

Witness Name: Julia Kinniburgh

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UK COVID-19 INQUIRY

**CORPORATE STATEMENT OF JULIA KINNIBURGH
ON BEHALF OF THE
DEPARTMENT FOR EDUCATION**

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I, JULIA KINNIBURGH, OF THE DEPARTMENT FOR EDUCATION,
SANCTUARY BUILDINGS, GREAT SMITH STREET, LONDON, SW1P 3BT, WILL
SAY AS FOLLOWS:

1. Chapter 1: Introduction

- 1.1 I, Julia Kinniburgh, am employed by the Department for Education (“DfE”) as the Director General for Skills Group. I have held this position since December 2022. Prior to this role, I was the Director General for the COVID-19 Response and Recovery Group in DfE between December 2020 and April 2022 and then Director General for Strategy Group in DfE between April and December 2022.
- 1.2 I make this statement in response to the UK Covid-19 Inquiry's (“the Inquiry”) Request for Evidence under Rule 9 of the Inquiry Rules 2006 sent in draft on 12 September 2024 (“the Rule 9 request”). This statement responds to questions 11 to 28, 36 to 40, 57 to 64, 69 to 76 and 78 to 86 in that request. As DfE’s responsibilities cover England, this statement can only address what happened in England during the pandemic.
- 1.3 The first Corporate Statement provided by Susan Acland-Hood dated 29 March 2023 (Exhibit JK1/001 – INQ000146054) provides a full account of DfE’s responsibilities; its links across government, the devolved administrations (“DA”) and its sectors; as well as the key decision-makers, stakeholders and meetings (DfE reference). These details are not repeated in my statement.
- 1.4 I have been asked to provide a statement relating to the opening and closing of education and care settings along with the monitoring of such measures and mitigations between 1 January 2020 and 28 June 2022. Although I did not join DfE until December 2020, I have been assisted in preparing this statement by officials in DfE who worked in the relevant areas throughout this period. DfE officials have also searched for all relevant documents from the period.
- 1.5 DfE officials have searched thoroughly for any available evidence in order to set out what happened, when and why as fully as possible. Where there are any gaps in evidence about decision making, this is because DfE has not been able to find evidence to fill those gaps.

- 1.6 I am satisfied that from the documents found and exhibited to this statement, assurance from current and former DfE officials who worked on this area through the pandemic, and my own recollection, this statement sets out the key events that occurred during that period as accurately as possible.
- 1.7 The pandemic was a fast-moving situation that required DfE to work rapidly to support education and care settings. DfE's approach was to focus on rapid-cycle improvement, testing and learning throughout each stage of the pandemic. DfE adapted its response to cater to the ongoing needs of settings: regularly reviewing policy and its processes rather than pausing to do formal reviews. During the first set of closures, DfE focused on getting delivery right under challenging circumstances. This included reflecting on what was working and what was not and making changes as a result of this reflection. Key areas of monitoring and/or assessment have been set out below.
- 1.8 As there was a wide range of formal and informal monitoring activity taking place, it is not always possible to link a piece of monitoring to a specific action taken by DfE. Instead, throughout the statement we have set out, in chronological order, the actions taken by DfE which would have been informed by the overall monitoring activity.
- 1.9 It is important to note that during COVID-19, the Secretary of State for Education ("SSE") did not have complete autonomy to make core decisions. The central structures of decision-making changed during the course of the pandemic (and the parameters and timeframes for decisions were often set centrally).
- 1.10 Finally, I would like to reiterate that settings were always open, at the very least, to children of critical workers ("CCW") and vulnerable children. I would like to record my gratitude to all the teaching and other staff who attended in person throughout the pandemic period to enable this to happen.
- 1.11 The statement is in seven chapters, as follows:
- 1.11.1 Chapter 1 – Introduction to the statement.
 - 1.11.2 Chapter 2 – This covers pre-pandemic planning from January 2020 to mid-March 2020.

- 1.11.3 Chapter 3 – This covers the decision to close settings to the majority of pupils in March 2020.
 - 1.11.4 Chapter 4 – This covers late March 2020 to December 2020 - monitoring the impact of closing settings to the majority of pupils and the decision to reopen settings for transition year groups from 1 June 2020 and full reopening from autumn 2020.
 - 1.11.5 Chapter 5 – This covers mid-December 2020 to March 2021 – the decision to close settings in January 2021 and monitoring the impact of closing settings to the majority of pupils as well as the decision to fully reopen settings in March 2021.
 - 1.11.6 Chapter 6 – This covers March 2021 to June 2022 - monitoring the impact of fully reopening settings from March 2021.
 - 1.11.7 Chapter 7 - Conclusion and lessons learned.
- 1.12 This statement is supported by documentary evidence, which will be referred to in the format (Exhibit JK1/XXX - INQ000XXXXXX). The Inquiry should note that where exhibits refer to 'schools', this often covers all education settings, including schools, colleges as well as specialist schools and alternative provision.

2. Chapter 2: COVID-19 planning and response - January 2020 to mid-March 2020

- 2.1 This section details the actions taken by DfE from January 2020 to March 2020 in response to the COVID-19 pandemic. It highlights the initial scenario planning efforts up to the closure of settings to the majority of pupils in mid-March 2020.
- 2.2 In January 2020, DfE had an Emergency Response Group (“ERG”), whose primary function was to co-ordinate a response to any emergencies related to DfE. The group covered both co-ordination across DfE as well as working with Cabinet Office (“CO”) and other parts of government.
- 2.3 The first Cabinet Office Briefing Room (“COBR”) meeting regarding COVID-19 was on 24 January 2020. In preparation for this, DfE’s ERG formally began work on COVID-19 and held its first meeting (Exhibit JK1/002 - INQ000542403) in the morning prior to the COBR meeting taking place.
- 2.4 The Minister of State for School Standards (“MoSSS”) was invited and attended the first COBR meeting relating to COVID-19 on 24 January 2020 (Exhibit JK1/003 - INQ000540768). These meetings became regular from February 2020 and were mainly attended by DfE representatives in the form of SSE or MoSSS. COBR was the key decision-making committee in the early stages of the pandemic response.
- 2.5 The COBR meeting on 24 January 2020 was held to share an update on the outbreak of COVID-19 and to discuss UK preparedness. It was discussed that the steer from a cross-government communications group was to not issue formal guidance to education settings at this stage and to re-evaluate if the situation escalated.
- 2.6 Work within the department on the COVID-19 pandemic quickly accelerated following the first COBR meeting, with another ERG meeting taking place in the afternoon of 24 January 2020 (Exhibit JK1/004 -INQ000542406) to feedback on what was discussed. The ERG then met daily to inform situation reports (“sitreps”) which were sent to senior civil servants (“SCS”) and ministers. The ERG also provided regular briefings every Wednesday to MoSSS, as emergency planning was added to his ministerial portfolio.
- 2.7 It became clear from the outset that obtaining information from the sector was integral to ensuring the necessary support was provided, and that local authorities and

education and care settings would need much closer and more regular engagement with DfE officials.

- 2.8 To ensure there was a strong link between the DfE and providers, Regional Schools Commissioners (“RSC”) and their regional teams spent a significant portion of their time supporting local authorities, multi-academy trusts (“MATs”), colleges and schools with their pandemic response. They acted as the ‘eyes and ears’ of DfE. This work was designed to provide a route for all education settings, with the exception of Higher Education (“HE”), to have contact with DfE to provide feedback on live concerns, ask questions about guidance and discuss any potential issues with compliance as they arose. Later on, these teams were also able to support DfE policy teams to compile qualitative data about the effects of closing settings to the majority of pupils; the impact of COVID-19 response measures (e.g. face coverings); and provide a detailed picture of what was happening in education settings at different stages of the pandemic.
- 2.9 By early February 2020, the ERG started to deliver external communications and guidance to early years (“EY”) providers, schools and further education (“FE”) settings including a regular sector bulletin, first sent on 4 February 2020 (Exhibit JK1/005 - INQ000542408). This included advice for parents and guardians on COVID-19. On the same day, Department for Health and Social Care (“DHSC”) guidance was released on self-isolation. Public Health England (“PHE”) posters were placed in public places and sent to all education and childcare settings.
- 2.10 On 5 February 2020, the first working draft of DfE’s reasonable worst-case scenario, *Emergency Response Plan Coronavirus* (Exhibit JK1/006 - INQ000542409), was circulated (Exhibit JK1/007 - INQ000542410) to DfE officials. The plan set out DfE’s emergency response to the Coronavirus outbreak, including planning assumptions and actions for DfE-led education and childcare sectors which may be impacted. The document outlined various scenarios depending on the infection stage. For example, escalation stage 1 (infection spread to isolated cities or counties within China) included activity plans for communications to the public and horizon scanning, whereas escalation stage 7 (pandemic) included activity around implementing an emergency pandemic influenza bill on top of various other measures, such as temporarily closing educational settings. Temporary closures were only mentioned in scenario 7 of the document, which was the ‘worst-case scenario’. Further scenarios and DfE responses were detailed in the emergency response plan.

- 2.11 DfE's Central Analysis Unit ("CAU") further developed work on COVID-19 worst-case scenario planning (Exhibit JK1/008 - INQ000542412). This was a one-off exercise that was completed on 7 February 2020. It included:
- 2.11.1 A compilation of potential risks (and assessment of those risks) across all sectors of the education system and around social care, for a reasonable worst-case scenario (Exhibit JK1/009 - INQ000542908);
 - 2.11.2 Questions to help provide the detail that may be required around each of the risks and issues identified (Exhibit JK1/010 - INQ000542414);
 - 2.11.3 A review of the existing literature on the impacts and possible responses to a likely pandemic (Exhibit JK1/011 - INQ000542415).
- 2.12 From the start of the pandemic in January 2020, DfE officials, including DfE's Chief Scientific Adviser ("CSA") and DfE's Deputy Chief Scientific Adviser ("DCSA") received, reviewed and summarised minutes and documents from the Scientific Advisory Group for Emergencies ("SAGE") and any subgroup meetings. They disseminated key findings to ministers and DfE officials to inform decision making and provided scientific summaries on the impact of allowing settings to remain open to CCW and vulnerable children (Exhibits JK1/012 - INQ000542446 and JK1/013 - INQ000541088).
- 2.13 On 10 February 2020, the Scientific Pandemic Influenza Group on Modelling, Operational Sub-Group ("SPI-M-O"), a sub-group of SAGE that gave expert advice to the government on COVID-19 based on infectious disease modelling and epidemiology, provided SAGE members with a paper (Exhibit JK1/014 - INQ000075447) outlining the potential impact of mass school closures. The paper noted that there was limited knowledge about the virus, particularly regarding children, and that most of the modelling was based on pandemic influenza such as in 2009. It noted that if there is value in school closures, it may be greatest around the peak of a UK epidemic. The paper went on to say that a more detailed assessment of the likely impact of school closures would be possible once there had been several weeks of sustained transmission of COVID-19 within the UK. During these meetings, SAGE primarily focussed on the impact of school opening on transmission rather than the impact on children of closures.

