starting point, the Permanent Secretary re-purposed the DE Transformation Programme Office (the Transformation Programme had been suspended by the Minister upon onset of the pandemic to redeploy staff to priority areas) as the Education Restart Programme Office and commissioned staff to consider an appropriate approach to give assurance to the Minister and Accounting Officer that DE was taking proper account of Covid-19 issues in its actions.

379. The first meeting of the newly constituted Restart Programme Board was on 5 May 2020 minutes at **DB 219 – INQ000617383**. It consisted of Senior Management in DE, EA, CCMS and CCEA and was chaired by myself. The Terms of Reference for the Board (ED1/20/94710) stated that - *“The Education Restart Programme (the Programme) has been established to coordinate work on restarting the education system in a safe and effective way; reviewing Departmental priorities and re-establishing working practices; and capturing lessons learned and preparing for future disruption.”*
380. It was the role of the Board to *“provide overall direction and management for the Programme and will take key decisions including the direction of travel and commitment of resources.”* The Programme Board had not been tasked with any assessment of how or if children had fallen behind, as at this early stage in the pandemic it was felt that there would have been minimal loss given the provision of remote learning and schools still being open for vulnerable children and key workers children. Later in the pandemic DE commissioned the Pupil Attainment, Wellbeing, and Teacher Practices during the Pandemic cited at paragraph 191 and subsequent reports (referred to later in the Statement) by the Education and Training Inspectorate providing data. No assessment of how far pupils had fallen behind took place other than via the surveys conducted by ETI.
381. The purpose and design of the Programme was set out in a Blueprint document that served as a Programme Initiation Document **DB 220 – INQ000176123**. It explained the Programme would include the following strands –
- a) **Strand 1 - Education Restart** – considering all matters central to restarting the education system (schools and wider settings) in a safe and effective manner.
 - b) **Strand 2 - DE Restart** – considering all matters central to restarting DE and ensuring DE is appropriately structured to deliver on a new set of priorities.
 - c) **Strand 3 - Lessons Learned and Preparedness** - ensuring that key lessons learned from the current response from DE, its partners and the education sector are captured and inform the “new normal” and robust preparedness plans to respond to further periods of lockdown or school closure.
382. The Programme Board usually met on a weekly basis between May – September. Examples of papers discussed included **DB 221 – INQ000617391** Annotated Agenda Board Meetings.

DB 222 – INQ000617392 – Education Restart Programme 15 June 2020– Minutes and Action Points **DB 223 – INQ000617393** Minutes September 2020.

383. The Minister provided an update to the Executive on 21 May 2020 (ED1/20/122642 attached as **Exhibits DB 223a** - **INQ000087639** (SUB-1346-2020 Covering email from officials) **DB 223b** - **INQ000087640** (SUB-1346-2020 Draft Executive paper) **DB 223c** - **INQ000087641** (SUB-1346-2020 Education Restart Planning Annex A) **DB 223d** - **INQ000087642** (SUB-1346-2020 Minister's Agreement) on the design of the Programme and its priorities. The individual projects / priorities were described as being:
- a) **Physical Protection** – We must protect the physical health of our workforce and learners as they return to schools and settings – minimising the risk of COVID-19 transmission.
 - b) **Well-being** – We must promote the mental health and emotional well-being of our workforce and learners as they adjust to a “new normal”.
 - c) **Special Educational Needs (SEN) Services** – We must ensure the delivery of vital services to vulnerable learners, including SEN services.
 - d) **Standards and Learning** – We must maintain (or redress) educational standards, provide continuity of learning and ensure appropriate assessment.
 - e) **A new normal** – We must make practical arrangements to deliver a new normal which is consistent with guidelines on social distancing.
 - f) **Funding** – We must monitor the impact on education funding as schools and setting deal with disruption costs and recovery costs.
384. These projects/priorities were kept under review, with “Childcare” being added to the list a few weeks later.
385. From June 2020, Checkpoint meetings (Papers at Strategic Management DE - Working Groups, Meetings, Forums and Committees - Education Restart Programme - Checkpoint Meetings) were held. These were primarily to share information across the above projects, co-ordinate communications and discuss highlight reports.
386. The Programme Board and Checkpoint meetings continued into September, and the Programme was wound down in November 2020, as the Programme Board were content that COVID-19 response had been “mainstreamed” into DE and ALB operational management.

387. DE began to address the issue of safely reopening schools in the period immediately after the initial closure of schools. DE worked closely with DoH, ALBs and school practitioners to co-design appropriate “Day One” guidance (New School Day) to allow schools to resume classroom teaching **DB 224 – INQ000617394**. At this stage in the pandemic DOH as lead Department felt that it was safe to open to all pupils and no priorities groups were identified.
388. This guidance was developed via co-design with a Practitioner Group (i.e. a representative group of school leaders from across the educational sector selected from a pool of nominees put forward by the Trades Unions and all education partners), ALBS and Trade Unions in the period from April to June 2020 and issued to schools on 13 August 2020. It was reviewed regularly in the fortnightly meetings and on an ad hoc basis, considering any wider changes to NPIs within Northern Ireland and receipt of guidance from the PHA on dealing with COVID-19 cases within schools and subsequent contact tracing.
389. Updated DE Guidance continued to be shared with Practitioner Group and TUS representatives in the lead up to the reopening of schools for face-to-face teaching in August/September 2020 **DB 225 – INQ000617396**.
390. At that stage guidance permitted a limited curriculum, with restrictions on the school day with drama and music classes using wind instruments or choirs only available in outside venues. Furthermore, pre and post school clubs and extra-curricular activities were not permitted, inter-school sports were not allowed, social distancing where possible was encouraged, with the use of bubbles, and in post-primary settings there were limitations placed on the practical elements of some subjects. Advice was given not to share materials etc. and around the delivery of practical subjects. This was in line with the prevailing public health advice and with the agreement of DoH officials.
391. During the autumn term in 2020 school attendance figures reflected the overall pattern of Covid-19 cases in the community and there were numerous incidents of outbreaks which affected schools. At this stage in late 2020 the Delta variant became prevalent, with significant impacts on case numbers and hospitalisations. The NI Executive decided to add an extra week to the October half term to provide a “circuit -break” in the hope that this would help to curb the spread of Covid-19 infections.
392. In October 2020, a submission SUB-1885-2020 was sent to the Minister to agree to presenting attendance data in a more granular level due to Covid-19. The Minister agreed this **DB 226 – INQ000617397**. The rationale for this proposal had to be evidence based and with DE receiving the September monthly attendance data from C2k in mid-October, this was

the earliest that this proposal could have been put forward based on the receipt of the attendance data.

393. DE Circular 2020/08 was issued on 16 December 2020 and was updated on 4 January 2021 to schools advising of new COVID codes to use; this provided opportunity to provide data returns aligned across the 4 nations **DB 226a – INQ000548432**
394. A submission was sent and approved by the Minister providing options for attendance coding on 26 November 2021 (SUB 1007-2021 refers) and Minister approved **DB 227 – INQ000617399** – 11 January 2022.
395. Schools in NI then closed in the week before Christmas 2020 as usual. It was the expectation at that point that schools would reopen in January 2021. At the same time the NI Executive imposed additional measures to restrict social interaction, including restrictions on hospitality and gatherings indoors. Over the period between Christmas and New Year 2020/21 the NI Executive considered the best approach to dealing with the high level of cases and stress on health services and in January 2021 the Executive imposed a further set of restrictions on social interactions, which also required that schools move to remote learning. DE introduced emergency legislation in the form of a Continuity Direction **DB 228 – INQ000617400** submission to Minister and to make it a legal requirement for schools to provide remote learning to all pupils as well as supervised learning for vulnerable and key worker pupils.
396. DE officials were in regular contact with DoH, PHA and sectoral bodies through weekly meetings in relation to the necessary steps for reopening schools and continued that contact during the period between Christmas and New Year 2021. It was noted that whilst numbers continued to rise it was starting to become clear that younger people were less affected by the virus. DE were involved in a pilot project to see if mass testing could be used (see paragraph 474) in schools during November and December 2020. Results from this pilot demonstrated that mass testing would not be an efficient NPI within the school environment given the logistics. Further meetings were held on an ad hoc basis as the situation developed and decisions by the Executive were announced. Drafts of the revised DE guidance were subsequently put in place which advised the use of face-coverings in schools and enhanced ventilation guidance was developed in consultation with other UK regions and with health advisors. These meetings were additional to the fortnightly meeting held with the various groups. Minutes/notes of these meetings were taken by DoH but were not distributed to members.

397. PHA created a school's "cell" or team made up of experienced staff specifically set up to work with educational settings to identify close contacts of positive cases and advise the relevant self-isolation periods required for parents, relatives and teachers/educational staff. This advice was in line with prevailing public health guidance on self-isolation for close contacts of positive cases.
398. A £10m fund was launched to assist educational settings as they supported the mental health and wellbeing of children and young people returning to education following the school closures, with a portion of funding being directed toward additional provision for vulnerable children. Through this funding, education settings were given flexibility in how they supported the emotional health & wellbeing of children and young people and the staff working with them.
399. Following the issue of guidance from DE regarding the opening of schools from 23 March 2020 for the children of health workers and other key personnel, key stakeholders contacted DE regarding the concerns of some schools which had been advised by their insurers that there was no cover for claims arising out of or in connection with Covid-19. DE also recognised that this issue potentially impacted non-statutory pre-school education settings, many of which are run by voluntary or private organisations.
400. In addition, and subsequent to this approach, the EA brought to DE's attention the extent to which the issue of insurance would impact on other schools (e.g. other Maintained schools, the majority of which are Irish Medium schools). In the end, based on legal advice, DE recognised the potential gap between existing insurance arrangements and Covid-19-related claims for all grant-aided schools and EA settings.
401. To provide the necessary level of assurance to education stakeholders, in March 2020, DE issued Letters of Indemnification to all grant-aided schools, non-statutory pre-school education settings, the EA and CCMS to provide overall assurance regarding the potential liability for claims that may arise for schools and other educational settings asked to open to accept pupils who were children of key workers. Letters to Voluntary Grammar and Grant maintained integrated schools **DB 229 – INQ000617401** and non-statutory pre-school settings **DB 230 – See DB 229** and **DB 231 – See DB 229** issued on 22 March 2020. Letters to Controlled and Maintained Schools issue on 30 March 2020 **DB 232 – INQ000617405**.

402. In turn, The Department of Finance (DoF) provided approval for DE to issue each of the indemnities. To date, no claims have been made in respect of these indemnifications.
403. As part of the generic guidance to schools, face coverings were a requirement for pupils to wear and this presented issues in how to manage this NPI for staff and those who refused to wear them as there was no legal obligation, as well as the challenges for the more vulnerable pupils e.g. deaf children.
404. DE worked closely with the National Deaf Children's Society (NDCS) and the EA to ensure that clear and appropriate guidance was issued in relation to face coverings. DE's guidance on the use of face coverings was intended to go some way towards mitigating the challenges experienced by deaf children and young people in schools when face coverings are worn by staff and peers. It was recognised that the use of face coverings had a significant impact on deaf students in terms of access to learning as well as their social and emotional wellbeing.
405. All schools were advised of the requirements to make reasonable adjustments under the Disability Discrimination Act 1995 to ensure that deaf children and young people could continue to access learning and were encouraged to identify which reasonable adjustments would be the most effective, in conjunction with the student, family and the Teacher of the Deaf. The EA Sensory Services were available to provide support. An exemption was in place that allowed face masks and coverings to be temporarily removed if needed to communicate with someone who relied on lip-reading.
406. Officials are of the opinion that due to this engagement with NDCS, Northern Ireland was the only UK jurisdiction not to be subject to a judicial review of this matter.

Specific issues which arose as to the transportation of children to and from school when schools reopened; Face Coverings on School transportation

407. The decisions on the wearing of face coverings on home to school transport were shaped by the directions provided by the DoH and DfI on the wearing of face coverings on public transport. During the lockdown period from March – June 2020, no home to school transport services operated.
408. In June 2020, DfI Minister Mallon produced an Executive Paper seeking the Executive's agreement to the introduction of a mandatory requirement to wear face coverings on public transport. **DB 233 – INQ000617406**. In response to this paper, several potential issues were

raised in relation to the mandatory requirement for school pupils to wear face coverings on buses. The Executive agreed this on the 2 July, and it became effective from 10 July 2020. The mandatory wearing of face coverings on public transport was revoked by the Health Protection (Coronavirus, Restrictions, Wearing of Face Coverings) (Revocation) Regulations (Northern Ireland) 2022 which was made on 15 February 2022. These concerns included safeguarding in circumstances in which a child forgets or loses their face covering and could subsequently be denied boarding. Practical issues were raised around younger children and children with disabilities being able to handle face coverings and queries about where the responsibility for enforcement would lie.