- 2.14 The ERG updated senior officials at the director generals meeting (Exhibit JK1/015 - INQ000542419) on 11 February 2020, about the COVID-19 worst case scenario planning. It was discussed (Exhibit JK1/016 - INQ000542422) that ERG had worked with the Civil Contingencies Secretariat (“CCS”) to ensure DfE plans were aligned with the wider government response and that any dependencies could be identified. The rolling brief (Exhibit JK1/017 - INQ000542417) highlighted that CCS asked DfE officials to respond to a commission on development of legislation for the pandemic response. DfE adapted the existing clauses, originally developed for the Pandemic Flu Bill, to broaden their scope, allowing for the enforcement of a nationwide closure of education and childcare settings, if necessary.
- 2.15 The sixth SAGE meeting (Exhibit JK1/018 - INQ000075784) regarding the COVID-19 response took place on 11 February 2020, where key data around COVID-19 was discussed. During the meeting it was confirmed that at the time, there was no clear evidence regarding the role of children in transmission with COVID-19, but reports suggested that the severity of the virus might be less than with adults. It was agreed that measures to limit spread of the virus (including a review of school options) should be discussed at a future meeting.
- 2.16 DfE took part in a ministerial COBR desktop exercise (Exhibits JK1/019 - INQ000542427 and JK1/020 - INQ000542429) on 12 February 2020. The exercise consisted of a simulated COBR meeting in which participants from different departments worked through a fictional scenario (Exhibits JK1/021 - INQ000542423, JK1/022 –INQ000113252 and JK1/023 -INQ000052014). The scenario planning for this exercise detailed options and challenges around sharing resources, additional funding and prioritisation of services across the education sector. DfE’s aim at this time was to keep education settings open. The rolling briefing (Exhibit JK1/024 - INQ000542428) indicated that the exercise helped DfE clarify some assumptions and identify areas that needed closer collaboration with other government departments (“OGDs”). An example of this was the necessity of a structured and evidence-based communications campaign. To increase collaboration with OGDs, DfE planned to make stronger links with DHSC and PHE to ensure rapid access to healthcare professionals.
- 2.17 The rolling brief went on to explain that the scenario plan, which was produced on 12 February 2020, was shared with ministerial offices and all DfE Directors General. DfE

also shared the plans with CCS to ensure DfE's plan aligned with the wider government response and that any dependencies were identified.

- 2.18 On 13 February 2020, DfE's Director of Children's Social Care attended a SAGE meeting where a discussion took place around the potential impact of restricting attendance at education and childcare providers (Exhibit JK1/025 -INQ000106109). SAGE considered that nationwide school closures could potentially delay the first wave or peak of an epidemic, but it would require closures lasting weeks and evidence suggested that it would not alter the total number of people who would contract the virus. It was reiterated that the impact of COVID-19 on school-age children was poorly understood. Further modelling was needed to explore scenarios under which school closures would be useful.
- 2.19 Following the SAGE meeting on 13 February 2020, the Scientific Pandemic Infections group on Modelling ("SPI-M") was assigned the task of using DfE data to model scenarios and parameters to assess the effectiveness of school closures in delaying and reducing the peak of the UK epidemic, assuming COVID-19 was transmissible by children. This was in preparation for the SAGE meeting on 20 February 2020. The task was expanded to include exploring selective closures and their impacts; providing quantitative and sensitivity analysis to identify the most impactful parameters; and considering behavioural consequences that might alter the effectiveness of these measures.
- 2.20 Further guidance produced jointly between DfE and PHE was issued to support education settings on 17 February 2020, and updated to include a poster about *advice on the coronavirus for places of education* (Exhibit JK1/026 - INQ000520114) on 19 February 2020 (Exhibit JK1/027 – INQ000520167). The guidance provided advice on preventing the spread of infections and what actions to take if there was a suspected or confirmed COVID-19 case in a setting.
- 2.21 At a SAGE meeting on 20 February 2020 (Exhibit JK1/028 - INQ000087502), SAGE discussed the paper by SPI-M-O: *Consensus view on the impact of mass school closures* (Exhibit JK1/029 - INQ000075404). The paper said that there were many uncertainties about the COVID-19 virus, including the role of children in transmission and the severity of infections in children. It was assumed that for the purposes of the paper, that children would have a role in transmission similar to that of influenza. It was concluded that it was possible for school closures to have a modest impact on

delaying the peak of an epidemic, but that timing would be key. After reviewing the literature on school closures, SPI-M-O found that there was likely to be greater compliance from parents for shorter durations of closures, such as a two-week period. There was no evidence on the epidemiological impact of school closures lasting longer than four weeks.

2.22 As the pandemic progressed, DfE's response was scaled up. On 24 February 2020, the COVID-19 response function moved to DfE's existing Departmental Operations Centre ("DOC"). The DOC had been focused on managing EU Exit preparations, but now staff in ERG and DOC were brought together, so that the DOC could become the central point for COVID-19 intelligence gathering, information sharing and commissioning. In March 2020, the DOC was renamed the COVID-19 DOC and took on additional responsibilities including regular sector communications, guidance and testing business continuity in DfE.

2.23 During a SAGE meeting on 25 February 2020 (Exhibit JK1/030 - INQ000087503), it was concluded that interventions relating to COVID-19 should seek to contain, delay and reduce the peak incidence of cases. A paper titled *Potential effect of non-pharmaceutical interventions on a COVID-19 epidemic* written by the World Health Organisation Collaborating Centre for Infectious Disease Modelling, MRC Centre for Global Infectious Disease Analysis and Jameel Institute for Disease and Emergency Analytics (Exhibit JK1/031 - INQ000075787) was discussed. The paper modelled four non-pharmaceutical interventions based on a model previously developed for pandemic influenza planning:

2.23.1 University and school closures – schools were assumed to completely close, with 25% of universities to remain open.

2.23.2 Home isolation for symptomatic cases – 65% of symptomatic cases were to withdraw to the home for 7 days.

2.23.3 Voluntary household quarantine – on occurrence of a symptomatic case in a household, all household members were to withdraw to the home for 14 days.

2.23.4 Social distancing – all households were required to reduce contacts outside the household or school/workplace by 75%.

- 2.24 It was discussed that all measures would require implementation for a significant duration in order to be effective. Evidence from Hong Kong, Wuhan and Singapore indicated that social distancing measures and school closures could reduce the COVID-19 reproduction number to 1 (a 50% to 60% reduction). It was agreed that a combination of these measures would be most realistic, but this would only slow, not halt, an epidemic. It was also noted that the NHS must be considered in any decisions.
- 2.25 Another SAGE meeting took place on 27 February 2020 (Exhibit JK1/032 - INQ000106129) where a paper was discussed titled *Potential effect of non-pharmaceutical interventions (NPIs) on a COVID-19 epidemic in the UK* (Exhibit JK1/033 - INQ000087326). The paper, prepared for SAGE, proposed various measures by which transmission of the virus could be reduced and considered the potential effectiveness of key behavioural and social interventions. On a proposed closure of schools, the paper made the assumption that if this measure proceeded, it was unlikely to contain an outbreak on its own and it would only delay the peak by three weeks, possibly less. It went on to suggest that with regards to reducing the peak of an outbreak:
- “If children have a similar role in transmission as to flu, around 10%-30% reduction in peak incidence could be achievable for a closure duration of over 8 weeks, when enacted early. Would be greater (~30% reduction) if universities were closed too”* (page two).
- 2.26 It further mentioned that deciding whether to initially implement stricter measures then gradually relax them, or to start with fewer measures then increase them as needed, would be a political decision.
- 2.27 SAGE concluded that mitigations could be expected to change the shape of the epidemic curve or the timing of a first or second peak, but they were not likely to reduce the overall number of total infections. The modelling suggested that earlier and combined interventions would have more substantial impact if they were also maintained for a significant period.
- 2.28 DfE launched the Coronavirus national helpline (Exhibit JK1/034 - INQ000542914) on 2 March 2020. It was described by DfE as a helpline that offered guidance for anyone with education related questions, including parents, from early years to universities, and adult learning. The helpline was open Monday to Friday, 8:00am to 6:00pm. 1,600

calls were received in the first four days of operation (Exhibit JK1/035 - INQ000542431).

- 2.29 DfE received a commission from CO on 5 March 2020 (Exhibits JK1/036 – INQ000542430 and JK1/037 -INQ000182335) which required departments to move into the next phase of planning. For DfE, this included more thorough contingency planning in preparation for the event of education settings closing. CO confirmed that COBR meetings would now take place daily to discuss COVID-19. The commission asked for an assessment of the department’s preparedness against the reasonable worst-case scenario plans. DfE submitted its response (Exhibits JK1/036 - INQ000542430 and JK1/035 - INQ000542431) on 8 March 2020 outlining that it had initiated DfE’s emergency response procedures and detailing what those were. The response outlined that:

“The work on Business Continuity and Reasonable Worst Case Scenario planning has been running for a number of weeks and good progress has been made. However, there is more to do as the impact on the education sector is extremely complex (e.g. disruption to exam season) and has the potential for medium/long term ramifications (e.g. University admissions).”

- 2.30 It went on to say that:

“Our plans for the education and childcare sectors are based on the Government’s broad aims: (a) to prevent, protect against and control the spread of a pandemic; (b) to keep the sectors operating as fully as possible during the pandemic, both for the sake of the care and education of children and students and also to minimise disruption to parents and the wider economy.”

- 2.31 Calls to the DfE Coronavirus national helpline steadily increased. The DfE Coronavirus national helpline received 1,576 calls on 9 March 2020 and 1,692 calls on 11 March 2020 (Exhibit JK1/038 - INQ000542968).

- 2.32 Work also continued to support vulnerable children. On 11 March 2020, DfE’s Permanent Secretary received a free school meals (“FSM”) briefing from DfE officials to prepare for an upcoming meeting between DfE and the Ministry of Housing,

Communities and Local Government (“MHCLG”) on support for the economically vulnerable (Exhibit JK1/039 - INQ000512849). The document highlighted the pressures of providing support for children who might miss out on food due to school closures or self-isolation during the COVID-19 outbreak. It stated that DfE had worked closely with OGDs to consider possible mitigations and mechanisms to address the pressures.

- 2.33 Later on 11 March 2020, DfE officials prepared a briefing (Exhibit JK1/40 - INQ000512852) for SSE and a slide on FSM (Exhibit JK1/041 - INQ000512851) for a COBR meeting later on that day. The materials set out that 1.3 million children were eligible for FSM, costing circa £515 million per year. The slide outlined concerns DfE had about the impact on FSM provision if children were required to stay at home. The slide set out possible options to mitigate this impact for ministers to consider, emphasising that further work would be required to develop a robust, fully costed lead option. These options for mitigation were further outlined in the FSM briefing which discussed the challenge of supporting children who would miss out on food due to school closures. DfE officials continued to develop proposals for supporting children who were eligible for FSM if their education setting was forced to close, or they needed to self-isolate.
- 2.34 At this stage, there was work being done to consider options for delivering education remotely in the event of school closures. There were concerns that if educational settings were to close, many children would not have access to the technology necessary to participate in remote education. The concept of remote education was not well established before 2020. However, some educational settings did offer remote education to support pupils during absences, and homework was occasionally set digitally through virtual learning environments or websites. FE providers delivered some remote learning, primarily to accommodate learners needing more flexibility, such as those with caring responsibilities. Prior to 2020, DfE did not collect data for remote education, nor were there any established accountabilities or standards for education settings (such as schools, sixth form colleges and FE colleges) who were providing remote education to children.
- 2.35 Following the 5 March 2020 CO commission, (see paragraph 2.32) on 13 March 2020, DfE officials sent SSE advice on the draft guidance titled *Coronavirus (COVID-19) guidance for schools and school leaders* (Exhibits JK1/042 - INQ000542433 and JK1/043 - INQ000542434) to aid education settings’ contingency planning if a provider

needed to close due to a COVID-19 outbreak. The guidance was intended to help aid strategic discussions within schools about next steps regarding COVID-19, to help support decision making that enabled effective remote working arrangements and that minimised disruption to education. Officials recognised that some education settings and children would have internet access and access to appropriate devices, but many children, especially those from more disadvantaged backgrounds, would not. Therefore, a completely technology-centred solution would not work for all children and their families. In light of this, the guidance aimed to assist education settings in capitalising on the resources available by bringing together case studies on what worked well in remote learning, using technology and more traditional approaches. Although the original draft guidance was not published in its original form, it was subsequently updated and incorporated into COVID-19 guidance for schools, such as the section on remote education in the Guidance for full opening of schools, which was published on 2 July 2020 (Exhibit JK1/319 – INQ000575765).

- 2.36 Contingency planning continued and from 13 March 2020, DfE helped to prepare educational settings for remote education in the event their setting had to close to the majority of students in relation to COVID-19. This included developing initial guidance, working with the BBC to deliver a national education offering and with schools to provide case studies on how to deliver remote education effectively, and ensuring that education settings were equipped to transition to remote learning (Exhibits JK1/042 - INQ000542433, JK1/044 - INQ000542452 and JK1/045 - INQ000226744).
- 2.37 On 15 March 2020, following a commission from CO, DfE provided a note to CO that specifically set out detailed consideration on mass closures for education settings. This note intended to inform CO about the implications of universal school closures and to outline the types of mitigations that might be necessary to lessen some of the impacts.
- 2.38 DfE included the potential impacts on children if education settings were to close (Exhibits JK1/046 - INQ000286012 and JK1/047 - INQ000540794). The note highlighted that, in the event of partial closures or situations where education settings remained open but large numbers of students or staff were absent due to isolation, several impacts could occur, including:
- 2.38.1 Almost 9 million pupils could not be guaranteed to receive an education for the time their education setting was closed to the majority of pupils and any education they received would be limited.

- 2.38.2 Remote learning, it was assumed, might not work for all children either because education settings would have a varying ability to provide and/or some children would not have access to the internet or an appropriate device.
 - 2.38.3 The 1.3 million children eligible for FSM would not receive the lunchtime meal they would have been given at school.
 - 2.38.4 The most vulnerable children would be much safer in school than not attending.
 - 2.38.5 Parents and siblings of children with Special Educational Needs and Disabilities (“SEND”) could face a higher burden of care, with schools and colleges offering care and respite in normal circumstances.
 - 2.38.6 Parents would be much less likely to be able to go to work. The estimate at that time was that it would impact upon about 20% of the workforce.
 - 2.38.7 Delivery of teacher training would be interrupted.
- 2.39 The note acknowledged that if schools took localised decisions to restrict attendance this would lead to significant inequities, especially regarding exams. There would also be a risk that closures could become chaotic and unmanaged, leaving parents and schools unable to plan and increasing public sentiment against the government. The actions that the DfE would need to take if the school system deteriorated due to the pandemic were identified in the paper, along with the state of preparedness for each. This included considerations for FSM, remote learning, exams, teacher training, and vulnerable children.
- 2.40 DfE officials were clear that it was important that vulnerable children could attend schools. On 17 March 2020, DfE created the Vulnerable Children’s Unit (“VCU”) to act as the central coordination function for all DfE support work associated with vulnerable children and young people during the pandemic. The first Corporate Statement provided by Fran Oram provides further detail on the VCU (Exhibit JK1/559 – INQ000587996).

2.41 Following this, daily sitrep report meetings took place as an update on the work happening to support vulnerable children during the response to the pandemic. Attendees were from across DfE policy areas and OGDs where relevant. Sitrep report meetings also served as a platform to consider how wider developments in the government's pandemic response could impact on vulnerable children and share key risks to the department and for children and young people, including any mitigations.

3. Chapter 3: Decision to close education settings to the majority of pupils in March 2020

- 3.1 This section provides a comprehensive account of the days leading up to the announcement on 18 March 2020, that settings would close to the majority of children from 23 March 2020.

DfE focus on keeping settings open for all students

- 3.2 Guidance on self-isolation changed on 12 March 2020 to advise that if someone had symptoms of COVID-19, they should stay at home for 7 days, and if one person in a household showed symptoms, then the entire household must isolate for 14 days (Exhibit JK1/048 - INQ000542915). After this change in guidance, DfE started to see an increase in school closures in relation to COVID-19.
- 3.3 CO circulated daily dashboards from mid-March 2020. These dashboards included epidemiological information and provided insights into the state of public services, covering areas such as education, broader societal impacts, the economy, and international comparisons.
- 3.4 The update issued by COBR on 14 March 2020 stated that according to the World Health Organisation (“WHO”) Director General, Europe was now the world centre for the COVID-19 outbreak. This meant that Europe had reported more cases and deaths as a result of the pandemic than the rest of the world combined, apart from China (Exhibit JK1/049 - INQ000542435). It also provided an update that Germany was shutting schools and kindergartens in most states until after Easter.
- 3.5 On 15 March 2020, an email was circulated within DfE (Exhibit JK1/050 - INQ000540796) summarising SSE’s conversation with the Prime Minister and the Secretary of State for Health and Social Care (“SSHSC”) earlier that day. It was made clear that the position of SSE, given the negative impacts of closures on children (set out in the paper outlined in paragraph 2.38) was that education settings should remain fully open for as long as possible, at least until Easter. The readout included a steer from the Prime Minister that he wanted to keep education setting closures under close review but asked DfE to develop a proposal that considered a scenario in which they close.

3.6 Later that day an email was sent to SSE from DfE officials outlining the latest iterations of COVID-19 related commissions from CCS and CO. This included:

- 3.6.1 A return to CCS regarding the impact and mitigations for three non-pharmaceutical interventions (home isolation, whole household isolation and social distancing for the elderly) (Exhibit JK1/051 – INQ000542440);
- 3.6.2 A note provided to CO on school closures (Exhibit JK1/046 - INQ000286012) which was created on 15 March 2020 (see para 2.38); and,
- 3.6.3 A note to CO on how a stay-at-home policy would be applied to non-typical household settings such as boarding schools and university halls (Exhibit JK1/053 - INQ000542442).

3.7 DfE published further guidance for education settings on 16 March 2020. The continuing priority at this point was to keep educational settings open but also to ensure the safety of both staff and students by ensuring the appropriate measures were taken if any symptoms were identified. The guidance (Exhibit JK1/054 - INQ000519733) outlined that in most cases where students or staff had been identified as having symptoms of COVID-19, closures of settings would not be necessary. However, the decision would be unique to each establishment and a local decision would need to be made based on various factors such as size and risk of further spread. It went on to say that if there was any urgent public health action that the provider had to take, they would be contacted by PHE. It outlined that:

“PHE will rarely advise a school to close but this may be necessary if there are so many staff being isolated that the school has operational issues. Your local authority will support you to make this assessment.”

3.8 By 16 March 2020, the dashboard issued by CO confirmed that there were 30 school closures in England. Up until this point, closures were mainly reported to be due to extensive cleaning practices from education settings, however, an increase was seen in closures due to limited staff numbers because of the guidance around self-isolation (Exhibit JK1/055 - INQ000183892).

- 3.9 The DfE Coronavirus helpline saw a sharp increase in calls and on 16 March 2020 there were 5,327 calls made in comparison to 345 calls made the previous day. The number of DfE officials on the helpline increased from 20 to 50 to aid with the increase in demand from the questions that were being asked of DfE, from both parents and educational settings. A variety of issues were raised during these calls, primarily about what should be done to manage the virus within education settings, and at this time about the closure of settings. Other queries included questions around examinations, finances and travel.

Epidemiological advice to change focus to mass school closures as an option

- 3.10 By 16 March 2020, SAGE's view on the use of partial school closures to manage the pandemic had evolved. During the SAGE meeting on 16 March 2020 (Exhibit JK1/056 - INQ000075664), SAGE reviewed the *Impact of NPIs to reduce COVID-19 mortality and healthcare demand* (Exhibit JK1/057 -INQ000087315). SAGE concluded that:

"While SAGE's view remains that school closures constitutes one of the less effective single measure to reduce the epidemic peak, it may nevertheless become necessary to introduce school closures in order to push demand for critical care below NHS capacity. However school closures could increase the risks of transmission at smaller gatherings and for more vulnerable groups as well as impacting on key workers including NHS staff. As such it was agreed that further analysis and modelling of potential school closures was required (demand or supply, and effects on spread)."