409. On 25 June 2020 recommendations were made to the Education Minister to seek an exemption for all school pupils using all forms of transport, and if this option was not agreeable, to seek an exemption for pupils using dedicated school services rather than public buses. Further supporting documents can be found at **DB 234 – INQ000617409**, **DB 235 – INQ000617413** and **DB 236 – INQ000617414**.
410. Minister Mallon subsequently produced a further Executive Paper seeking the Executive's agreement to the introduction of a mandatory requirement to wear face coverings on public transport. **DB 237 – INQ000617417**. The revised proposals took on board the concerns raised by Minister Weir and provided for an exemption for children aged 12 and under on public transport, for pupils on dedicated school transport services and for people with disabilities who may struggle to put on or wear a face covering.
411. In response to this paper, a recommendation was made to Minister Weir to support Minister Mallon's proposals, **DB 238 – INQ000617418** but to raise some anomalies which would need to be addressed around pupils who are not required to wear a face covering on dedicated school transport, but who would then be required to wear one when transiting through a bus station **DB 239 – INQ000617419**. Supporting evidence can be found at **DB 240 – INQ000617425**, **DB 241 – INQ000617426** and **DB 242 – INQ000617427**.
412. In October 2020 the increasing number of confirmed cases of Covid-19 and the levels of community transmission resulted in the PHA recommending the mandatory wearing of face coverings on dedicated home to school transport **DB 243 – INQ000617428**.
413. On 14 October 2020, following a recommendation from the Public Health Agency, Minister Weir agreed to introduce the mandatory wearing of face coverings on dedicated home to school transport for all pupils aged 13 and over subject to exemptions **DB 244 –**

INQ000400808. On 29 October 2021 the Executive noted the Minister for Education's decision.

414. In a meeting between DfI Minister Mallon and Education Minister Weir on 19 October 2020, it was agreed to seek the views of the PHA in relation to extending the mandatory wearing of face coverings on buses to all post primary school aged children, not just those aged 13 and over, in line with advice in place in schools and to ensure that there was a uniform and consistent approach **DB 245 – INQ000617430, DB 246 – INQ000617431 and DB 247 – INQ000617433.**
415. An Executive paper was issued to Executive Ministers to explain the rationale for an updated position on mandatory face coverings, the approach to be adopted and to ask Executive Ministers to note that both the Ministers for Infrastructure and Education agreed that the use of face coverings on dedicated home to school transport vehicles and public transport vehicles should be mandatory for all children of post primary age (i.e. normally aged 11 and over), subject to exemptions **DB 248 – INQ000208781.** Supporting evidence can be found at **DB 249 – INQ000228386,** submission to Minister advising the issue of a response letter to Minister Mallon and a proposed letter to Executive Ministers, **DB 250 – INQ000617440,** Grade 5 clearance of submission at **DB 251 – INQ000617441,** Ministerial clearance of submission, **DB 252 – INQ000617447,** a Joint Statement from the DE and the EA on wearing face coverings on school transport, **DB 253 – INQ000617448,** copy of an EA internal email on the cost of a face covering, **DB 254 – INQ000617449,** correspondence between DE and the EA on the mandatory wearing of face coverings.
416. On 29 October 2020 the Executive endorsed an amendment to the guidance and the regulations were updated to make the wearing of face coverings mandatory on all dedicated home to school transport and public transport. The exemption from the mandatory wearing of a face covering in Regulation 4 (2) of The Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020 now applied to those of primary school age and lower rather than those aged 12 and lower as was previously the case **DB 255 – INQ000617450 and DB 256 – INQ000617451.**
417. Although the wearing of a face covering was not mandatory for primary school pupils, DE guidance strongly recommended that all pupils regardless of age should wear a face covering on all buses, trains or taxis for the journey to school where it was appropriate for them to do so and they were able to handle them as directed. Supporting evidence can be found at **DB 257 – INQ000617453,** an email containing draft public messaging on face coverings **DB 258**

– **INQ000617454**, guidance to EA drivers on wearing of face coverings, and **DB 259 – INQ000617455**, amendments to the New School Day Guidance to reflect the changes in the wearing of face coverings on public and school transport services.

418. While there was no available data to provide definitive evidence on the use of face coverings on dedicated home to school transport, there was a significant volume of correspondence received by DE expressing concern that the use of face coverings was sporadic and could be higher. This view was the shared by the EA and Translink.
419. In February 2021 the Executive announced that additional signage would be provided to all schools to encourage compliance with public health messaging, a publicity campaign was launched, **DB 260 – INQ000617457**, to promote the use of face coverings within school settings and on school transport, and it as announced that spot checks would be carried out at key points along bus routes by an EA Safe School Transport team. On 26 February 2021 a bid was submitted by the EA to establish a Safe School Transport Team to both monitor compliance and improve awareness/promote usage of face coverings on school transport **DB 261 – INQ000617458**. Supporting evidence: **DB 262 – INQ000617460**, DE officials question to EA about compliance checks in relation to the bid, **DB 263 – INQ000617461** e-mail correspondence about promotion of the EA Safe School Transport Team and **DB 264 – INQ000617462** a letter from DfI to school principals about travelling to school using the Strangford Lough Ferry.
420. Subsequently in March 2021 an additional £0.5m funding for a new team to monitor face covering compliance on school transport was approved and Covid-19 funding was allocated to the EA to establish a Safe School Transport Team. **DB 265 – INQ000617465** and **DB 266 – INQ000617471**.
421. The Minister of Education approved the retention of the Safe School Transport team until the end of June 2022 and the EA prepared a business case. **DB 267 – INQ000617473**. On 6 April 2022 the £135k funding required for the Safe School Transport Team to be retained for the period April-June 2022 was met. **DB 268 – INQ000617474**.
422. In August 2021 the Executive endorsed the decision that post-primary aged young people should continue to wear face coverings until 8 October 2021, when the position would be reviewed. On 7 October advice was received from the Department of Health that the current guidance on the use of face coverings in schools should remain in place **DB 269 – INQ000617476**. Following consultation with Ministerial colleagues, on 14 February 2022, the

Minister for Health announced that from 15 February 2022, all COVID-19 legal restrictions in Northern Ireland would be replaced by guidance which strongly recommended that face-coverings should still be worn by pupils on school transport.

Social Distancing on School Transport

423. On 24 July 2020 a submission to the Education Minister was prepared by officials which set out options on how to address the issue of eligible pupils being able to access home to school transport provision from September 2020 if pupils were required to socially distance on different forms of school transport **DB 270 – INQ000617479**. The paper considered the number of SEN and non-SEN pupils provided with statutory home to school transport in Northern Ireland across the different forms of transport on the school transport network.
424. Consideration was given to the overall school transport network capacity and estimates made of the impact on the proportion of eligible pupils that could be transported if there was social distancing of 1m, 2m and if bus services were to run at 50% capacity. Many pupils who are in receipt of transport assistance are issued with a bus pass to travel on Translink public bus services and due to the social distancing requirements on public transport, capacity was reduced on these services. To ensure that there was sufficient capacity for pupils travelling to school, Translink provided additional dedicated, pupil only school bus services on which social distancing was not mandatory.
425. £1.6m was allocated to the Education Authority on 21 August 2020 for these additional Translink services and for the provision of face coverings for pupils on home to school transport. It was a fluid situation in terms of public transport network usage and capacity, and assumptions had to be made in the estimation of costs for the additional transport provision needed to ensure pupils in receipt of transport assistance were able to avail of transport to school. The cost for additional Translink provision was less than initially estimated and following the January Monitoring Round on 03/02/2021, the budget was reduced by £400k to £1.2m. On 2 March 2021, following a further review of financial forecasts for 2020/21, this amount was further reduced by £460k to £740k and the final figure spent by the EA in the 2020/21 financial year was £641k. In April 2021, the EA was initially allocated £270k for additional school transport services, which was subsequently reduced following the January Monitoring on 1 Feb 2022, and £118k was spent.
426. Supporting evidence can be found at **DB 271 - INQ000617480** (e-mail from Grade 5 to the Minister updating him on potential costs of transport), **DB 272 – INQ000617481** (draft note

of the meeting between the Minister and officials on 27 July 2020 on home to school transport) **DB 273 – INQ000617483** (E-mail from the EA to officials in May 2020 about initial discussions with Translink about challenges in delivering transport), **DB 274 – INQ000617484** (e-mail from the EA to Grade 7 outlining challenges of providing school transport during COVID), **DB 275 – INQ000617486** (e-mail from the EA to Grade 7 with estimates of number of pupils it would aim to transport each day) **DB 276 – INQ000617487** (File note on the EA max capacity estimates) **DB 277 – INQ000617488** (e-mail containing EA comments on New School Day Guidance), **DB 278 – INQ000617496** (EA provisional data on capacity and pupils) **DB 279 – INQ000617499** (e-mail from EA to Grade 5 advising that transport entitlement cannot be met if social distancing in place, **DB 280 – INQ000617501** (email from the EA advising capacity if 50% of pupils transported) **DB 281 – INQ000617503** (email from the Minister advising to delay issuing transport guidance **DB 282 – INQ000617504** (e-mail from DfI advising the number of privately operated buses in NI), **DB 283 – INQ000617505** (e-mail from DfI advising the Translink estimate of fee paying pupils using Translink services) **DB 284 – INQ000617506** (DfE in England confirmation of taxis being dedicated school transport, **DB 285 – INQ000617507** (e-mail from EA answering Minister's queries in connection with school transport), **DB 286 – INQ000617508** (Grade 3 comments on July 2020 submission on options on how to address the issue of eligible pupils being able to access home to school transport provision on school restart) **DB 287 – INQ000617509** (email from EA with update on transport restarting week commencing 24 August 2020) **DB 288 – INQ000617510** (estimate of transport numbers at reduced bus capacities with different mileage bands).

427. Several options were considered and discounted on the grounds that the vast majority of children would not be able to access any transport service to enable them to get to school. It was proposed that Northern Ireland should proceed on the same basis as proposals in England and Scotland and that (i) there would be no social distancing on “dedicated” school buses and (ii) there would be increased capacity through the provision of additional dedicated school buses for school children, where necessary, for children who normally used public transport services. Supporting evidence can be found at **DB 289 – INQ000617534** (policy in development document on draft home to school transport guidance), **DB 290 – INQ000617538** (draft England guidance on restart of School transport), **DB 291 – INQ000617540** (note of 27 July meeting between Minister and DE officials about restart of school transport), **DB 292 – INQ000617541** (e-mail from Translink to EA outlining range of enhanced vehicle cleaning processes and sanitisation techniques), **DB 293 – INQ000617542** (Translink press release for School restart), **DB 294 – INQ000617546** (e-mail from the EA

providing an update after first week of transport restart), **DB 295 – INQ000617457** (12 October submission to Minister Weir with suggested response to Minister Long’s proposal about introducing additional vehicles to enable greater distancing between pupils).

428. This recommendation was subject to support and agreement being sought from the Chief Medical Officer, the Chief Scientific Advisor and the Ministers for Health and Infrastructure, copy of letters issued to Minister for Health and Infrastructure. **DB 296 – INQ000617548**, ministerial approval of letters to issue to the Ministers of Health and Infrastructure **DB 297 – INQ000617554**, briefing for meeting with Minister Swan and the Chief Medical Officer about social distancing on school transport, **DB 298 – INQ000617555**, email containing revised letters to Ministers for DoH and Infrastructure **DB 299 – INQ000617556**, briefing for Minister’s meeting with Minister Mallon, **DB 300 – INQ000617558** Note of Minister’s meeting with DoH about the reopening of schools and provision of school transport.
429. The Executive agreed that additional mitigating measures would allow pupils to use home to school transport safely and enable them to return to accessing full time education. It would not be possible to transport over 80,000 pupils each day with any form of social distancing in place and it would be likely that many pupils would be unable to attend school in this scenario. The risks to pupils’ mental health, social development and educational outcomes for such pupils would be significant. This was particularly relevant in terms of the transport of pupils with special educational needs, many of whom travel on Education Authority vehicles that are specially adapted for their needs.
430. There was no other provider who would be able to provide such adapted vehicles and so any requirement for social distancing would have had a very significant impact on the ability of these vulnerable pupils to access their school.
431. Minister Mallon wrote to Executive Colleagues on 21 December 2020 advising that Translink would operate a holiday service through the Christmas and subsequent period of restrictions and that as schools were due to return during the restriction period, Translink timetables would be amended to a “Saturday Plus” timetable to add sufficient capacity for returning school children. DE confirmed with DfI that this action would not impact on Translink’s home to school transport provision **DB 301 – INQ000617559**, **DB 302 – INQ000617561** and **DB 303 – INQ000617562**.
432. Following the second lockdown pupils returned to school on a phased basis in January 2021 with most pupils not returning to school until March 2021. Transport provision was put in place for all eligible pupils who were accessing face to face teaching in January 2021,

including vulnerable children and children of key workers. Supporting evidence at **DB 304 – INQ000617563** and **DB 305 – INQ000617564**.