- 3.11 During the SAGE meeting, there was an action raised for SAGE to review the position on education setting closures later that week (Exhibit JK1/058 - INQ000542444). As part of this, DfE was invited to comment on a draft set of questions from SAGE regarding school closure. These would be sent to relevant advisory groups. The main questions focused on how school closures would affect NHS Intensive Therapy Units, including their ventilator capacity, and the benefits in closing education settings before or after the Easter holidays.
- 3.12 During a COBR meeting on the same day, SSE was asked to commission DfE officials to produce a paper on what measures DfE could put into place to keep education

settings open (Exhibit JK1/059 - INQ000075397). The paper outlined a number of measures to support this, such as pausing inspections and assessments. It also suggested offering financial support to providers and the need to understand what other countries were doing to keep education settings open. A supporting document (Exhibit JK1/060 - INQ000075398) said that if any of the measures needed to be put in place, consideration needed to be given to what measures should apply to other parts of the education system, such as childcare settings and FE colleges.

- 3.13 Following the 16 March 2020 COBR meeting, further guidance was released on 16 and 19 March 2020 with an aim to delay and flatten the peak of COVID-19. In a press release, the Prime Minister announced that, according to SAGE, the country was now approaching the “*fast growth part of the upward curve*” and it was expected that infection rates would soar, doubling every five to six days. It was announced that in addition to staying at home if there were any symptoms in the household, all non-essential contact with others and travel should stop. Individuals were also advised to work from home where possible (Exhibit JK1/061 - INQ000086753).
- 3.14 On 17 March 2020, the questions raised regarding education setting closures referred to in paragraph 3.11 of this statement were discussed at a SAGE meeting. A paper titled *The impact of adding school closure to other social distance measures* (Exhibit JK1/062 - INQ000229339) was also discussed. This paper estimated that education setting closures could reduce deaths by 9% and offered comparisons between closing them immediately or after the Easter holidays. The paper suggested that closing schools at this moment, or after Easter, made little difference to the total size of the epidemic.
- 3.15 SAGE also circulated a note on 17 March 2020 titled *School Closures: Note from SPI-B* (Scientific Pandemic Insights Group on Behaviours (“SPI-B”) provided independent, expert, social and behavioural science advice to SAGE) (Exhibit JK1/063 - INQ000075405). The note outlined the potential option of keeping education settings open only to CCW. It became clear that if closure was the approach to be taken, a decision would need to be made on closing education settings within a very short timeframe. The meeting readout (Exhibit JK1/064 - INQ000075778) said that SAGE had considered the modelling, which supported education setting closures on a national level, and that the effect in terms of slowing down the rate of transmission would be greatest if instituted early. At this stage, SAGE was not specifically asked to model options based on including vulnerable groups as well as CCW as the priority

was understanding what the closure of education settings would look like and whether CCW attending would be a viable option.

- 3.16 Education setting closures had increased overnight to over double the number closed on 16 March 2020. By 17 March 2020, there were 75 schools either fully or partially closed in England (49 fully closed and 26 partly closed). The reason for the majority of closures was self-isolation of staff. There were no particular hot spots in the country at this time (Exhibit JK1/065 - INQ000055918).
- 3.17 CO continued to issue its daily update to DfE and OGDs (Exhibit JK1/066 - INQ000542445) and by 17 March 2020 the international landscape for COVID-19 measures had tightened worldwide, but particularly in Europe. Various countries were in lockdown and Russia was confirmed to have shut state schools. Finland was also in the process of passing emergency legislation to close all schools and universities from the following day.
- 3.18 DfE officials attended a cross-government Permanent Secretary meeting chaired by the Cabinet Secretary on the evening of 17 March 2020. In advance of the meeting DfE provided a paper, requested by COBR on 16 March 2020, titled *Supporting schools to keep open* (Exhibits JK1/067 - INQ000075396, JK1/059 - INQ000075397 and JK1/060 - INQ000075398, also referenced in paragraph 3.12). The paper set out the following measures to keep education settings open:
- 3.18.1 Deregulation: a package of measures to suspend regulatory requirements around school food standards, staff ratios and class sizes. These measures could help make it easier for settings to remain open.
 - 3.18.2 Costs: exploring a commitment to underwrite additional costs that would result from COVID-19, such as additional supply teachers being brought in to cover COVID-19 absence.
 - 3.18.3 Parents: working with DHSC and No.10 to ensure that DfE delivered effective messages to parents on why schools remained open (including the childcare and learning benefits) and what this would mean for the health risk to their children and remote working.

- 3.18.4 Working with local government to ensure that settings could remain open.
- 3.19 The SPI-B 17 March 2020 paper (Exhibit JK1/063 - INQ000075405) proposed closing education settings to most children, but allowing those who were children of certain key workers (such as NHS workers) to attend as a form of childcare.
- 3.20 During the initial phase of the COVID-19 pandemic, the government's primary focus was on reducing transmission and protecting NHS capacity. As a result, SSE and DfE officials were not specifically tasked with assessing the socio-economic impacts of education setting closures, nor did they have the time to conduct formal assessments of this kind. However, DfE officials and SSE did consider the effects of school closures on children in receipt of FSM, CCW and vulnerable groups, as outlined in paragraph 3.22. It was also proposed that special schools remain fully open as outlined in the *Reducing School Provision* paper on 18 March 2020, due to the high number of vulnerable children they serve.

Decision on school closures

- 3.21 During the cross-government Permanent Secretary meeting chaired by the Cabinet Secretary on the evening of 17 March 2020, No.10 officials commissioned DfE to produce a paper on closing education settings and other options for the daily Prime Minister chaired COVID-19 Strategy Meeting on 18 March 2020, with an email clearly outlining the request being sent the following morning (Exhibits JK1/068 - INQ000075399 and JK1/069 - INQ000075400). This was a change in approach with regard to closure that came from No.10 rather than DfE. The email outlined that the paper should be developed in conjunction with No.10, His Majesty's Treasury ("HMT"), and DHSC. The email said the slides should include:

"the proposal for an announcement later today that, from the start of next week, schools will be closed in their current form. Instead, schools are asked to put childcare provision in place to look after the children of 'key workers' and vulnerable students. DfE will work with schools to set up processes to manage this system;

- *definition of key workers and vulnerable students;*
- *whether we need a consistent policy for all school aged children, or a focus on those who require childcare (e.g. esp primary);*

- *the clinical advice underlying this proposal [Please could SAGE / DHSC provide this directly to DfE copying the Secretariat and No 10];*
- *economic and wider impacts and mitigations [please could HMT provide this material];*
- *proposed messaging and approach to implementation;*
- *proposed approach to free school meals;*
- *proposed messaging on exams.”*

3.22 The paper, titled *Reducing School Provision* (Exhibit JK1/070 - INQ000107248), was drafted overnight by DfE officials who had to rely on public health and scientific advice from external sources (such as SAGE), as the department lacked its own epidemiological expertise on education setting closures and relied on the scientific advice given at SAGE.

3.23 SSE agreed the *Reducing School Provision* paper on 18 March 2020. Although the paper was titled '*Reducing School Provision*', it also addressed both EY and FE settings. The paper outlined that consideration needed to be given to what further steps should be taken if the scientific and medical advice showed that closing education settings was necessary to reduce the transmission of the virus in order to protect the vulnerable and the NHS.

3.24 The paper also discussed the proposals to keep education and care settings open for vulnerable children and CCW. The paper explained that, where settings were unable to provide for these groups of children, for example, due to staff shortages, they would need to work with other providers in the area to ensure the appropriate provision was in place. It went on to say that local authorities would be working with DfE regional teams to facilitate this.

3.25 Whilst the exact definition of 'key workers' was not yet finalised on 18 March 2020, the paper did confirm some groups of key workers who would fall under the definition. The paper explained that the definition would be updated by CO following consultation with OGDs. It said that by ensuring key workers could continue to keep their children in education, it would marginally reduce the negative economic impact of any closures, although further modelling was required.

3.26 The paper stated the current position from SPI-M and SAGE modelling:

“The latest modelling suggest that school closures will play an important role in helping ensure the NHS surge in Intensive Care Unit (ICU) demand is not exceeded. This intervention will be necessary as the earlier measures (self/household isolation and social distancing of the vulnerable) alone will not be sufficient.

Modellers have discussed timing and do not think that the two weeks before the Easter holidays are critical (i.e. from now). The intervention is expected to take 3 to 4 weeks before any observed impact can be detected. Therefore, if the time is not critical to transmission, the Department for Education could use the time before Easter break to engage and properly prepare with the sector.”

3.27 SSE agreed that, if the science allowed, it would be useful to have any closures begin after the Easter break. This would give education settings additional time to move to providing remote education for most of their pupils.

3.28 Remote learning was also discussed in the paper. It said that:

“We intend to publish guidance on the steps that schools should now be taking to prepare to teach remotely. There is not (sic) existing national delivery chain, and we know that schools’ current e-learning platforms are highly variable; as is children’s ability to access e-learning whilst at home. We are working with the BBC, online providers and publishers to develop options, but they will fall short of the learning that would normally be delivered.”

3.29 The paper addressed the challenges education settings faced, including reduced support for pupils due to staff illness and self-isolation guidelines. Additionally, whilst the department did not have a definitive data source, many parents were withdrawing their children due to the increased expectations around self-isolation. Education staff and parents were growing more concerned about the health risks for children and staff, especially when most other parts of society had already been asked to work from home to help reduce virus transmission.