433. While the Public Health Agency did not advise any change to the DE guidance on transport, Departmental officials took the opportunity to work with the EA to explore several options that would reduce the capacity on vehicles, to further minimise the risk of COVID transmission on school transport. **DB 306 – INQ000617567**, **DB 307 – INQ000617569**, **DB 308 – INQ000617570** and **DB 309 – INQ000617571**.
434. These options were not taken forward as it was considered important that all children were able to return to school after such a long absence and guidance was updated detailing the mitigations put in place to enable all pupils to be able to access home to school transport.
435. The DE guidance as referred to previously, at paragraph 388, stated that it was mandatory for all post-primary aged pupils to wear a face covering on both public transport and school transport services and strongly recommended that all primary aged pupils regardless of age should wear a face covering on both public transport and school transport services. The guidance also advised that all pupils should consider alternative methods of travel and in particular active travel such as walking and cycling, and that schools should also consider a process for removing face coverings for pupils and staff when arriving at school and clearly communicate this.
436. As indicated above, the EA also established a Safe School Transport Team to run spot checks to monitor and encourage compliance with the wearing of face coverings on home to school transport. A financial allocation was made to the EA in March 2021 to establish the team and this operated until June 2022. Compliance was monitored through progress reports copied to DE, **DB 309a - INQ000548433**

Interim planning (Summer 2020 to January 2021)

437. In early summer 2020 – John Smith – Deputy Secretary took on overall management of the DE Covid-19 Response, with a communications, guidance and correspondence function headed by Grade 5 (James Hutchinson), who was also responsible for the DE Restart Programme. This became the standing DE Covid-19 response team and coordinated DE actions going forward. A project called Physical Protection was initiated in June 2020 **DB 310 – INQ000617573** with objectives –

- a) To ensure the ability for the safe arrival and departure to and from educational settings and youth settings.
 - b) To provide any Government recommended physical protection measures on the school premises to allow return to educational settings and youth settings.
 - c) To provide Government guidance in the educational setting that allows for effective delivery of educational services from new academic year.
438. Highlight reports were being produced **DB 311 – INQ000617574** in early July and late August prior to the return to school **DB 312 – INQ000617575** and on 1 September 2020 **DB 313 – INQ000617576**. These reports showed the planning being put in place for the safe return of children to educational settings. There was no formal assessment of the impact of the initial school closures and officials whilst reviewing guidance and taking advice from DoH. Officials were conscious of the potential for future closures and of the need to have appropriate guidance in place. At this time officials were often reacting rapidly to the continuous changes to the pandemic and the new variants and health information likely impact on young people.
439. At the same time DE developed support schemes for substitute teachers, provided support to the pre-school and childcare sectors, advised the Voluntary Grammar sector on furlough, provided payments in lieu of free school meals and dealt with significant correspondence from the sector, parents and young people.
440. DE identified wellbeing as one of the key areas of the Education Restart Programme. DE provided financial support to educational settings through the Education Restart Wellbeing Fund, DE allocated £5m to EA in the 2020/21 financial year. The Business Case provides the justification and background **DB 314 – INQ000617577** and Ministerial approval to launch through the Ministerial submissions **DB 315 – INQ000617581** and **DB 316 – INQ000617582**.
441. DE provided guidance to schools and other education settings to assist Boards of Governors and other school staff in fulfilling their responsibilities regarding their safeguarding and child protection role and to ensure clarity and consistency of approach across all schools, which took account of the potential for future closures. No assessments on the impact or lessons learned exercises were conducted.

442. In October 2021, DE launched a time-bound pilot primary counselling service utilising available Covid-19 funding to support primary school pupils. The pilot ended in March 2023 (following two Ministerial directions) and DE allocated £5m to EA in the 2021/22 financial year (Covid-19 funding) and £4m to EA in the 2022/23 financial year (not Covid-19 funding). A post-project evaluation was completed and published on the DE website **DB 316a – INQ000651681** and **DB 316b - INQ000651682**. The pilot was available to all primary schools and 702 schools availed of the service; the number of pupils supported is not available **DB 316c – INQ000651683**.

443. DE continued to provide updated guidance to ensure clarity and consistency of approach across all schools and education settings. On 3 January 2021 DE enacted the first of five Educational Continuity Directions with powers given under Paragraph 14(1) of Schedule 17 (Temporary Continuity Directions Education Northern Ireland) of the Coronavirus Act 2020 **DB 317 – INQ000400736**. This allowed schools to restrict access to schools and educational settings for those other than vulnerable children and children of key workers.

444. Following the publication of the Executive's Pathway out of Restrictions on 2 March 2021, DE issued the final Continuity Direction dated 19 March 2021 **DB 318 – INQ000400819**, which allowed the return of selected groups of pupils –

Schools, pre-school education settings, and Education Other Than At School Centres are required to open to provide in-person education to their pupils as follows –

- a. Special Schools shall provide in-person education to all pupils throughout the specified period.
- b. Education Other Than At School Centres shall provide in-person education to all pupils throughout the specified period.
- c. Pre-School education settings shall provide in-person education to all pupils throughout the specified period.
- d. Primary Schools shall provide in-person education to pupils in years 1 to 7 throughout the specified period.
- e. Post-Primary Schools shall provide in-person education to all pupils in years 12 to 14 until the end of their Spring term.

Post-Primary Schools may open from 22nd March until the end of their Spring term to provide in-person education –

- a) in GCSE Mathematics, to Year 11 pupils entered to complete that qualification in 2021.
- b) in GCSE Irish, to any pupil entered to complete that qualification in 2021.

445. DE also funded additional support through the voluntary and community sector. The issuing of guidance and funding of programmes and services during 2019 and 2020 was in line with normal policy and practices within DE. While these activities became of greater paramountcy during the pandemic, which was reflected in policy papers, actions were not taken directly due to the Covid-19 pandemic and would have been taken forward regardless of the pandemic, as part of DE's usual business.

Engage Programme – Summer Scheme 2021 / Support at school

446. Officials updated the Minister on 12 March 2021 **DB 319 – INQ000617586** on the results of an on-line survey with schools which suggested that approximately 304 schools had expressed an interest in a Summer School in 2021 to help prepare pupils for the forthcoming academic year 2021/22. The Minister agreed the continuation of the voluntary summer school programme to run in July / August 2021 to offset the impact of Covid-19 closures. Ministerial approval was confirmed **DB 320 – INQ000617588**.
447. A £4m resource expenditure was initially approved to deliver a Summer Scheme in 2021 with a further £600K approved by the Minister on 10 June 2021 (SUB/0593-2021) to cover the additional demand – **DB 321 – INQ000617590**. More than 43,000 pupils took part in the scheme.
448. The Minister responded to the Education Committee on 15 December 2021 on the A Fair Start Report and Ventilation in Classrooms correspondence – **DB 322 – INQ000617592** - Approved by Minister on 18 December 2021.

Engage Programme

449. The Minister was updated with an initial proposal on an Engage Programme and informed of potential costs on 10 June 2020 – **DB 323 – INQ000617595**. Feedback from the Special Adviser on the design of the programme was provided on 11 June 2020 – **DB 324 – INQ000617596**.
450. The Minister agreed to the plans for the Engage programme on 24 July 2020 and it was launched in September 2020 to address the effects of schools being closed to most pupils during the previous March to June period because of the pandemic – **DB 325 –**

INQ000617597. It sat within the broader context of the Standards and Learning Project within the Education Restart Programme. Schools with the greatest proportion of FSME (free school meals entitlement) pupils received more funding but were able to use that resource to support all children and young people in their school, not just those entitled to FSM. Schools with a lower proportion of FMSE pupils also received some support in recognition that all children and young people were affected by the lockdown.

451. The Engage programme enabled primary and post primary schools in Northern Ireland to address the effects on children and young people of the disruption to learning caused by Covid-19 by allowing them to design and implement child-centred support for pupils, such as one to one or small group support. The first academic year was supported by £16m of Covid-19 funding, which was given to primary and post primary schools so that they could employ additional qualified teachers to offer extra help to those pupils most impacted by the pandemic for September 2020 to June 2021. The second year of the programme was supported by £24m in funding, with a further £17m in the third year.
452. The programme was initially supported by Executive Covid-19 funding – **DB 326 – INQ000617598.** When this ended, DE Minister Michelle McIlveen issued a direction for the Engage Programme to continue for the period September 2022 to December 2022 under the DE budget to allow for the continued support to pupils. This was in line with the intent of the previous Minister Peter Weir.
453. On 19 March 2021 in reply to correspondence from the Committee for Education 2021.138 (Ref number allocated by Clerk to the Committee) – Engage Programme Funding, Minister Weir confirmed that Engage would continue for the remainder of the 2021/21 academic year subject to funding availability and would continue for a further academic year (again subject to funding availability) **DB 327 – INQ000617599.** The Minister approved the submission on 19/03/2021 **DB 328 –** See DB 327.
454. The Minister confirmed on 4 May 2021 in correspondence to the Committee For Education that funding was available, and the programme would continue from September 2021 to March 2022 (Engage Funding Announcement 2021.201). The Minister approved the submission on 5 May 2021 **DB 329 – INQ000617601.**
455. In the second year the programme was broadened to include funded pre-school education settings, Special Schools, and Education Otherwise Than At School settings. This

recognised the impact of Covid-19 on children and young people across the education system. The Minister then directed continuation of the Engage Programme between September 2022 and December 2022. Ministerial Approval was granted on 22 June 2022 **DB 330 – INQ000617603**.

456. The Minister later decided to continue to support the programme until end March 2023, following which the programme ended due to lack of budget **DB 331 – INQ000617604**.

School Admissions

457. Pre-school education in Northern Ireland is non-compulsory. However, DE has a duty to ensure there is sufficient pre-school provision available each year to provide a funded pre-school education place for every target age child whose parents want it. The 2020/21 pre-school admissions process was significantly advanced in March 2020 when lockdown measures were implemented, and education settings were closed. As part of the pre-school admissions process under current legislation all pre-school settings are legally required to give priority to applications from children whose parent(s) are in receipt of certain welfare benefits under the Socially Disadvantaged Circumstances (SDC) criterion. At that time parents submitting a pre-school application under SDC would normally have been required to visit their local benefit office to have the application form verified as being in receipt of one of the qualifying benefits, however during lockdown this was no longer possible.
458. Therefore to ensure that SDC applications could continue to be verified and ensure that these children continued to be prioritised during the admissions process, DE PSEP Team in collaboration with the EA and Department for Communities (DfC) officials, developed a new system whereby details of parents claiming SDC in their pre-school application would be shared, initially via DE PSEP Team, with DfC colleagues who in turn would provide the necessary verification of receipt of qualifying benefits, or otherwise.
459. With further lockdowns and school closures in early 2021 this process was modified whereby the EA would submit SDC claimant's details directly to DfC who in turn would provide the necessary verification. The new processes were in line with data protection guidance in place at that time with the EA and DfC developing and signing a data sharing agreement.
460. The primary admissions process in 2020 was significantly advanced when lockdown measures were announced. The post-primary admissions process, however, was in its early

stages and was at that time paper based. On 8 April 2020, in light of emerging pressures in the post-primary process caused by delays in the movement of application forms, the Minister was asked to approve a change in approach whereby schools that received confirmation of a successful Temporary Variation (TV) application to increase their numbers, were permitted to 'bank' the new increased admissions number without the requirement to re-apply if the school's rank order of children for admission changed. The Minister approved this approach on 9 April 2020 **DB 331a – INQ000651686**.

461. During the summer of 2020 an ongoing Judicial Review (JR) challenged the timing of the Association of Quality Education LTD (AQE) and Post Primary test Certificate (PPTC) Year 8 entrance tests. These tests are utilised by some schools to determine which children they will admit. As the system is unregulated, these tests are provided by an independent provider, however at the time in question, tests were provided by two independent providers (AQE and PPTC). The tests were not provided by, or on behalf of, DE. They take place annually in November and had been scheduled for November 2020. A JR challenged the timing of the tests given children's lost learning and sought for them to be moved to January 2021.
462. Following submissions on 19 August 2020 and 1 September 2020, the Minister indicated that the post-primary admissions process could be managed successfully based on either November 2020 or January 2021 test dates. Test providers opted to move the tests to January 2021 and DE's annual admissions timetable, which issues each Autumn in respect of the following year's admissions processes, reflected this timing. (As it happened, the tests in January were cancelled due to wider public health considerations).
463. On 14 October 2020 the Education Minister was asked to approve the issue of a letter to those post primary schools that made use of academic selection to determine admission, to seek their assurance that contingency plans were being considered if the results of entrance tests were not available for use – **DB 332 – INQ000617605**. On 15 October 2020 the Minister asked that more engagement take place with test providers prior to issue of a letter – **DB 333 – INQ000617606**.
464. On 21 October 2020 the Minister was asked by officials to approve updated guidance to schools on the admissions processes – **DB 334 – INQ000617608**. This guidance included advice on holding Open Days/Nights during the pandemic. This request was approved and guidance issued.

465. On 13 November 2020 the Minister was asked to give approval for a further letter to issue to all schools that used academic selection seeking their assurance that contingency plans were being considered if the results of entrance tests would not be available. The letter to schools proposed highlighting the issues Board of Governors would need to consider when drafting admissions criteria **DB 335 – INQ000617614**. The Minister approved this on 16 November 2020 **DB 336 – INQ000617615**.
466. As the 2021 school admissions processes were being undertaken it became apparent that similar pressures as those which arose in 2020 could crystallise in the 2021 post-primary process. As a result, the Minister was asked on 16 March 2021 **DB 336a – INQ000651690** that the approach implemented for one year in 2020 be repeated for 2021 admissions process, namely that schools that received confirmation of a successful TV application to increase their numbers, were permitted to ‘bank’ the new increased admissions number without the requirement to re-apply if the school’s rank order of children for admission changed, The Minister approved the move on 19 March 2021 **DB 336b – INQ000651691**.
467. Status reporting arrangements were implemented between 10 June 2020 and 14 September 2020 for the “New School Day” project.
468. This took the form of weekly/fortnightly Highlight Reports summarising completed activity, identified immediate priorities for the ongoing work programme, summary of stakeholder engagement events, examination of risk and emerging “lessons learned”.
469. Some of the reports are attached to highlight the content, **DB 337 – INQ000617616** (period 10.6.20 – 17.6.20), **DB 338 – INQ000617617** (period 18.6.20 – 25.6.20), **DB 339 – INQ000617618** (period 26.8.20 – 1.9.20) and **DB 340 – INQ000617620** (period 2.9.20 – 14.9.20).
470. In April 2020 a reporting system was developed and implemented by the EA to ensure that vulnerable children and young people continued to have access to the support they and their families need during the Covid-19 school closure period. This reporting system provided the Minister with continued assurances that support was in place for vulnerable children, with the EA reporting to DE on a weekly basis on the issues listed in paragraph 204.
471. DE wrote to the EA on 24 April 2020, enclosing a weekly update report template for completion. These documents are available at **DB 341 – INQ000617621**.

The closure of schools in January 2021

472. The education system in Northern Ireland is not the function of local authorities. While schools monitored their pupils and staff absence levels and were able to access advice from the PHA, the decisions to open or close remained with DE on the advice from CMO. Whilst brief discussions with PHA took place around the potential to regionalise closures, it was felt that this would be too hard to control given the travel requirements of many children to attend schools and the potential for cross contamination across primary and post primary schools among families. Officials in consultation with stakeholders engaged briefly on the potential, however, it was felt that this was unworkable given families could have three children in three different areas at different schools.
473. Schools in NI closed in the week before Christmas 2020 as usual. It was the expectation at that point that schools would reopen in January 2021. Officials engaged with the Department of Health colleagues on 30 December 2020 with a view to all schools returning in January **DB 342 – INQ000617624**. Officials met with key stakeholders i.e. the Practitioner Group, PHA, EA and TUS to discuss the issues around the restrictions and potential of reopening and any updates regarded to guidance. No epidemiological advice was sought and stakeholders considered it to be an open or close scenario as partial opening, other than what existed, was not considered viable at that time nor was opening to specific groups. Delivery of online learning was discussed however given the scale, monitoring delivery officials, decided that the Rapid Evidence Review (paragraph 189) would help to inform future discussions. The decision to keep schools closed was based on the advice from the CMO with the key decision makers at this time being the Minister of Education and Minister for Health along with the CMO and CSA with input from PHA and SAGE reports. The Rapid Evidence Review provided insight into how the Department was reacting to school closures and what NPI measures were being used in other countries. This review provided officials with the reassurance that their actions were consistent with no novel approaches being identified in other countries.
474. However, schools remained closed in January 2021 following an Executive meeting on 4 January **DB 343 – INQ000617625**, and the Minister wrote to all schools on 6 January 2021 **DB 344 – INQ000617626**.
475. DE officials advised the Minister of the potential involvement of schools in a pilot scheme run by PHA in relation to a UK wide mass testing scenario. PHA along with EA lead the pilot **DB**

345 – INQ000617627. In partnership with colleagues in the PHA, the Education Authority worked with two schools in Limavady during November and December 2020 to initiate a pilot programme of rapid testing using lateral flow tests (LFTs). This pre-dated the universal availability of lateral flow testing in the UK. The Initial programme was notified in late October and EA were requested to identify schools who would be in a position to conduct the trial. It was decided to first approach school leaders that had been participating in the DE Practitioner Group. The Shared Campus in Limavady (St Mary's Limavady and Limavady High School) volunteered to pilot the approach. The programme mirrored approaches being trialled in other parts of the UK and involved medical professionals and volunteers from community first aid organisations setting up formal LFT testing stations in a Church Hall beside the two schools. The approach was trialled for two weeks. Significant issues were experienced in terms of supply of specialist equipment, the number of staff required to make the process work, administration of the programme and disruption to the schools.

476. The experience demonstrated that LFT testing at this scale through centralised 'clinical' conditions in schools was not a viable, scalable approach and would not prevent the closure of schools **DB 345a – INQ000651696**. These valuable lessons learned were applied to subsequent rapid testing programmes including the roll-out of self-administered LFT and the focused LAMP testing programme provided specifically to Special Schools in Northern Ireland. Ultimately the LAMP programme was much more successful in enabling schools to remain open by providing confidence in the safety of the setting and identifying where targeted closure was appropriate for defined periods of time.
477. At the same time the NI Executive imposed additional measures to restrict social interaction, including restrictions on hospitality and gatherings indoors. Over the period between Christmas and New Year 2020/21 the NI Executive considered the best approach to dealing with the high level of cases and stress on health services and in January 2021 imposed a further set of restrictions on social interactions, which also required that schools move to remote learning.
478. DE introduced emergency legislation to make it a legal requirement for schools to provide remote learning to all pupils and supervised learning for vulnerable and key worker pupils. This was affected through a series of 28 Day Education Continuity Directions (see for example, **DB 346 – INQ000617628** - SUB-0273-2021 Minister - Direction - Educational Continuity Direction - No.4 and Modification to Education Duties Notice - March 2021). Further guidance on remote learning for schools was published on 4 January 2021 **DB 347**

See DB 067 - INQ000615177

. DE also simplified its remote learning guidance into a one-page, quick glance document for schools entitled Effective Practice in Remote Learning **DB 348** –

See DB 135 - INQ000617184

479. DE officials were in regular contact with DoH, PHA and sectoral bodies through weekly meetings in relation to the necessary steps for reopening schools and continued that contact during the period between Christmas and New Year 2021. Further meetings were held on an ad hoc basis as the situation developed and decisions by the Executive were announced.
480. PHA created a school's "cell" or teams made up of experienced staff specifically set up to work with educational settings to identify close contacts of positive cases and advise the relevant self-isolation periods required for parents, relatives and teachers/educational staff. This advice was in line with prevailing public health guidance on self-isolation for close contacts of positive cases.
481. Senior officials with advice from the CMO, CSA and PHA and the increasing numbers of cases, believed that at this time it was the best course of action.

Impact of the decision to close schools from January 2021

482. As previously indicated DE did not carry out any epidemiological assessment as there are no qualified/expert staff to carry out such assessments.
483. No assessment of the impact on children was carried out at this time, nor was there any other formal assessment of the impact of the closure to schools. During the period of closure officials continued to plan for reopening based on advice from DoH and PHA. Engagement with the Practitioner Group and TUS continued to inform any reopening.
484. The action taken by DE to provide direct payments in lieu of free school meal provision to ensure that children in poverty were able to access food during the period of school closures was considered in two post-project evaluations **DB 349** See DB 136 - INQ000617185 and **DB 350** –
See DB 137 - INQ000617212 These evaluations concluded that children entitled to FSM during term time had access to food over the period of school closures. A survey of parents conducted by DE on this issue found over 98% of survey respondents agreed that receiving the direct payments helped to provide food for their children.

485. There were no formal assessments or monitoring carried out by DE over the specified period by DE and officials are not aware of any which took place by other Departments. DE do not have the relevant expertise to carry out the relevant impact assessments.

The decision to reopen schools

486. With regard to the decision to re-open schools, papers were submitted to the Executive committee and have already been supplied in Module 2C. Any decision making by the Executive would be based on the information they had at hand and DE officials would not be privy to that advice nor what considerations were given to alternatives to reopening.
487. The Education Minister submitted a paper to the NI Executive around the Prioritisation of Vaccination for Staff Working in Schools and Childcare **DB 351 – INQ000617660** and announced that schools would remain closed for a further period of two weeks following the winter half term from 22 February to 5 March 2021.
488. Drafts of the revised DE guidance were subsequently put in place **DB 352 – INQ000582823** which advised on the use of face-coverings in schools and enhanced ventilation guidance was co-developed in consultation with other UK regions and with health advisors. These meetings were additional to the fortnightly meeting held with the various groups.
489. Schools were reopened for face-to-face teaching in phases from w/c 22 March 2021 with post-primary exam years i.e., year 11 - year 14 and all primary pupils returning first. This approach was based on health advice. At that time face coverings were recommended for use in all post primary settings and school transport. This was in line with wider NI Executive NPI advice on the use of face coverings in other communal settings in society.
490. On return in March 2021, the Minister agreed that asymptomatic testing of staff and post-primary pupils should be in place, and schools were encouraged to participate in distributing Lateral Flow Device kits **DB 353 – INQ000617662**. Test kits were distributed to schools via the EA and were also available to order through the DoH website.
491. In November 2021 officials in collaboration with the EA drew up a proposal to introduce weekly testing to find asymptomatic and pre-symptomatic cases in SEN pupils (which includes CEV pupils in Special Schools) so that they could be isolated and in order to reduce the risk of transmission in the Special School setting. A project board consisting of

Departmental officials, EA officials, Special School principals and PHA staff was established to oversee the project **DB 354 – INQ000617666**. The test called a LAMP test was developed by QUB laboratory and instead of the usual lateral flow test it allowed for a saliva sample to be taken **DB 355 – INQ000441752**. This was introduced to Special Schools and continued until testing was no longer required. A post project evaluation was carried out by the EA and DE **DB 356 – INQ000582805** and **DB 357 – INQ000617671**. LFD testing was also available in Special Schools for those children who wished to take them.

492. Targeted Early Years intervention aligned with the restart of schools (including pre-school) which commenced from 8 March 2021. On 25 March 2021, the Northern Ireland Executive agreed **DB 358 – INQ000617672** a partial re-start of Sure Start (and other targeted) services, enabling services provided to children (not families) to fully recommence.
493. On 25 May 2021, the Northern Ireland Executive agreed **DB 359 – INQ000617673** to the full reopening of Sure Start and targeted early years services – to include provision to children and families. Following the second lockdown pupils returned to school on a phased basis in January 2021 with the majority of pupils not returning to school until March 2021. Transport provision was put in place for all eligible pupils, accessing face to face teaching in January 2021, including vulnerable children and children of key workers **DB 360 – INQ000617677** and **DB 361 – INQ000617678**.

Monitoring and/or assessment of the impact of the decisions to reopen schools on children.

494. DE did not commission any assessment nor monitor other than through absence statistics the impact of the decision of reopening schools.
495. The Engage programme did not have specific targets for system wide improvement of Key Stage or examination outcomes, as the focus of the programme was to limit any long-term adverse impact of the COVID-19 lockdown on educational standards by supporting pupils' learning and engagement on their return to school. Rather schools were asked to identify their intended outcomes and success criteria and monitored and evaluated the impact of the programme on pupils using the Targeting Social Need (TSN) Planner. **DB 362 – INQ000617679** Curriculum Planning Circular 2021 22 - Primary Schools, **DB 363 – INQ000617680** Circular-Curriculum-Planning-in-Post-Primary-Schools-in-2021-22.

496. DE asked the Education and Training Inspectorate to undertake a review of the Engage Programme in 2020/21 and 2021/22. An overview of attendance figures on a 4-country basis is provided on the penultimate page of the Corporate Statement for Module 8.