- 3.30 The paper was presented at the daily Prime Minister chaired COVID-19 Strategy Meeting on 18 March 2020. The Prime Minister decided during this meeting that schools and EY settings should close to all children except CCW and vulnerable children. Initially, this change was discussed to take place at the end of the Easter holiday on 20 April 2020. However, during the meeting, the Prime Minister considered that it should be brought forward to 23 March 2020 due to rapidly changing scientific advice that was provided during the meeting, but not beforehand to DfE officials. The Prime Minister decided that COBR would formally make a decision on the date later that afternoon (Exhibit JK1/069 - INQ000075400).
- 3.31 SAGE met later that afternoon (Exhibit JK1/064 - INQ000075778) and it was advised that available evidence supported implementing partial school closures on a national level as soon as practicable to prevent NHS intensive care capacity being exceeded.
- 3.32 The number of education setting closures experienced a substantial rise from 75 schools that were fully or partially closed on 17 March 2020, to 515 schools on 18 March 2020 (Exhibit JK1/071 - INQ000056058).
- 3.33 On 18 March 2020, DfE officials prepared slides for the COBR meeting scheduled to take place that afternoon. Following agreement on the slides between CO and DfE at 3:36pm (Exhibit JK1/072 - INQ000107250), the slides were circulated by CO to COBR attendees at 3:45pm (Exhibits JK1/073 - INQ000107251 and JK1/074 - INQ000056188).
- 3.34 The slides outlined policy proposals for closure for education settings to the majority of students. They were discussed at the COBR meeting and set out the following proposals:

“Schools will be closed from Monday, for all pupils except for the children of key workers and those who are vulnerable.

Where possible, we would encourage schools to stay open for children of key workers throughout the Easter holidays.

Residential schools should also stay open as normal.

Where schools are unable to provide this reduced provision, Local Authorities working with the Department for Education regional teams will facilitate local support between schools.

We are expecting nurseries and private schools to do the same. We will provide financial support to these settings as required.

Sixth form colleges and FE colleges to do the same to support students under 18.

We recognise that for a lot of special schools and residential settings, many or all of the children have needs which mean those institutions need to stay fully open. We are discussing with HMT how we ensure sufficient financial support is available.”

3.35 The proposals asked COBR to agree the principles for defining key workers for the COVID-19 outbreak. It outlined that key workers should be identified *“on the basis of the NHS, and others necessary to ensure the critical parts of the economy and public services can keep functioning”*.

3.36 The COBR meeting was held at 4:00pm on 18 March 2020. COBR agreed to implement the policy proposals set out within the DfE slides (Exhibits JK1/075 - INQ000107253 and JK1/076 - INQ000107254). The formal meeting readout stated that:

“The committee agreed to bring forward the Easter Holidays for all schools in England, simultaneously with Northern Ireland and in line with Scotland and Wales. This will have the effect of closing all schools from the evening of Friday 20 March 2020. Schools will remain open over the Easter Holidays and until further notice for children of key workers.”

3.37 It went on to say that:

“There will be no examinations in schools in May or June. Each of the Four Nations has a different examination regime, but all will look

to other arrangements to ensure pupils are awarded the qualifications they would have achieved.”

- 3.38 Further detail about the cancellation of exams can be found in the first Corporate Statement provided by Jenny Oldroyd (Exhibit JK1/560 – **INQ000651499** K).
- 3.39 The Prime Minister then announced at approximately 5:00pm on 18 March 2020 that schools would be closing for the majority of students from 20 March 2020, except for CCW and vulnerable students. Although not mentioned specifically in the Prime Minister’s statement, colleges would also close on the same date. SSE reiterated this message in the House of Commons shortly after (Exhibit JK1/077 - INQ000075716).

Guiding and supporting the sector following the announcement

- 3.40 Following the decision to close settings to the majority of pupils on 18 March 2020, DfE worked with PHE, and the Education and Skills Funding Agency (“ESFA”) on developing and publishing guidance for education settings to help maintain hygiene measures and limit the spread of the virus.
- 3.41 On 19 March 2020, the definition for vulnerable children was agreed with the DfE leadership team via the clearance of a note on how to support vulnerable children (Exhibits JK1/078 - INQ000542867 and JK1/079 - INQ000542450). Due to the pace of the work, there was no opportunity for external consultation on the definition. The definition of vulnerable children included those who:
- 3.41.1 Were assessed as being in need under section 17 of the Children Act 1989 (including those with a child in need plan, a child protection plan or who were a looked after child).
 - 3.41.2 Had an education, health and care (“EHC”) plan – where a risk assessment determines that the needs of the child could be better met in school.
 - 3.41.3 Had been assessed as otherwise vulnerable by education providers or local authorities and could benefit from continued attendance, e.g. young carers, those at risk of becoming not in education, employment or training (“NEET”).

- 3.42 Whilst children in temporary accommodation, who were considered homeless, and those supervised by Youth Offending Teams were not explicitly classified as vulnerable, local authorities and education settings had the discretion to assess these children as vulnerable.
- 3.43 DfE officials worked throughout 18 and 19 March 2020 to define 'key workers' in collaboration with OGDs. It was agreed by senior officials and then cleared by No.10 and the Chancellor of the Duchy of Lancaster ("CDL") (Exhibits JK1/080 - INQ000542447 and JK1/081 - INQ000542448) in preparation for the guidance to be published. It was agreed that CCW were those whose parents' work was critical to the COVID-19 response, such as those who worked in health and social care and in other key sectors.
- 3.44 With the decision to close education settings to most children, DfE worked rapidly to set out their expectations of how education settings should deliver remote education during this challenging period and what type of support DfE would provide. Initially the focus was on supporting providers to respond to the immediate pressures of the pandemic and making available resources and information, rather than creating further expectations. This was because education settings were under significant strain due to staff absences and the complexities of implementing remote education as parents began to withdraw their children from education settings. DfE published guidance on 19 March 2020 (Exhibit JK1/082 - INQ000519746) which broadly set out this position. The guidance also outlined that, if parents were not able to keep their child safe at home, then children would be prioritised for education provision. If a school was closed, then the local authority would be able to support and redirect parents to a local school in the area that children were able to attend. The definition for vulnerable children and young people continued to be developed and finalised with officials internally until it was included in the guidance for the first time. The published definition was: "*vulnerable children include children who are supported by social care, those with safeguarding and welfare needs, including child in need plans, on child protection plans, 'looked after' children, young carers, disabled children and those with education, health and care (EHC) plans*".
- 3.45 By 20 March 2020, the vast majority of schools were closed to the majority of pupils and open to CCW and vulnerable children and young people. 1,052 schools had closed completely in England due to issues such as being unable to source supplies to

stay open, including basic cleaning products and toilet roll (Exhibit JK1/083 - INQ000056103).

- 3.46 DfE received 3,093 calls on the Coronavirus national helpline on 20 March 2020 and the number of DfE officials who were supporting the helpline increased further to 134, to help support the demand and to answer questions from the public.
- 3.47 Further guidance was published on 22 March 2020. The guidance, *COVID-19: school closures*, covered what schools needed to do during the COVID-19 outbreak whilst they were closed for most pupils (Exhibit JK1/084 - INQ000520194). Guidance was also released for EY titled *Coronavirus (COVID-19): early years and childcare closures* (Exhibit JK1/085 - INQ000519563) and FE, titled *maintaining education and skills training provision: further education providers* (Exhibit JK1/086 - INQ000542963).
- 3.48 In addition, following the agreement around the definition of vulnerable children on 19 March 2020, COVID-19 guidance was published jointly between DfE and PHE on 22 March 2020 to cover the process by which decisions were made as to whether children and young people with EHC plans were able to go to school. The guidance explained that vulnerable children and young people, including those with EHC plans, were generally expected to attend their educational setting, but only provided it was safe to do so (Exhibit JK1/087 - INQ000520192).
- 3.49 The Prime Minister announced the first national lockdown on 23 March 2020 (Exhibit JK1/088 - INQ000542940). To slow the spread of COVID-19, and to protect the NHS's ability to cope, it was requested that people stay at home and only leave under limited circumstances.
- 3.50 On 24 March 2020, to raise awareness about the advice on whether SEND children and young people should attend their setting (if they were eligible to do so), the Minister for Children and Families ("MfCF"), sent an open letter to the sector, asking for it to be circulated as widely as possible to children and young people with SEND and their parents/carers and families (Exhibit JK1/089 - INQ000542454). The letter included links to relevant guidance and outlined the guidance on risk assessments for children and young people with EHC plans. It set out that local authorities, nurseries, schools, special schools, colleges and other training providers should undertake risk assessments to establish the individual needs of each child or young person with an

EHC plan. This would then inform the decision about whether they should continue attending their education setting or whether their needs could be met at home safely.

- 3.51 On 26 March 2020, DfE officials recommended to SSE that the department issue interim guidance on remote delivery of education and signpost educational resources to support schools for as long as they needed to provide remote education to the majority of students. As part of this, DfE was developing a GOV.UK platform and an upgraded offer from the BBC (Exhibits JK1/090 - INQ000542455, JK1/091 - INQ000542456 and JK1/092 – INQ000542457). This was agreed by SSE the following day, with a request that the guidance should be available in approximately 10 days (Exhibit JK1/093 - INQ000542458), prior to the start of the summer term.
- 3.52 By the end of March 2020, Regional Education and Children’s Teams (“REACT”) were formed to enhance engagement between DfE, local authorities and academy trusts. Led by the most relevant RSC, REACT teams brought together DfE, Ofsted officials from across school improvement, children’s social care (“CSC”), SEND, ESFA, FE and EY. The teams aimed to provide a coordinated and efficient response to the challenges posed by the COVID-19 pandemic.

4. **Chapter 4: Late March 2020 to December 2020 - monitoring the impact of closing settings to the majority of pupils and the decision to reopen settings for transition year groups from 1 June 2020 and full reopening from autumn 2020**

4.1 This chapter provides a chronological overview of the monitoring activity that took place during the first lockdown and the actions taken by DfE which were informed by the overall monitoring activity. The monitoring activity included work to understand the epidemiological impact of children and young people attending educational settings during the first lockdown. Additionally, it included the monitoring of children and young people's attainment, safety, mental health and wellbeing, as well as the attendance of all children and young people, including vulnerable children. The attendance of vulnerable children is covered more fully in the first Corporate Statement provided by Fran Oram (Exhibit JK1/559 – INQ000587996). The chapter also sets out the decision to reopen settings for transition year groups from 1 June 2020 and full reopening from autumn 2020.

4.2 An overview of the actions taken by DfE is provided and, in some instances, actions that span over time are shown at the end of the month they started in. This maintains the chronological flow of the day-by-day actions while still showing the broader period of continuous actions.

4.3 In March 2020, as set out in paragraphs 3.21 to 3.30 above, a paper was presented by SSE at the Prime Minister chaired COVID-19 Strategy Meeting on 18 March 2020 (Exhibit JK1/070 - INQ000107248).