Summary of Engage Programme Key Findings (2020/21)

- a) Schools' response to the Engage Programme has been overwhelmingly positive. The programme has enhanced and complemented the existing work of schools to support pupils experiencing barriers to learning. Almost all schools welcomed the additional financial allocations awarded to support pupils at this time.
- b) Schools were given autonomy to devise their own programmes which resulted in a multidisciplinary approach and a wide range of interventions tailored to meet the academic and emotional health and wellbeing needs of pupils.
- c) In almost all primary schools, the funding was used to deliver intervention programmes which resulted in improvements in the pupils' literacy and numeracy skills, and their emotional health and wellbeing.
- d) In most post-primary schools, intervention programmes combined emotional health and wellbeing and academic support across a variety of subjects including English and mathematics. As a result, there was an improvement in a range of pupil outcomes, including pupil attainment, motivation to learn, confidence and engagement.
- e) During the period of remote learning from January to March 2021, most of the schools sampled continued with the Engage Programme, albeit with modifications to the provision planned initially. The modifications included amendments to the cohort of targeted pupils, moving the programme online and offering targeted pupils access to supervised learning in school.
- f) Teachers benefitted from the opportunities afforded through the programme to enhance their professional learning, most commonly through upskilling in digital learning strategies and training in counselling for mental health and wellbeing.
- g) DE made appropriate modifications to the programme throughout the academic year in response to feedback from the Strategic Oversight Group, comprised of principals, teacher unions, employing authorities, Comhairle na Gaelscolaíochta (CnaG), Controlled Schools' Support Council (CSSC) and the Education and Training Inspectorate (ETI). The challenge of securing specialist teachers in Irish-medium

schools was addressed by allowing flexibility in the use of classroom assistants. In post-primary schools, flexibility was given to deliver the programme outside of normal school hours.

Summary of Engage Programme Key Findings (2021/22)

- a) All schools and educational settings were positive about the continuation of the funding. The expansion of the programme to include special schools, funded pre-school education settings and EOTAS centres ensured parity of access to the funding for all pupils, allowing for a wider range of support for more children and young people whose learning had been impacted adversely by the COVID-19 pandemic.
- b) The adaptations to the use of the funding were appropriate and enabled schools and educational settings to provide more individual, creative support to their pupils.
- c) Almost all of the forty lessons observed were effective in meeting the needs of the pupils.
- d) The Engage II Programme funding allowed for a range of pedagogical approaches and enhanced adult interactions that have improved pupils' confidence, motivation and engagement in their learning. Leaders reported that the periods of remote learning and lockdowns had resulted in increased levels of anxiety, gaps in curriculum knowledge and skills, and difficulties for pupils in returning to routines. The support sessions gave dedicated time, strategies and resources to address these barriers to learning.
- e) In almost all of the pre-school settings sampled, the funding was used to provide the children with the opportunity to develop mentally, emotionally, physically and academically; this holistic approach impacted positively on the outcomes of the children.
- f) In almost all of the primary schools sampled, the Engage II funding was used to support the development of aspects of literacy and numeracy: a small number of schools focused support specifically on emotional health and/or physical development.
- g) Almost all post-primary schools prioritised English and mathematics support programmes for targeted pupils across year 8 to year 12; most provided intervention

such as mentoring or mindfulness training to enable pupils to engage more with their overall learning. Almost all schools reported improvement in pupils' motivation, disposition to learning and acquisition of skills.

- h) The Engage II GCSE Mathematics Programme has been successful in helping pupils to recover aspects of mathematical learning lost as a direct result of the two periods of remote learning and ongoing absences due to COVID-19, and to rebuild the pupils' confidence in mathematics*.
- i) The Engage II Programme has enabled Special Schools to: source bespoke interventions and resources relevant to pupils' individual learning needs and each school's context; target the skills affected most by COVID-19 to improve pupil progression and outcomes; and develop leadership capacity by securing appropriate training to build the capacity of middle leaders in monitoring and evaluating effectively the schools' Engage II Programmes.
- j) The Engage II Programme has enabled EOTAS centres to focus on helping pupils use strategies and behaviours to improve their reading skills, supported with appropriate resources and Teacher Professional Learning (TPL) aligned to mainstream schools. The centres are now tracking pupil progress more rigorously, which allows for more timely interventions.

497. The long-term impact of Covid-19 on pupil attendance remains a significant concern. While attendance figures during the pandemic appeared relatively high, this was largely due to a temporary lowering of the standard for what constituted school attendance to reflect school closures and learning at home. Since the return to normal operations in 2021/22, we have seen concerning levels of absence from school. In 2017/18, approximately 44,000 pupils had an absence rate of 10% or more; by 2023/24, this number had more than doubled to 98,000 pupils, representing a 123% increase. Although there was a slight improvement in overall attendance in 2023/24 compared to the previous year, management information indicates that 4.9 million school days were missed—equating to nearly 15 days per pupil. This is a notable rise from 2018/19, when 3.6 million days were missed, averaging around 11 days per pupil.

498. DE considered commissioning a bespoke assessment of literacy and numeracy in Northern Ireland, however as referred to in earlier paragraphs, there was a huge variety and depth of

international evidence on the impact of the pandemic on learners which universally indicated significant adverse impact on learning for all pupils and that disadvantaged children were most significantly impacted. This literature was considered in detail by DE officials and no formal assessment of the impact was considered necessary.

499. CCEA Chief Examiners' reports were available for all subjects in Summer 2022 and gave an in-depth indication of the impact of the pandemic on children's learning at a subject level at GCSE, AS and A Level (see for example the Chief Examiner's Report for Mathematics **DB 364 – INQ000617681**). As no formal assessment is carried out at pre-school stage there is no comparable information available in relation to the impact on pre-school children.

The position of children who were clinically vulnerable (or who had clinically vulnerable family members)

500. Pupils were designated Clinically Extremely Vulnerable (CEV) by local health trusts and received letters from GPs informing them of their status. These were dealt with on a case-by-case basis at school level dependent on the level of risk. For those children with tracheostomies, (approximately 15 whose parents wished for them to attend school) requiring Aerosol Generating Procedure to support suctioning – through the EA capital work programme additional changing facilities were put in place in schools to mitigate against the identified risks with those procedures.
501. DE in conjunction with colleagues across DoH, PHA and the EA developed Guidance on Vulnerable Children and Young People, and issued the Vulnerable Children and Young People – Contingency Planning Guidance on 31 December 2020, **DB 365 – INQ000400731** in partnership with the DoH, Public Health Agency, Health and Social Care Board and the EA. The Contingency Plan included a jointly agreed definition of 'vulnerable children' and set out the expectations on how vulnerable children and young people should be supported if remote learning (short term) was put in place. The work to support at home learning was guided by the ongoing work in other directorates.

The position of children who were disabled or had special educational needs

502. Children with statements of SEN (Academic Year 2020/21 20,505 pupils and Academic Year 2021/22 22,198 pupils) were prioritised for support and access to school under the agreed cross departmental definition of Vulnerable Children and Young People.

503. The Temporary Modification Notices issued also reserved the higher level of requirement that schools, EA and health services to demonstrate that they had maintained 'best endeavours' in terms of making provisions for children and young people with SEN.
504. It should be acknowledged that there was prioritisation of children and young people attending Special Schools due to the more complex nature of their presenting profiles and the requirement for more multi-agency interventions.
505. Special Schools were supported by the EA and local Health Trusts to remain open following the first closure decision in March 2020 due to the therapeutic requirements and other safeguarding matters for some of the pupils.
506. This was supported by the establishment of the Joint Health/Education Oversight Group which was established (in April 2020) as a response to emerging concerns about maintaining health and education support to children and young people with complex needs during the Covid-19 pandemic. This group worked proactively to address any barriers preventing vulnerable children accessing school and/or health services for children with complex medical needs e.g. safe transport care for children with tracheostomies. This group provided a platform for Special Schools and Health and Social Care Trusts to bring issues relating to vulnerable children and access to school to the attention of DE and/or DoH for urgent attention and resolution.
507. DE, via EA block grant, continued to support 21 of the 39 Special Schools to deliver 2 weeks summer provision to circa 4000 pupils during this period. This is a longstanding arrangement as part of the schools annual programme. DE secured an additional £520k through the UK Government Covid Funding to support enhanced summer provisions for children and young people attending the 18 remaining Special Schools. Schools applied to participate in this. This was to provide support to families unable to access 'short breaks' (respite) support from their local Health and Social Care Trusts.
508. DE secured a further £850k from the UK Government Covid Funding (June 2020) to support outdoor play and learning across all 39 Special Schools, maximizing opportunities for children and young people to engage in outside activities due to social distancing classroom pressures.
509. The SEN Policy team focused on maintaining attendance across Special Schools. For the period covered by the Inquiry attendance figures area as below-

	Academic Year	% Total present	% Total absence	% Total authorised absence	% Total unauthorised absence
Total Special	20/21	89.21%	10.35%	5.53%	4.81%
Total Special	21/22	83.70%	15.62%	9.97%	5.65%

510. DE did not make school attendance compulsory for pupils and attendance at Special School was based on parental choice and the associated risk assessments carried out by the schools for individual pupils.
511. Health Trust paediatricians also recommend some pupils for attendance given the complex medical and therapeutic needs of the child but also any other compounding issues for the families given the closure of short breaks and other support services.

Impact of the decisions made during the pandemic relating to education

512. DE have not commissioned any reviews or assessments nor conducted any monitoring in relation to the long-term impacts of the decisions made during the pandemic relating to education. The Pupil Attainment, Wellbeing, and Teacher Practices during the Pandemic cited at paragraph 191, provided an insight into the issues which DE policy areas review. Policy and strategies pre, during and post-COVID-19 are impacted by many different issues, changes to legislation, reports, reviews and officials will continue to look at any issues which were impacted by the pandemic on a continual basis. The joint Education and Health Children & Young People's Emotional and Wellbeing in Education Framework sets out a range of principles and a model of support for EHWP in schools. It is underpinned by an implementation plan which set out a range of projects – some of which are ongoing, some of which are complete. The Emotional Wellbeing Teams in Schools project, set up by the Framework this is a DoH led project whereby health-led multi-disciplinary team working with mainstream post-primary settings (including EOTAS) to promote emotional health and wellbeing and ensure schools are aware of appropriate pathways for support, including those within their local area, and when referrals for CAMHS based interventions are appropriate. Whilst the Framework references the impact of Covid-19 very briefly (**two brief references**), work on the Framework pre-dates the pandemic. For example, the research which informed the Framework was published on 27 February 2020. Schools report (anecdotally) a range

of impacts spanning EHWP, behaviour, school readiness, attendance etc. however, DE do not have any commissioned research on this.

513. DE did conduct a post-project evaluation of the Summer School Scheme in 2021 established to help pupils in Primary, Post Primary, Special Schools and EOTAS settings make a successful return to school in August / September 2021 with a focus on emotional health and wellbeing, as well as activities which were interactive and fun, with plenty of scope for outside play, and for learning activities as and where appropriate **DB 366 – INQ000617683**.

- a) Given the very unique circumstances of Covid-19, the programme was very positively received. The number of children engaged / supported was 43,862, this equates to a cost per pupil of £98 (£4,300K / 43,862 pupils).
- b) The programme achieved all the objectives from the original business case and was deemed by all the schools involved in be very welcome and very helpful. There was unanimous agreement from children and parents that this was a worthwhile programme and thoroughly enjoyable.

Food security during periods of schools moving to remote learning

514. Article 58(1)(a) of the Education and Libraries (Northern Ireland) Order 1986 restricts the provision of support to pupils entitled to free school meals (FSM) to when they attend at school. During periods of school closures, an alternative approach was therefore necessary to ensure that those pupils entitled to FSM would be able to access food during these periods and avoid potential food insecurity.

515. The urgency of the need to make decisions to ensure pupils entitled to FSM had sufficient access to food during school closures meant that there was not sufficient time to undertake a formal assessment of these issues. However, DE was aware that FSM entitlement in Northern Ireland provided a nutritious meal each school day to approximately 97,000 children from low-income families, for some of whom the school meal may be their only hot, healthy meal of that day.

516. A submission to the Education Minister on 12 March 2020 **DB 367 – INQ000617145** and **DB 368 – INQ000617701** explained that if schools were to close, children from low-income families would no longer be able to access a FSM and that there was clearly a moral responsibility to ensure children do not go hungry as a result of their inability to attend school and access their entitlement to FSM. This submission also sought the Minister's agreement

to engage with other Northern Ireland Government Departments, the EA and other UK (and Ireland) Departments for Education, to discuss possible options to address this issue.

517. Following this engagement, a submission on 20 March 2020 **DB 369 – INQ000617707** and **DB 370** See DB 056b - INQ000617931 was agreed by the Minister to take forward provision of direct payments in lieu of FSM during the period of schools being closed to those entitled to FSM. This submission referenced the consideration given to the methods of support that could be offered to all families entitled to FSM, this included the use of food vouchers and food parcels. However, the Minister decided to provide a direct financial payment to these families during periods of schools moving to remote learning.
518. This reflected the importance of ensuring this support was able to be delivered quickly and efficiently in a form that could be used by all parents without concerns about the time needed to set up a voucher system or whether families could access a shop where vouchers could be used. This work was taken forward at pace which enabled Northern Ireland to be the first UK nation to make such payments during the pandemic. Engagement with DE for Communities was particularly close considering the need to ensure that vulnerable families were having their food security needs met **DB 371 – INQ000617711** and **DB 372 – INQ000617713**
519. The process of informal, regular and frequent engagement with UK policy counterparts and the EA (particularly in the early weeks of the pandemic) ensured a mutual understanding of the plans being made and implemented across the four UK nations to ensure FSM pupils would receive an alternative to receiving FSM in school in light of the schools being closed. Engagement with UK counterparts initially focused on discussions on how pupils entitled to FSM would be supported during periods of school closures. As the pandemic progressed, the discussions widened to include aspects such as provision to these pupils during periods of school holidays.
520. Following the Minister's agreement to the provision of direct payments to the value of £2.70 per child per school day on a fortnightly basis. It would be paid by the EA to families directly into their bank accounts **DB 373 – INQ000617716** and **DB 374 – INQ000617718**. The following documents provide further information on this decision, its implementation and include details of the operational rollout of these direct payments including ensuring that Asylum Seekers who would be entitled to FSM but who would not have access to a bank account, could receive payments on their Aspen cards. **DB 375 - See DB 373** is a letter

from the Permanent Secretary to the EA Chief Executive in relation to the plans to make payments in lieu of FSM. **DB 376 – INQ000617723** and **DB 377 – INQ000617725** shows the submission to the DE Permanent Secretary seeking his agreement to writing to the DfC Permanent Secretary, and the subsequent issuing of the letter regarding FSM direct payments to Asylum Seekers/newcomer families without bank accounts. **DB 378 – INQ000617726** is an email from Director of Transport and Food in Schools to Minister on the provision by DfC of a “safety net” for vulnerable children who cannot avail of direct payments. **DB 379 – INQ000617727** is a letter from DE to the Home Office regarding the use of Aspen Cards to make direct payments to Asylum Seekers with no bank account. **DB 380 – INQ000617729** is a response from the Director of Transport and Food in Schools to largely financial queries posed by the Minister in an email on school meal provision.

521. Direct payments in lieu of FSM for the same time period and value were also made by the EA to students aged 16-18 attending a College of Further Education who would normally have been entitled to FSM at their FE College.
522. As DE only had the legal power to provide FSM for pupils attending school during normal term time, in order to make direct payments in lieu of a school meal when schools had moved to remote learning, the relevant legislation had to be amended. This was done through the making of Notices under the terms of paragraph 17 of schedule 17 of the Coronavirus Act 2020 (hereafter referred to as “Notices”).
523. To allow for the provision of direct payments in lieu of FSM, Coronavirus Act 2020 Temporary Modification of Education Duties (No.1) Notice (Northern Ireland) 2020 was made and came into operation on 26 March 2020. Such notices had to be renewed after a period of 28 days and therefore in addition to this Notice 1, there was also Notices 4, 6 and 8 which covered the first period of school closures from 26 March 2020 to the end of the academic year in June 2020.
524. On 14 October 2020 the Executive agreed that schools would have an extended holiday break from 19 to 30 October due to additional Coronavirus restrictions. The first week of this extended break would normally have seen schools open to pupils. As they were not open during this period, Notice 14 was made to provide for a direct payment, as had been the case during the period March 2020 – June 2020, to families entitled to FSM in lieu of receiving this support. Documents **DB 381 – INQ000617730**, **DB 382 – INQ000617734** and **DB 383 – INQ000617735** relate to the making of this Notice.

525. During the second period of remote learning from January 2021 to March 2021, the Minister agreed to the reintroduction of direct payments to pupils entitled to FSM in lieu of a meal up to the half term break in February 2021. The submission to the Minister is in **DB 384 – INQ000617736** and the Minister's agreement to this is in **DB 385 – INQ000617738**. Following the Executive's agreement on 28 January 2021 to extend school closures for a further two weeks until 8 March 2021, **DB 386 – INQ000617739** and **DB 387 – See DB 386** are the submission and the Minister's decision to extend direct payments in lieu of FSM from 22 February 2021 to 5 March 2021. Following the Minister's announcement on 18 February 2021 that there would be a phased return of pupils to in-person teaching during March 2021 with all pupils returning after the Easter 2021 holiday period, the Minister agreed to continue the provision of direct payments in lieu of FSM for those required to learn remotely until the Easter break. **DB 388 – INQ000617741** and **DB 389 – INQ000617743** are the submission to the Minister on this issue and his subsequent agreement. Further notices were made to provide for the same approach of providing a direct payment to families entitled to FSM. Notices 20, 21, 22, 23, 24, 25, 28, 30 were made to facilitate the making of these financial payments
526. A post-project evaluation of the direct payments schemes covering the period March 2020 – Easter 2021 forms part of a post-project evaluation shown at **DB 390 – See DB 136 - INQ000617185**. Direct payments in lieu of FSM provided to those entitled to FSM totalled £20.7m during the period March 2020 – October 2020 and £13m during the period January 2021 to March 2021. The positive feedback from the nearly 5,000 parents who responded to the survey in March 2021 provides evidence that these payment schemes supported families, enabled them to buy food and lessened financial hardship over the pandemic and may have helped mitigate some elements of learning loss for these families.

Food security when schools were open

527. At all points when schools were open for pupils to attend, meals were available to pupils entitled to FSM. As a meals service was being offered to pupils entitled to FSM, direct payments to the families of these pupils were no longer required when schools were open.
528. As pupils may not have been able to attend school for Covid-19 related reasons such as self-isolating, to avoid food insecurity for these pupils during such periods, the Minister agreed on 4 August 2020 **DB 391 – INQ000617772** and **DB 392 – INQ000617774** that food parcels

would be made available by the EA from when schools reopened September 2020. These parcels were available when schools were open until June 2022.

529. To give effect to this decision, DE made a number of temporary modification Notices to require the EA and individual Voluntary Grammar and Grant-Maintained Integrated schools to make food parcels available for pupils entitled to FSM who were unable to attend school for 10 days or more due to Covid-19 restrictions and who wished to avail of such provision. These Notices did not apply during school holiday periods. Notices 12, 13, 15, 16 and 18 relate to the provision of food parcels to those unable to attend school during term time from September 2020 to December 2020. From September 2020 to June 2021, the EA provided 3,398 food parcels to pupils who would have been entitled to free school meals but who were unable to attend school for Covid- 19 related reasons. From September 2021 to June 2022 a further 2,817 food parcels were also provided by the EA.
530. Whilst mainstream schools moved to remote learning in January 2021, Special Schools remained open. The provision of food parcels was therefore still available to Special School pupils in January 2021. The criteria were extended to include where a parent, in agreement with the school principal, chose to keep their child at home because of their perceived heightened risk to their child of Covid-19 (Special Schools only). Notice 18 provided for this from 4 January 2021 until this was superseded by Notice 21. The following documents relate to the making of these notices: **DB 393 – INQ000617775**, **DB 394 – INQ000617780**, **DB 395 – INQ000617781**, **DB 396 – INQ000617787** and **DB 397 – INQ000617796**.
531. The logistical difficulties in packing and distributing food parcels for pupils entitled to FSM in Special Schools who were unable to attend due to Covid-19 during the period 4 – 22 January 2021 resulted in the suspension of the food parcel provision for the period 25 January to 12 February 2021. **DB 398 – INQ000617797** is the original submission to Minister seeking approval to cease provision of food boxes and to make direct payments to the families of all children entitled to FSM in Special Schools. **DB 399 – INQ000617799** is the agreement by Minister Weir to these recommendations.
532. A formal Ministerial Direction was made on 2 February 2021 to issue direct payments in lieu of FSM to all families of children entitled to FSM who attend a Special school between 25 January and 12 February, whilst also maintaining a catering service for pupils attending their Special Schools. **DB 400 – INQ000617801** is the submission to the Accounting Officer proposing that she requests a Ministerial Direction. **DB 401 – INQ000617803** is confirmation

from the Accounting Officer that the Ministerial Direction request can issue to the Minister. **DB 402 – INQ000617804** is the submission to the Minister from the Accounting Officer seeking the Ministerial Direction. **DB 403 – INQ000617805** is the Minister's decision including the written Ministerial Direction. **DB 404 – INQ000617809** is the letter of 3 February 2021 from Minister of Finance authorising the Ministerially directed expenditure. **DB 405 – INQ000617810** is an email on 3 February 2021 from Director of Transport and Food in Schools to the EA confirming authority to make the payments. **DB 406 – INQ000617811** is an email from the Accounting Officer to the Northern Ireland Audit Office, providing all documentation relating to the Ministerial Direction as had been requested.

533. Whilst it was recognised that there would be a level of duplication in pupils receiving a FSM in school and their families receiving a payment in lieu of a FSM over this period, this decision was made on compassionate grounds to ensure that these children had access to food.
534. The suspension of food boxes and provision of direct payments from 25 January 2021 to 12 February 2021 was a temporary solution to enable the EA catering service to resolve those issues and arrangements were put in place for direct payments to stop and food box provision to resume after the half term break.
535. The provision of food parcels to Special School pupils unable to attend school due to Covid-19 reasons resumed from 22 February 2021 through the making of Notices 26 and 30. The submission to the Minister in respect of Notice 26 is at **DB 407 – INQ000617822**. The Minister's decision is at **DB 408 – INQ000617827**. **DB 409 – INQ000617839** is Notice number 26. **DB 410 – INQ000617742** is a submission dated 25 February 2021 to Minister that includes his agreement being sought to food parcels continuing to be provided to Special School pupils unable to attend school due to Covid-19 reasons from 8 – 26 March. **DB 411** See **DB 389 - INQ000617743** was the agreement by the Minister on 25 February 2021. **DB 412 – INQ000617844** is a submission to Minister for agreement of the Temporary Modification Notices 28, 29 and 30 under Coronavirus Act 2020 and **DB 413 – INQ000617845** is the Ministers agreement on 9 March 2021 to note the issue of these Notices. **DB 414 – INQ000617850** is Notice 30 which allows for the ongoing provision of food parcels to Special school pupils unable to attend school due to Covid-19 reasons.
536. As mainstream school pupils were being phased back into school from March 2021, the Minister agreed a hybrid approach whereby FSM pupils still learning remotely, would receive a direct payment in lieu of FSM, those returning to school would be able to access a FSM at

school and those who were unable to attend for Covid-19 related reasons could still access a food parcel. Food parcel provision was therefore available to both mainstream and special school pupils who were unable to attend due to Covid-19 reasons and this remained in place until June 2022. This approach was provided for through notices 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40.

537. Since the relevant provisions of the Coronavirus Act 2020 no longer applied from 24 March 2022, an alternative approach was implemented to ensure pupils who were unable to attend school due to Covid-19 related reasons, could still access a food parcel. This was done by an addendum to the Arrangements for the Provision of Milk, Meals and Related Facilities. This addendum, as detailed in the Annex to **DB 415 – INQ000617851**, required the EA and voluntary grammar and grant maintained integrated schools to provide food parcels in a similar manner to that as provided for under the Notices. The addendum remained in place until 5 September 2022. **DB 416 – INQ000617852**, **DB 417 – INQ000617853**, **DB 418a – INQ000617854**, **DB 418b – INQ000617856**, **DB 418c – INQ000617858**, **DB 418d – INQ000617860** and **DB 418e – INQ000617861** relate to this addendum.

Food security during school holiday periods

538. To avoid food insecurity for children entitled to FSM over school holidays the Executive agreed on 18 June 2020 **DB 419 – INQ000617862** that a school holiday food grant payment (SHFG) scheme should be established for summer 2020 for families of children entitled to FSM. This scheme ran from 1 July to 31 August 2020. As with the direct payments in lieu of FSM during periods of schools moving to remote learning, Northern Ireland was the first UK nation to rollout SHFG payments in July 2020.
539. The aim was to alleviate hardship for families of children entitled to free school meals during the school holidays. Parents received a payment equivalent to that of the free school meal direct payments, £13.50 per child per week, paid by the EA directly to their bank accounts or by cheque.
540. The Executive also agreed on 22 October 2020 that the same approach would be used from 26 to 30 October 2020 for families of children entitled to FSM during the extended Halloween break. This scheme ran from 26 October to 30 October 2020. Documents **DB 420 – INQ000617866** and **DB 421 – INQ000617868** relate to this provision.