4.4 In putting this paper together, DfE ministers and officials had considered several factors around how children and young people would be affected by schools and colleges being closed to the majority of pupils, and what support would need to be put in place. As set out in the paper, these included consideration of options around how food could be provided for the 1.3 million children then eligible for FSM if they were unable to attend school. DfE officials recommended introducing a voucher scheme but also looked at payments made through the benefits system or cash payments to be made to families via MHCLG or directly to local authorities. The paper also looked, amongst other considerations, at how schools and colleges should provide remote learning to their pupils and the impact on children and young people with SEND, as well as on their parents and families. During this first period of setting closures, DfE

prioritised on-site attendance of vulnerable children and CCW recognising the need for regular and close engagement with local authorities and education and care settings. DfE also recognised the need to capture new information to understand the impact of the attendance restrictions and how many CCW and vulnerable children, including those with SEND were attending settings. REACT teams used their expertise to bring together intelligence, prioritise resources and assess the levels of risk relating to each local authority area in relation to the COVID-19 response, including a strong focus on vulnerable children and young people. Paragraph 3.52 provides further information on REACT. In addition to REACT, the DfE EY Team were in contact with local authorities to monitor and understand issues specific to EY settings.

- 4.5 DfE also sought to obtain quantitative data which had not been previously available. DfE asked education settings to provide attendance information for all children and young people, including the number of vulnerable children, via the Education Settings data collection (“EdSet”) form which launched the week commencing 23 March 2020. DfE also collected attendance data on EY children, including the number of vulnerable EY children attending, via a weekly local authority attendance data collection launched from the 16 April 2020 (Exhibit JK1/546 - INQ000624548). DfE used this data to monitor children and young people’s attendance in education and EY settings during the pandemic, sharing this data via daily sitreps (which later became weekly). These reports enabled DfE to better understand the attendance picture of children and young people, including vulnerable children. For the purpose of EY attendance data collection, the term ‘EY settings’ included: group-based providers (Ofsted-registered nurseries and pre-schools), school-based providers (any pre-school provision run by school governing bodies, nursery classes in schools and maintained nursery school provision) and Ofsted-registered childminders.
- 4.6 The attendance figures used below are taken from sitreps, which used EdSet data to monitor the attendance of all children, including vulnerable children, during attendance restriction periods and when settings fully reopened. Sitreps ended in January 2022. The sitreps used to provide data below were generally the first and last report of each month, however, when holiday periods fell during the first or last week of the month, the dates may differ. Data from mid-July to August for both 2020 and 2021 has not included as this would have been the summer break period for most settings.
- 4.7 On 27 March 2020, DfE published guidance *Coronavirus: safeguarding in schools, colleges and other providers* (Exhibit JK1/095 - INQ000519928). This guidance was

designed to support responsible bodies, proprietors, senior leadership teams and designated safeguarding leads in ensuring that any new policies and processes in response to COVID-19 were not weakening their approach to safeguarding, or undermining their child protection policy, and to remind them that they were still required to have appropriate regard to *Keeping children safe in education* legislation during the pandemic.

4.8 Whilst DfE officials were unable to complete an equality impact assessment (“EIA”) in advance of the 18 March 2020 announcement, the *COVID-19 school and other educational setting closures EIA* was developed afterwards and through April 2020 in order to ensure that the impacts on groups with protected characteristics were fully taken into account in the consideration of when and how to reopen settings to the majority of pupils (Exhibit JK1/096 - INQ000075415). Please note this is a final version of the EIA, showing tracked changes from earlier drafts. DfE officials considered several other factors, including:

- 4.8.1 The connection between ethnicity, disadvantage and attainment;
- 4.8.2 The impact of setting closures on attainment;
- 4.8.3 Challenging home working environments which were less conducive to home learning;
- 4.8.4 That pupils from ethnic minority groups could be more impacted by setting closures as almost 50% of children and young people from ethnic minority backgrounds grew up in low-income households, compared to just over 20% of white children and young people. DfE officials referred to internal findings from the DfE's *Longitudinal study of young people in England* research report (November 2014) (Exhibit JK1/097 - INQ000542401); and
- 4.8.5 The importance of local authorities working with settings, families and children and young people to carry out risk assessments to judge whether the child or young person's needs could be met safely at home.

4.9 DfE officials concluded that the decision to close settings would affect all pupils regardless of their protected characteristics. However, the impact on the educational

attainment and safety of children and young people with particular protected characteristics could be greater than on others.

- 4.10 On 1 April 2020, the daily sitrep estimated that around 1.4% of children were attending school. This equated to approximately 128,000 children, with 28,000 being considered vulnerable children. DfE estimated via the 1 April 2020 sitrep that circa 6% of vulnerable children were attending onsite provision. Initially, attendance rates within the sitreps were reported as a single percentage of vulnerable children with either an EHC plan or a social worker. This later changed to be separate percentages for those with an EHC plan and those with a social worker. The percentages are the proportion of that cohort of vulnerable children and are not a percentage of all vulnerable children (children with an EHC plan and with a social worker were the categories recorded via the online attendance tool, along with the number of CCW) (Exhibit JK1/098 - INQ000542891).
- 4.11 The 1 April 2020 sitrep incorporated intelligence from REACT on emerging issues gathered through meetings with local authorities. The REACT update advised that a key concern was vulnerable children, particularly those in secondary settings, who should be attending onsite provision but were not. The update advised that local authorities were planning to look at this emerging issue but that this indicated social care was likely to become a critical focus.
- 4.12 On 3 April 2020, DfE officials provided a scientific summary to SSE, ministers and other DfE officials. The summary included information on the impact of allowing settings to remain open to CCW and vulnerable children (Exhibit JK1/013 - INQ000541088). The summary set out that:
- 4.12.1 SAGE advised that the closure of settings to the majority of students, in combination with other measures, was keeping the transmission rate below one.
 - 4.12.2 SAGE did not recommend reopening schools fully after the Easter break as this would immediately increase the transmission rate and possibly take it above one.
 - 4.12.3 The exact role of children in transmission was still uncertain, and data in this area was lacking.

- 4.12.4 SAGE had observed that small numbers of children continuing to attend settings would reduce the efficacy of the intervention, but the impact would be marginal if numbers were small.
- 4.13 Models at this time did not allow for detailed opening scenarios to be run as they were not set up to do so.
- 4.14 On 7 April 2020, DfE published a resource list on GOV.UK that parents and schools could consider using to support education at home (Exhibit JK1/099 - INQ000542969). The publication advised that the initial compilation of online educational resources aimed to assist children in learning from home and could be useful for parents in considering how they could support their child's education. The resources included subject-specific materials for English, maths, science, PE, wellbeing, and SEND. The list was designed to cater to various contexts, considering factors such as technological capacity, staffing, and pupil demographics. This initiative was part of DfE's early efforts to facilitate remote education during the COVID-19 pandemic. Following interaction between DfE and the BBC, the BBC announced its education offer, which was endorsed by DfE (Exhibits JK1/100 - INQ000542870 and JK1/101 - INQ000542863).
- 4.15 On 9 April 2020, as DfE continued to monitor attendance during the holiday period as some settings began closing for Easter, the sitrep estimated that around 0.9% of children attended school, with 4% of vulnerable children attending, down from 1.4% and circa 6% respectively (Exhibit JK1/102 - INQ000542892). Data showed the breakdown of vulnerable children in attendance into those with an EHC plan and those with a social worker. Data showed that the lower rate of attendance had not been driven by a particular group as the proportion of both had fallen.
- 4.16 The 9 April 2020 sitrep sector update on vulnerable children provided a summary of progress on actions related to vulnerable children. This included the CO vulnerable children and young people delivery plan and data gathering on vulnerable children. The sector update on REACT virtual teams continued to raise the emerging issue regarding the attendance of vulnerable children. It also highlighted how vulnerable children could be encouraged to attend settings, noting that local authorities would welcome communications to support attendance. The attendance of vulnerable

children is covered more fully in the first Corporate Statement provided by Fran Oram (Exhibit JK1/559 – INQ000587996).

- 4.17 On 9 April 2020, the Children’s Task and Finish Working Group (“TFC”), a SAGE subgroup, held their first meeting after being set up to provide consolidated scientific health advice on the transmission of COVID-19 by children and within education settings to government. The TFC also informed DfE’s decision making on when and how to fully reopen education settings following the closure of settings to the majority of pupils in March 2020. DfE’s CSA was involved in setting up the TFC and attended meetings as both an observer and participant.
- 4.18 TFC participants were experts in a range of scientific disciplines but were not experts in education. As such, the TFC required input from DfE officials (Exhibits JK1/103 - INQ000542461 and JK1/104 - INQ000542462). DfE officials held the role of secretariat for the TFC, organising TFC meetings and linking TFC participants to relevant DfE policy and analytical officials, as well as mediating requests for clarification on DfE policy or data. DfE officials also provided reopening policy options that the TFC could base their research on.
- 4.19 Between 9 April 2020 and 9 February 2021, the TFC held 11 official TFC meetings (Exhibit JK1/105 - INQ000303292). Three meetings were held in April 2020: 20 April 2020 (Exhibit JK1/106 - INQ000542459), 23 April 2020 (Exhibit JK1/107 – INQ000542465) and 28 April 2020 (Exhibit JK1/108 - INQ000250974). DfE actions from the April 2020 TFC meetings included: providing data requested by the TFC, responding to clarification requests on DfE policy or data, and contributing to developing the TFC paper titled the *Interdisciplinary Task and Finish Group on the Role of Children in Transmission - Modelling and behavioural science responses to scenarios for relaxing school closures* (Exhibits JK1/104 - INQ000542462 and JK1/109 - INQ000542464).
- 4.20 From 17 April 2020 to 31 March 2022, DfE’s International Directorate provided a weekly bulletin of international intelligence and evidence reporting how other education systems were responding to COVID-19 (Exhibit JK1/110 - INQ000542562). These bulletins provided information to COVID-19 policy teams and analysts and prompted further follow-up discussions between the Permanent Secretary and ministers with their counterparts overseas. They were also used and welcomed by No.10, SAGE, OGDs and DAs.

- 4.21 On 19 April 2020, SSE announced a programme to provide devices and internet connectivity to vulnerable and disadvantaged children and young people to ensure they would be able to access home learning and stay in touch with the services they needed (Exhibit JK1/111 - INQ000542868). DfE officials and ministers worked to establish a programme, later known as the Get Help with Technology (“GHwT”) programme, during March and April 2020. Analysis from this work, estimated that there were 1.3 million children and young people aged under 19 who lacked access to an appropriate device that they could use for their continued education and/or social care support. This analysis was set out in the Get Help With Technology During the Coronavirus (COVID-19) Pandemic Full Business Case (Exhibit JK1/112 - INQ000542866). Chapter 5 of my second Corporate Statement (Exhibit JK1/215 - INQ000587978) provides detail on the GHwT programme.
- 4.22 The GHwT programme provided devices and internet connectivity to an initial 220,000 ‘children in need’ (those on a child in need plan, child protection plan or care plan), care leavers and disadvantaged pupils in year 10 that did not have access to a device and/or an internet connection. This initial batch of devices were sent to eligible children and young people from 15 May 2020, with 220,000 devices dispatched by 26 August 2020. The second Corporate Statement provided by Julia Kinniburgh (Exhibit JK1/215 – INQ000587978) provides further detail on remote education support.
- 4.23 On 20 April 2020, Oak National Academy (“Oak”) was launched as a sector-led response to the pandemic. It provided high quality national online teaching resources for all children and young people, with additional resources for SEND and alternative provision (“AP”) students. Ministerial engagement/decisions were crucial in the establishment and ongoing support of Oak, as well as the decision-making processes related to funding, content development and the overall strategy for remote education during the pandemic. DfE played a significant role in supporting the development of Oak, with representation on the board. Oak received conditional grant funding from DfE for summer term 2020 and the full academic year 2020 to 2021.
- 4.24 On 30 April 2020, the MfCF in collaboration with the Minister of State for Care, set out in a letter to all children and young people with SEND, their parents/carers and families, and others who supported them, that the risk must be judged to determine whether the child or young person’s needs could be more safely met at home or at their educational setting (Exhibit JK1/113 - INQ000542948). The letter recognised that:

“Some children and young people may be better off with the greater continuity and structure that education brings and that some of those with the most complex needs may need access to support that cannot be provided at home”.

- 4.25 On 30 April 2020, the sitrep estimated that around 2.1% of children attended school, with 12% of vulnerable children attending, up from 0.9% and circa 4% respectively as reported in the 9 April 2020 sitrep (Exhibit JK1/114 - INQ000542481).
- 4.26 On 30 April 2020, in preparation for SSE’s meeting with the Prime Minister on 1 May 2020, SSE sent advice from DfE officials on social distancing options to the Prime Minister (Exhibit JK1/115 - INQ000263376). The advice set out the proposal to bring back transition year groups (EY, reception, year 6, year 10 and year 12 pupils) from 1 June 2020, with some contact time for other year groups before the end of summer term 2020. This proposal would give the sector a minimum of three weeks to prepare, building in time for schools to plan and communicate with parents and for DfE to work with the sector to provide practical guidance to schools.
- 4.27 DfE officials considered the proposal to bring back transition year groups in light of the following factors:
- 4.27.1 Balancing competing priorities including managing the risk of an increase in transmission; securing children’s educational outcomes and wider wellbeing; and the economic benefits of supporting parents to return to work.
 - 4.27.2 Early discussions with the TFC regarding the role of children in the transmission of the virus.
 - 4.27.3 The feasibility of social distancing measures in settings, both in terms of how and if they could be achieved, and the challenge of delivering them within the physical constraints of the setting estate.
 - 4.27.4 Workforce availability - given social distancing in classrooms and the need to combine in-school and at-home learning, staff/pupil ratios were likely to be more demanding.

4.28 The advice recommended that SSE should start implementing a three-stage process of increased attendance over the coming weeks, dependent on receiving scientific advice from SAGE on 30 April 2020 informing the department that it was safe to do so and provided that the implementation of each of the proposed measures did not have an unacceptably adverse effect on transmission rates. The three stages proposed were:

- 4.28.1 Stage 1: reopening settings for children and young people in key education transition year groups.
- 4.28.2 Stage 2: ensure that towards the end of summer term 2020, every child and young person was seen by a member of staff for a short period of time before the summer holidays to provide reassurance, guidance on home learning and preparation for the start of autumn term 2020.
- 4.28.3 Stage 3: full reopening of settings in autumn 2020, with two options available dependent on scientific advice at the time:
 - 4.28.3.1 If the scientific advice indicated that it was safe to fully reopen settings, transition years would return at the start of term and other year groups would follow.
 - 4.28.3.2 If the scientific advice indicated that it was not safe to fully reopen settings, and substantial restrictions were still required, the numbers of children and young people attending settings would be restricted. This could be achieved through a rota system in order to maintain social distancing where possible.

4.29 Also on 30 April 2020, SSE received a submission from DfE officials on options for reopening EY settings on 1 June 2020 intended for consideration as part of discussions with CO, HMT and OGDs (Exhibit JK1/116 - INQ000542486). Alongside international comparisons, DfE officials set out four options for reopening EY settings (Exhibit JK1/117 - INQ000542485):

- 4.29.1 Option 1: full reopening, preferably at the end of July 2020.

- 4.29.2 Option 2: phased reopening for some children at the start of June 2020.
- 4.29.3 Option 3: full reopening, with a cap on the number of children allowed to attend at any one time.
- 4.29.4 Option 4: reopen to children of workers in specific sectors alongside vulnerable children and CCW.

4.30 The advice recommended that SSE consider, subject to SAGE and PHE advice, option 2: a phased reopening at the start of June 2020 for at least all three to four-year-old children who would be starting reception in September 2020, and their siblings, alongside CCW and vulnerable children. DfE officials advised that this model would return the children who would most benefit from early education, helping with school readiness and supporting the long-term educational outcomes for this group. It would minimise transmission risks by ensuring fewer children were physically in settings and enable some parents to return to work. Under this model, in most cases, providers would be financially better off opening. Following this, the advice also recommended that SSE consider planning for option 1; the full reopening for EY providers at the end of July 2020.

4.31 On 30 April 2020, the TFC presented the *Interdisciplinary Task and Finish Group on the Role of Children in Transmission - Modelling and behavioural science responses to scenarios for relaxing school closures* paper to SAGE ahead of SAGE 31 on 1 May 2020 (Exhibit JK1/118 - INQ000542495). The TFC also provided a summary paper titled *TFC: Modelling and behavioural science responses to scenarios for relaxing school closures, 1 May 2020* which SAGE considered during SAGE 31 on 1 May 2020 (Exhibit JK1/119 - INQ000074926). The TFC summary paper provided an assessment of different scenarios for the full reopening of settings. These scenarios looked at the following options:

- 4.31.1 To continue with current closures to the majority of pupils;
- 4.31.2 To have more vulnerable children and CCW attend;
- 4.31.3 To prioritise transition year groups;

- 4.31.4 To prioritise EY settings;
 - 4.31.5 For all primary pupils to return;
 - 4.31.6 For all secondary pupils to return;
 - 4.31.7 A number of half-time and half-class options; and
 - 4.31.8 To fully reopen.
- 4.32 The TFC summary paper concluded that the varied effects on the transmission rate depended on several factors and that further investigation would be needed.
- 4.33 In April 2020, DfE established the Schools Recovery Advisory Group ("SRAG") to support both the immediate pandemic response but also consider the impact of COVID-19 in the medium to long term (Exhibit JK1/120 - INQ000542900). CEOs of academy trusts, the Teaching Schools Hub Council, steering group members from the National Network of Parent Carer Forum, board members from the Young Camden Foundation and the Head of Education and Practice at Public First were invited to attend. Members were made up of representatives from the schools sector who were able to offer practical advice and discuss policy proposals to support schools. Members were consulted on an ad hoc basis.
- 4.34 In April 2020, DfE also established the vulnerable children and young people national board to ensure external voices were systematically part of the conversation when identifying risks and plans to mitigate the impact of the pandemic on vulnerable children and young people. Members included education and care system leaders to support a coherent system-wide response to vulnerable children and young people through the pandemic (Exhibits JK1/121 - INQ000497845, JK1/122 - INQ000497604 and JK1/123 - INQ000497842).
- 4.35 In April 2020, DfE increased funding to Childline (a service run by the NSPCC that supports children and young people under the age of 19 with counselling and advice) and included wellbeing resources and case studies as a key part of the remote education support offer on GOV.UK (Exhibit JK1/124 - INQ000542479).

- 4.36 From April to July 2020, in addition to meetings held at official level, SSE held weekly meetings with stakeholders, where the full reopening of settings was discussed. Attendees included representatives from the Association of Directors of Children's Services ("ADCS"), Ofsted, unions, the Office of Qualifications and Examinations Regulation ("Ofqual"), the Confederation of School Trusts and the Local Government Association, as well as DfE officials. Meeting agenda items included vulnerable children and staff, transition year groups, scientific advice including information on local outbreaks, transport, funding, FSM and testing. DfE officials also tested national guidance with stakeholders and unions to check what they would expect to be covered and what they would need clarity on to enable them to plan effectively.
- 4.37 From April 2020, DfE published several guidance documents to support the sector. This included information for parents and carers about the closure of settings to the majority of pupils as well as setting specific guidance and guidance on social distancing to help settings support safe provision for children and young people attending onsite provision. DfE published guidance for education settings and local authorities on how to support vulnerable children as well as guidance for CSC services and guidance on the national voucher scheme for those eligible to receive FSM under the FSM scheme. DfE published guidance on SEND to support the sector before temporary changes to certain aspects of the law on SEND were made (see paragraph 4.40 below). The M08-DFE-001 guidance spreadsheet submitted to the Inquiry on 22 November 2024 provides access to guidance published by DfE during this period (Exhibit JK1/125 - INQ000514482).
- 4.38 On 1 May 2020, following work by DfE officials, some aspects of the law on SEND changed temporarily. Various duties on local authorities, health commissioning bodies, education settings and other bodies in relation to EHC plans, including the provision of support and the timescales within which various processes in relation to new plans were to be completed, were amended to give greater flexibility because of the impact of COVID-19. These changes were:
- 4.38.1 The Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020 ("the 2020 Regulations"). This statutory instrument temporarily amended four sets of regulations that specified timescales that applied to local authorities, health commissioning bodies and others: principally for various processes relating to EHC needs assessments and plans. These changes lasted

until 25 September 2020, with SSE being under a duty to review the effectiveness of the 2020 Regulations prior to this date.