541. At its meeting on 19 November 2020 the Executive agreed to fund a SHFG payment scheme to cover all school holiday periods between Christmas 2020 and Easter 2022. The SHFG payment scheme operated during the following holiday periods:
- a) Christmas 22 December 2020 to 4 January 2021.
 - b) February half term 15 to 19 February 2021.
 - c) Easter 29 March to 9 April 2021.
 - d) Summer 1 July to 31 August 2021.
 - e) Halloween 25 October to 29 October 2021.
 - f) Christmas 20 to 31 December 2021.
 - g) February half term 14 to 18 February 2022.
 - h) Easter 11 April 2022 to 22 April 2022.
542. In February 2022 the Executive collapsed, before the dissolving of the Executive the Minister took the decision to extend the provision of the SHFG scheme for the Easter school holidays and until the end of March 2022. Relevant documents are **DB 422 – INQ000617869** and **DB 423 – INQ000617871**.
543. Business case cover was in place for all SHFG payments and as a result, payments were made to the value of £20.1m during the 2020/21 financial year, £20.3m during the 2021/22 financial year and £17.2m during the 2022/23 financial year.
544. The Financial Provisions Act 2009 as amended by DEs (Transfer of Functions) Order (NI) 2016 provided the legal authority for DE to develop a SHFG payment scheme.
545. SHFG payments were provided to children entitled to FSMs in full time nursery and school settings. Students aged 16 – 18 attending a full-time course at a Further Education College were also able to apply for free school meals.

546. The SHFG scheme was a response to holiday hunger/food poverty and while they commenced during the pandemic because food poverty/insecurity was exacerbated during this period, the scheme was not a direct response to the Covid-19 pandemic.
547. The post-project evaluation referenced earlier in the food security section that evaluated the provision of direct payments during school closures also evaluated the SHFG payments for the period of summer 2020 to Easter 2021 **DB 424** – See DB 136
INQ000617185 A further post-project evaluation covering SHFG provision during the period Summer 2021 - Easter 2022 was also undertaken **DB 425** – See DB 137 - INQ000617212.
548. The conclusions of both these post-project evaluations were that the FSM direct payment and SHFG schemes were successful in meeting the measurable targets of making the appropriate payments to families of children entitled to FSM and doing so in a timely manner. Schools closed due to Covid-19 on the 23 March 2020 and the first payment run was made to the vast majority of families on the 30 March 2020. Details were sought for families for whom the EA held no bank details and payments made in arrears. Swift action was taken to find solutions for those families who needed to be issued a cheque and for those families seeking asylum who had no access to a bank account.
549. The objectives around ensuring that families should not experience financial hardship due to Covid-19 and did not suffer learning loss because of not being able to avail of healthy food reflect the over-riding aims of these schemes, however they are very difficult to measure. Poverty and holiday hunger are complex societal problems. The positive feedback from the nearly 5,000 parents who responded to the survey in March 2021 provided evidence that these payment schemes supported families, enabled them to buy food and lessened financial hardship over the pandemic. Feedback would also suggest that holiday payments may have helped mitigate some elements of learning loss for some of these families.
550. The first of the two post-project evaluations (referenced above) that evaluated the SHFG payments from summer 2020 – Easter 2021 also stated that if further school closures are required due to Covid-19 then the FSM Direct Payment scheme should continue and there is no evidence within this evaluation that would suggest that any significant modifications are needed to the administration of those payments.

PART D - GENERAL ASSESSMENT DURING THE SPECIFIED PERIOD

551. Since the specified period DE has not commissioned any formal impact assessments on the impact of pupil attainment or attendance (this is monitored through the EA) nor on children in pre-school settings. Some business areas have conducted policy reviews, which are not necessarily related to Covid-19, but which may have engaged with issues which arose during or as a result of the pandemic. Other Departments would be better placed to answer queries around policy areas which fall within their vires.
552. Some business areas like ETI consulted with year 6 to 14 pupils in June 2021 about their learning experiences during the second Covid-19 lockdown, from January to March 2021. There was a substantial return with 28790 responses **DB 426 – INQ000641921**. Learning points from this consultation included –
- a) Regular monitoring of the amount of work expected from pupils while working remotely, particularly in the post-primary schools where several subject teachers may be making demands of them at the same time.
 - b) Strategies to increase the level of pupils' connectivity with school, for example, through participation in regular assemblies, class 'get togethers' and more opportunities to work with their peers in small groups.
 - c) Continuing to develop the digital skills of pupils and staff, to ensure they are well-equipped to use to best effect the functionality of the available digital platforms.
 - d) Encouraging pupils to access remote learning through devices with sufficient functionality to engage and participate fully in all aspects of the learning process.
 - e) Review the impact of the learning and teaching strategies deployed during lockdown, with a view to discerning those that worked best for developing and consolidating the pupils' wider skills.
553. Further consultations included Surveys on Remote Learning and Quantitative Analysis Outcomes **DB 427 – INQ000641918** - pre-schools, **DB 428 – INQ000641919** - primary schools, **DB 429 – INQ000641917** post primary schools and **DB 430 – INQ000641920**

Special Schools and **DB 431 – INQ000617906** Educated other than at School (EOTAS) were conducted to inform report into remote learning.

554. DE were not involved in the Arthur Labinjo-Hughes and Star Hobson reviews, nor is it aware of any other Department's involvement with these cases.
555. In relation to Youth Services two recent reports by ARK Research and the National Youth Council of Ireland (NYCI) identified key strengths of the Youth Service in responding to the pandemic and concluded that youth work organisations demonstrated adaptability and tuned into the needs of young people by focusing on fostering connection in a range of innovative activities.
556. The ARK Research policy brief **DB 432 – INQ000648982** Reclaiming Youth Work Hammond and Harvey ARK Youth Pact based on an online Roundtable event held in November 2020 which brought together over 30 leaders from the youth work sector, academics, policy makers, professionals from the justice system and Government Departmental officials (North and South). The event was organised in collaboration with the EA and the National Youth Council of Ireland.
557. The aim of the event was to explore the impact of the pandemic from a Youth Service perspective and to share insights into the evolving needs of young people and youth work responses. It included the result of a survey of 587 children and young people aged 8-17 years from across the UK and ROI which was part of a global study involving 26,000+ respondents from over 100 countries) to explore children and young people's perceptions of how their rights had been upheld throughout the pandemic. Topics included education, access to information, access to health, protection, safety and well-being. When asked to select words which best described their feelings during lockdown, the top three were Bored (54%) Lonely (39%) and Optimistic (37%). Fewer than 10% felt the Government was listening to young people when making decisions about how to deal with Covid-19.
558. Key strengths of the Youth Service were the skilled and determined workforce; the support of volunteers; being based within the community; the uniqueness of youth worker/young person relationships; creative management; the strengths-based approach which underpins the Youth Service vision; and the value of successful partnerships to support youth work delivery.

559. The policy brief made four key recommendations which are assisting in developing the way forward for youth service delivery:
- a. Investment in North South collaboration building on existing positive cooperation.
 - b. Investment in a digital strategy for young people.
 - c. Immediate planning and investment to pre-empt the negative repercussions for young people; and
 - d. a strategic and operational plan to re-build and re-populate youth service provision including the volunteer workforce which is a vital element of youth service delivery.
560. A September 2021 report by the NYCI **DB 433 – INQ000648983** which included both North and South responses to a survey, found that youth work organisations demonstrated adaptability and tuned into the activities.
561. Young people who responded to the survey and participated in the focus groups were overwhelmingly positive about the actions of their youth workers and services, many experiencing a sense of community even while physically apart.
562. The review identified a drop in engagement levels of young people (of up to 69%) which is illustrative of the challenges facing the sector as it seeks to rebuild and re-engage young people, particularly those who are vulnerable or who experience marginalisation.

Post Covid-19 response

563. The conclusions and recommendations from these reports have continued to guide the delivery of Youth Services as society learns to live with Covid-19. The Regional and Local Assessment of Needs process to ensure services are meeting priority needs continues to provide support and interventions for young people and youth organisations affected by the pandemic. For example, the EA provided funding in 2023/24 for recruitment, retention and training of volunteers following a post-Covid-19 reduction in volunteer numbers.
564. The DE Inclusion Directorate has not undertaken any work in relation to assessing the impact of the Covid-19 pandemic on vulnerable children and young people as there have been other independent reports etc. from external bodies in this space.

565. In relation to the measures taken to ensure that children from low-income families had access to food over the pandemic, pupils entitled to FSM were able to access them when attending school or have payment to the value of FSM during periods of school closures and during school holidays.
566. While there has been no formal assessment or lessons learned exercises undertaken by DE since the specified period or pandemic on the impact of these measures, the measures ensured that children from low-income families had access to food over the course of the pandemic. The post-project evaluations undertaken for these food-based measures documented that a survey of parents conducted by DE on this issue found over 98% of survey respondents agreed that receiving the direct payments helped to provide food for their children.
567. There have been no formal lessons learned exercise commissioned as the initial decision to close schools and a lot of the other decisions around societal impacts were driven by the Executive/CMO/DoH and DE had to react to these rather than implement what it considered to be its own decisions. DE officials continue to work on policy areas throughout Covid-19 and whilst conscious of the impact, policy areas were not specifically reviewed to compliment the specific unique circumstances
568. DE will welcome the recommendations from the Inquiry to help inform and direct a lesson learned exercise and what could have been done better given the unprecedented circumstances faced and the uniqueness of NI and its education system.

PART E - SPECIFIC CATEGORIES OF CHILDREN

The position of children who were clinically vulnerable (or who had clinically vulnerable family members)

569. DE issued Vulnerable Children and Young People – Contingency Planning Guidance in partnership with the DOH, PHA, EA and the Health and Social Care Board, this Contingency Plan included a jointly agreed definition of ‘vulnerable children’ and set out the expectations on how vulnerable children and young people should be supported in the event that remote learning (short term) was put in place. The work to support at home learning was guided by the ongoing work in other directorates.
570. Clinically Extremely Vulnerable (CEV) children were advised to shield by the DoH and initially did not have to attend schools’ issue on production of a note from their doctor/consultant, schools conducted individual risk assessments for these children **DB 434 – INQ000617907**. CEV was also considered as a separate category within the guidance which was issued to all schools.
571. There were no assessments carried out during the pandemic, however there were ongoing consultations with TUS and the Practitioner Groups who were representing the main stakeholders including CEV children/staff.
572. As previously exhibited ETI have published reports detailing aspects of the significant work undertaken by Special Schools during the pandemic, including an evaluation of how a number of Special Schools with varying access to, and models of, multi-disciplinary support, effectively met the often complex needs of their pupils including those considered to be CEV and reflecting on the positive impact on their holistic development and learning as exhibited above.

Long Covid

573. While DE cannot confirm the definitive date when it first became aware that Long Covid was recognised by the DoH as a separate diagnosis, it is aware of the impact of Long Covid on children in the school population of Northern Ireland and has seen increased absence levels following the Covid-19 pandemic.

574. Current guidance covers areas including ventilation, testing and provides risk assessments for those who are at higher risk from respiratory infections (including Covid), with links to the most up to date advice from the PHA. There is no specific guidance for Long Covid as the risk assessments for this chronic condition would be the same as other severe illnesses and these have been approved by the PHA.
575. DE recognises that every effort must be made to provide as much support as possible to pupils negatively impacted by the pandemic. This support is being delivered through several sources including support from the EA's Education Welfare Service (EWS), support from within schools for both pupils and staff affected by Covid-19 and the installation of 200 air filtration systems and 11,500 CO2 monitors across the school estate.
576. DE will also be consulting on its "Attendance Matters" strategy soon and we would encourage children and young people to avail of the opportunity to contribute to that process.

Children in Woodlands Juvenile Justice Centre

577. DE does not hold any information in relation to Woodlands Juvenile Justice System. The statutory duty to make arrangements for the provision of suitable education at school or otherwise lies with the EA.
578. Whilst guidance issued in relation to all educational settings which included EOTAS settings as noted in paragraph 53 in terms of children in contact with the criminal justice system, education provision for young people of school age in Woodlands Juvenile Justice Centre is provided by the EA through Education Other Than At School (EOTAS) arrangements under the provisions of The Education (Northern Ireland) Order 1998 (the 1998 Order). Given the uniqueness of the facility DE cannot comment on what arrangements were put in place during the pandemic for the educational arrangements within the facility.

Lessons Learned

Things That Went Well

579. A DE system organised and resourced as a department to respond to the crisis exceptionally quickly and developed a suite of actions and solutions across a range of areas - for example remote learning, sustainability of childcare settings, food insecurity, alternative examination arrangements, vulnerable children, guidance for schools, support for substitute teachers, education recovery, etc. - in a very short space of time. DE had to do all this while being

individually and as an organisation adversely impacted by the effects of Covid-19 e.g. working from home, social distancing, unable to gather normally in person to engage urgently with each other, etc.

- 580. From January 2020 to the end of the pandemic period, DE worked closely with the DoH in Northern Ireland and the PHA to ensure that the health and wellbeing of all children and young people was safeguarded.
- 581. The health and wellbeing of children and young people was DE's number one priority given that the implications of Covid-19 in January 2020 were unknown at that time for the children or their families or communities.
- 582. As the situation unfolded, week by week, DE took our direction from colleagues in Westminster via the NI Executive. As DE began to understand the issues better, it was able to use the information it gathered via the daily survey with schools to put in different support mechanisms, particularly for children who met the definition of 'vulnerable'.
- 583. DE in liaison with EA moved very quickly to purchase the technology required to support schools and children and young people via remote learning. This was particularly the case for vulnerable children, those in specific year groups or those facing particular challenges.
- 584. As key aspects of the school year approached, for example end of year exams at level 2 (GCSE and equivalent) and level 3 (A level and equivalent), DE liaised closely with colleagues in the Council for Curriculum and Assessment, with schools, with employing authorities and through liaison with other parts of the UK to determine the most appropriate way forward.
- 585. As we began to emerge from the first lockdown, a number of decisions were made by the Education Minister to support children and their families as they returned to normal patterns of learning. This included having to react quickly to the situation as a second lockdown became necessary. As the second lockdown approached, DE was able to move much more quickly to support schools in the most appropriate manner.
- 586. In order to provide a crucial continuity of access to food for children entitled to FSM during the period March 2020 to March 2023, DE introduced three support mechanisms. These were: the provision of direct payments in lieu of FSM during school term time when schools

were closed, the school holiday food grant payments which offered a financial payment for those entitled to FSM to cover the cost of food during school holidays and the provision of food parcels to pupils who were unable to attend school due to COVID related reasons. These mechanisms were introduced at pace and collectively were effective in ensuring there was either financial support for food provision or the provision of a FSM for all children entitled to FSM on each weekday during the pandemic. This helped to alleviate the concerns of low-income families around food insecurity during the pandemic.

587. The Summer Scheme 2021 was launched at an earlier stage in its second year (proposed initially in a survey to schools on 11 May 2021) with a view to launching in July/August. There was therefore more time to plan the intervention in 2021 than in 2020. However, uncertainty over the number of schools and the number of pupils participating made accurately estimating costs complex.
588. Business Case Costs were estimated as £4m based on initial estimates provided by 321 schools expressing interest. However, an additional 132 settings took part, bringing the total of 453. On this basis, the Minister agreed to make £4.6m available for the scheme.
589. In practice, a small underspend of £300k occurred with total costs being £4.3m, this was down to a range of issues including schools overestimating costs for staff, food, activities and pupil number and some settings faced Covid-19 issues which reduced the total days provided in some areas.
590. Given the unique circumstances of Covid-19, the programme was very positively received. The number of children engaged / supported was 43,862, this equates to a cost per pupil of £98 (£4.3m / 43,862 pupils).
591. The West Belfast "Sharing the Learning" Programme costs £200k p.a. and it works with circa 1,500 people across its services. DE uses this as an exemplar programme against which other projects can be compared due to its highly effective interventions. This programme delivers in an area of very high social deprivation where FSME average is 57% and consequently, the cost per pupil is a very efficient £133 (approximately).
592. The project can be considered value for money because although there was a higher participation rate than in its first year, the cost per pupil is in keeping with Year 1 and compares very favourably to £262 (WBPB average). Cost per school this year was £9,800 which is in keeping with the cost per school in the previous year of £9,020.

593. In conclusion the programme achieved all the objectives from the original business case and was deemed by all the schools involved in be very welcome and very helpful. There was unanimous agreement from children and parents that this was a worthwhile programme and thoroughly enjoyable.
594. In relation to the provision of measures detailed in the food security section of this statement below, such as provision of direct payments in lieu of FSM and the provision of SHFG payments to those families entitled to FSM, there is a well-established link between pupils being in the best position to learn and therefore benefit from their education when they have access to sufficient nutritious food. Alongside the provision of FSM to pupils when they were attending school, these measures ensured that pupils from low-income families who were entitled to FSM had access to food each weekday from the outset of the pandemic until the end of March 2023.
595. While no formal assessment was taken by DE in relation to the long-term impact of these food-based measures, the provision of either a FSM or the provision of funding to the equivalent cost of a FSM over this period would have minimised any negative impact. As referenced earlier, the post-project evaluations undertaken for these food-based measures documented that a survey of parents conducted by DE on this issue found over 98% of survey respondents agreed that receiving the direct payments helped to provide food for their children.
596. This issue of DE's response to the need to provide food security to school children entitled to FSM during the COVID pandemic resulted in three different phases of actions being taken:
- a) Food security during periods of schools moving to remote learning.
 - b) Food security when schools were open.
 - c) Food security during school holiday periods.

Things that could have been better

597. DE despite having very comprehensive risk management arrangements and an associated detailed risk register in place, which received regular and thorough consideration and scrutiny at monthly board meetings, DE failed to identify as a risk of the possibility of virtually the entire school system suddenly having to close down, and all the implications of that. Officials

considered that such a prospect seemed too apocalyptic to be realistically included in a risk register. As a consequence, officials had to react urgently to an entirely unforeseen and extreme set of circumstances, the pandemic required decisive actions and solutions that had no precedent anywhere on these islands and for which we had undertaken was January 2020.

- 598. Other than the normal contingency planning that all government departments have in place which tend to cover one-off, short-term events, there was very limited prior planning that could assist DE in respect of a global pandemic of this nature. The only prior planning and testing was in respect of bird-flu or Human Influenza Planning which was pre-January 2020.
- 599. More testing of such scenarios may help in future over a longer period including contingency arrangements at school level. Consideration would need to be given to vulnerable children (and adults) and how best to support them in their learning.
- 600. In terms of a lesson learned in the area of children's food security during the pandemic, the use of Notices under the Coronavirus Act 2020 to enable pupils to access food parcels was an effective but administratively resource intensive method. Following the repeal of the relevant provision of the Coronavirus Act 2020, the amendment introduced to the Arrangements for the Provision of Milk, Meals and Related Facilities allowed for the same food parcel provision. Through these two different routes, the same outcome of enabling the provision of food parcels was achieved and so the earlier use of this amendment could have negated the need for a number of the Notices made under the Coronavirus Act 2020.

Impact on children and young people

- 601. DE continues to see the impact of the pandemic and successive lockdowns in a number of different ways including increased numbers of children not ready to start school which has implications for achievement and progression throughout school; reduced levels of pupil attendance at school and the impact which "working from home" seems to have had on the attitudes of some parents/families to the importance of regular school attendance.
- 602. DE draw from research conducted by universities and/or other bodies into the impact of the Covid-19 pandemic on children's learning. Including:
 - a) **DB 435 – INQ000617908** Summary-Report-Play-in-Practice-During-the-Pandemic-June-2021.

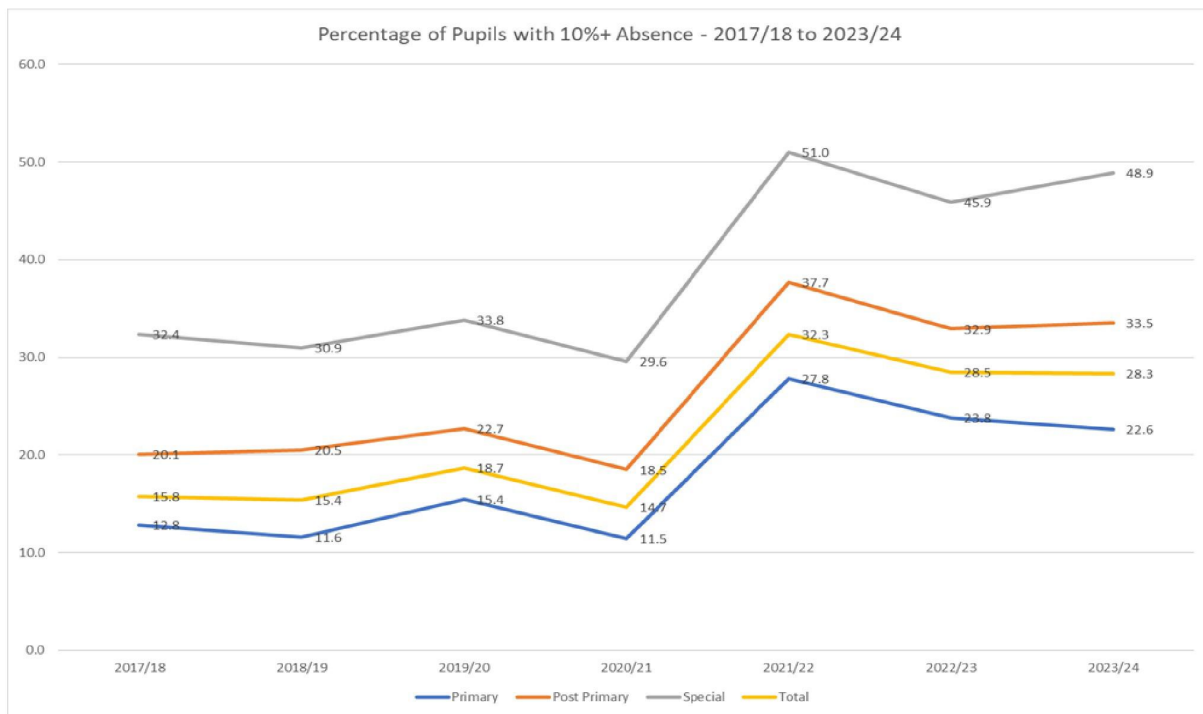
- b) **DB 436 – INQ000617909** Full-Report-Play-in-Practice-During-the-Pandemic-June-2021.
- c) **DB 437 – INQ000617910** Early-Years-Impact-Brief.
- d) **DB 438 – INQ000588447** The impact of the COVID-19 pandemic on children's.
- e) **DB 439 – INQ000588358** The-longer-term-impact-of-COVID-19-on-pupil-attainment-and-well-being.

603. As previously mentioned, each report will help inform the development of policy areas and potentially influence decisions.
604. In September 2024 DE launched a new campaign to support attendance at schools **DB 440 – INQ000617914**. Since schools returned to normal operation in 2021/22 DE have seen very concerning levels of absence from school. In 2017/18, 44,000 pupils had 10%+ absence. By the end of the 2023/24 academic year, this had increased to 98,000 pupils. A 123% increase.
605. DE recognise that in addition to Covid-19, attitudes towards regular attendance have changed. DE also acknowledge that some pupils with unique challenges are finding attending school difficult. A range of support is available through schools, the EA and other organisations which parents are encouraged to avail of.
606. Whilst DE recognises that there are differences across all jurisdictions in how attendance is recorded and reported, there is agreement with each jurisdiction that attendance levels are giving significant cause for concern. The table below shows that NI is seeing similar levels of absence to other jurisdictions but the level of persistent absence (10%+) is higher (6.3% pts) than England, but lower than Scotland and Wales. DE are asking parents for their continuing support in ensuring their children attend school every day (where that is possible).

How Northern Ireland compared with other jurisdictions (2022/23) – unverified statistics

Jurisdiction	Attendance	Absence		Authorised	Unauthorised	Persistent absence >10%
Northern Ireland (2022/23) ^[1]	91.4%	8.6%		5.1%	3.4%	28.6%
England	92.5%	7.5%		5.0%	2.4%	22.3%

(2022/23) ^[2]						
Scotland (2022/23) ^[3]	90.9%	9.1%				32.0% ^[4]
Wales (2022/23) ^[5]	88.9%	11.1%		7.5%	3.5%	44.1% ^[6]



607. In academic years 2023/24 and 2024/25, we are beginning to see small improvements in pupil attendance year on year. Compared with academic year 2021/22, pupil attendance is much improved.
608. DE continues to work closely with the Voluntary & Community Sector as it takes forward policy decisions to ensure that the decisions being taken are supported and to the benefit of children and young people and in consultation with the many stakeholders involved in education.
609. As part of the Department's ongoing commitment to equality, DE is required to publish and submit to the Equality Commission for Northern Ireland an Annual Progress Report in which it sets out progress on implementing the arrangements set out in its Section 75 Equality Scheme and to assess how it is complying with the Scheme arrangements. The Annual

reports for 2019/20, 2020/21 and 2021/22 **DB 441 - INQ000652109**, **DB 442 - INQ000652110** and **DB 443 - INQ000652111** respectively include reference to the consideration of equality in the Department's policy responses to the Covid-19 pandemic; the detail of which is included throughout this Corporate Statement.

STATEMENT OF TRUTH

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

Personal Data

Signed: _____

DEREK BAKER

PERMANENT SECRETARY (RETIRED)

Dated: 28 August 2025