4.38.2 From 1 May to 31 July 2020, section 42 of the Children and Families Act 2014 (duty to secure special educational and health care provision in accordance with EHC plans) was modified by a notice from SSE issued under the Coronavirus Act 2020. During this period, local authorities and health commissioning bodies were required to use their 'reasonable endeavours' to discharge this duty, whereas previously the duties had been absolute.

4.39 On 1 May 2020, DfE officials also provided a scientific summary to SSE, ministers and other DfE officials (Exhibit JK1/126 - INQ000542496). This scientific summary included:

4.39.1 Consolidated TFC findings presented in the *Interdisciplinary Task and Finish Group on the Role of Children in Transmission - Modelling and behavioural science responses to scenarios for relaxing school closures* paper to SAGE for the SAGE meeting on 1 May 2020, (SAGE 31).

4.39.2 Information on reopening options, including the options to reopen for transition year groups and all year groups.

4.39.3 The latest SAGE advice on the wider impact of COVID-19, beyond reopening settings. These wider impacts related to educational achievement as well as mental health and wellbeing.

4.40 Alongside this, SSE received advice from DfE officials on the practicalities of fully reopening settings from 1 June 2020 (Exhibit JK1/127 - INQ000075407). The model for the return to full reopening used within this advice assumed that a full reopening would be incremental, rather than involving all year groups simultaneously, due to the necessity of maintaining social distancing measures.

4.41 On 1 May 2020, the Prime Minister and SSE met to discuss the full reopening of settings. DfE presented the lead option, which was for a staggered reopening for transition year groups (EY, reception, year 6, year 10 and year 12 children). At the meeting, the Prime Minister commissioned DfE to undertake further work to explore options to bring a greater number of year groups back to face-to-face education.

Options for consideration were to be drawn up at DfE's discretion but were to include an option for opening primary schools in full in a first phase (plus or minus additional transition years in secondary); an option which sought to maximise in-school time for all children within the constraints of the scientific advice and deliverability (i.e. rotas); and an option which envisaged a regional pilot scheme for full opening (Exhibit JK1/128 - INQ000075408).

- 4.42 On 4 May 2020, the sitrep estimated that around 2% of children attended school, with 12% of vulnerable children attending, compared to 2.1% and 12% respectively as reported in the 30 April 2020 sitrep (Exhibit JK1/129 - INQ000542491).
- 4.43 From 4 May 2020 until July 2022, DfE asked local authorities to complete a new data collection form, to ensure timely data on the national picture to increase understanding of the attendance of vulnerable children throughout England (Exhibit JK1/130 - INQ000497846). Information was initially collected in weekly waves but then moved to fortnightly and eventually monthly for the latter period of the pandemic. Local authority response rates were generally high with responses ranging from over 95% of local authorities in the first 15 waves (out of a total of 39) to 70% of local authorities in the final wave. Local authorities were asked several questions, including the attendance of vulnerable children including children in need, those on a Child Protection Plan ("CPP"), Children Looked After ("CLA") and those with an EHC plan (Exhibit JK1/131 - INQ000542873).
- 4.44 On 4 May 2020, DfE officials sent a submission to SSE setting out options for fully reopening settings (Exhibit JK1/132 - INQ000075409). DfE officials sent this paper, and its annex, to No.10 officials that same day (Exhibits JK1/133 - INQ000226713, JK1/134 - INQ000075411 and JK1/135 - INQ000226715). Within the submission, DfE officials considered a range of options split between those that assumed social distancing rules would remain in place and those that assumed social distancing rules would be removed. The options in the submission were:

- *"Options which assume social distancing rule is needed, at least initially (i.e. limiting numbers of children in schools)*
 - o transition years (early years, reception, y 6, 10, 12 incl. FE)*
 - o a rapid phased return option with transition years returning initially, and then ramping up attendance if science allows*

o Bringing back all primaries on a 2-week rota basis (with full return as soon as science allows)

- Options which assume no social distancing:

o Bringing back all primary schools at once

o a rapid phased return option with transition years returning initially, and then ramping up attendance if science allows (as above – but ramping up could be quicker under a scenario where social distancing requirements were removed, resulting in full primary return before the end of the summer term)

o Regional model (e.g. full primary but on a regional basis) o All secondary incl. FE”

4.45 Within the submission, DfE officials also provided advice on several areas related to the full reopening of settings, this included advising that:

4.45.1 Key drivers affecting the transmission of COVID-19 in schools included the age of the children involved, the numbers of children returning to settings and whether there was a system in place to break down the size of contact networks;

4.45.2 Evidence on children’s role in transmission was relatively weak but evidence that younger children (up to 11 to 13) were less susceptible to clinical disease was relatively strong;

4.45.3 Other countries had limited the number of pupils attending settings at any one time in order to support social distancing;

4.45.4 Overall expectations on the full reopening settings would be set out but setting leaders would be afforded some flexibility for implementation and delivery depending on local circumstances.

4.46 Within the submission, DfE officials also advised on the attendance of vulnerable children and CCW, explaining that the uptake of places had *“been lower than expected, though changes to our messaging since Easter has increased uptake of places by vulnerable children from 4% to 10%”*. This 10% figure had been identified in the 23 April 2020 sitrep (Exhibit JK1/136 - INQ000542473) and had increased to 12%

in the 30 April 2020 sitrep (see paragraph 4.26). The government looked for ways to adapt messaging to encourage greater attendance. By way of example, on 21 April 2020, SSE wrote to all local authority Council Leaders, Chief Executives and Directors of Children's Services continuing to ask for support to ensure the most vulnerable children and young people continue to be supported and cared for, reiterating that educational settings remain open and safe for those children (Exhibit JK1/052 - INQ000540874). On 14 May 2020, MfCF approved updated guidance on supporting vulnerable children (Exhibits JK1/137 - INQ000542498 and JK1/138 - INQ000542499). The updated guidance, published on 15 May 2020, emphasised that vulnerable children across all year groups were expected to attend educational provision where it was appropriate for them to do so. The guidance also provided actions that education providers should take to support vulnerable children back into education (Exhibit JK1/139 - INQ000519888). Paragraphs 3.40, 3.70 and 5.15 of the first Corporate Statement provided by Fran Oram (Exhibit JK1/559 – INQ000587996) provides detail on encouraging the attendance of vulnerable children.

- 4.47 On 5 May 2020, the Prime Minister, the Chancellor, SSE, special advisers and SCSs attended an education strategy meeting to discuss further school reopening. The day before, CO officials had sent DfE a paper setting out options for full reopening in table format, including scenarios which assumed options for both no social distancing and 2 metre social distancing, to discuss at the meeting (Exhibits JK1/140 - INQ000075412 and JK1/141 - INQ000075413). The paper included a full range of options, from maintaining the existing position of keeping settings closed to the majority of pupils to full reopening, as well as a proposal to start by bringing back transition year groups. As set out in the former SSE's Module 2 Witness Statement dated 7 September 2023, no decision was taken at this education strategy meeting (Exhibit JK1/142 - INQ000268013).
- 4.48 Also set out in the former SSE's Module 2 Witness Statement dated 7 September 2023, Sir Gavin Williamson CBE stated that on 9 May 2020, No.10 officials informed SSE that the Prime Minister had "*made the unilateral decision*" to publicly announce the ambition to get all primary school children back before the start of the summer holidays the next day.
- 4.49 On 10 May 2020, the Prime Minister announced that the government would be advising EY settings, schools and colleges to prepare to welcome back more pupils and students from 1 June 2020, provided the scientific advice at the time indicated that

it was appropriate to do so (Exhibit JK1/143 - INQ000065338). The Prime Minister explained that there would be a phased reopening of settings starting with reception, year 1 and year 6 and that there was an ambition for all primary pupils to return before the end of the summer term 2020. Secondary schools and FE settings were to offer some face-to-face support to supplement the remote education of year 10 and year 12 students, and equivalent 16 to 19 FE students who were due to take key exams and assessments in 2021, alongside the full-time provision they were offering to priority groups in all years.

- 4.50 On 11 May 2020, CO published *Our plan to rebuild: The UK Government's COVID-19 recovery strategy*; a guidance document which outlined the government's five steps to recovery that would apply in England from 13 May 2020. On schools, the guidance indicated that while the country was in step 1 of recovery, the rate of infection was too high to allow the full reopening of schools for all pupils. However, it advised that local authorities and schools should urge all children, particularly vulnerable children and CCW, who would benefit from attending settings in person, to do so (Exhibit JK1/144 - INQ000542931).
- 4.51 The same day, DfE published *Coronavirus (COVID-19): implementing protective measures in education and childcare settings*, which advised that, due to efforts made to adhere to social distancing, the transmission rate was decreasing at such a rate that DfE anticipated transition groups would be able to return to settings from 1 June 2020 (Exhibit JK1/145 - INQ000519981). The guidance made clear that this could only be achieved if the government's five tests for easing measures (protecting the NHS's ability to cope, a sustained and consistent fall in deaths, a decreasing rate of infection, operational challenges being in hand, and no risk of a second peak), which formed part of the government's roadmap, were met. As a result, DfE asked settings to plan on that basis, ahead of confirmation that the tests had been met.
- 4.52 The guidance stated that, in returning pupils gradually, settings could initially reduce the number of children and young people in classrooms compared to the usual numbers and put protective measures in place to reduce risks. The guidance also provided advice about class or group sizes and set out steps for settings to consider on how to implement protective measures, including social distancing, ahead of 1 June 2020.

4.53 On 13 May 2020, SSE made a written ministerial statement to Parliament to provide an update on the reopening of settings for the majority of pupils (Exhibit JK1/146 - INQ000542880). SSE stated:

“If progress continues to be made we expect that, from 1 June at the earliest, we will be able to begin a phased return to school, college and childcare for children and young people in key transition years, alongside the priority groups currently eligible to attend:

- *Primary schools in England will be able to welcome back nursery, reception, Year 1 and Year 6 children, in smaller class sizes.*
- *Nurseries and other early years providers, including childminders, will be able to begin welcoming back children of all ages.*
- *Secondary schools and colleges will be able to provide some face-to-face support for Year 10, Year 12, and 16-19 college students who are due to take key exams and assessments next year.”*

4.54 On 15 May 2020, the Prime Minister and SSE held a meeting where SSE explained DfE’s plan to implement the phased reopening for transition year groups from 1 June 2020, as announced by the Prime Minister on 10 May 2020 (Exhibit JK1/147 - INQ000075414). During this period of DfE planning for the implementation of the Prime Minister’s announcement, DfE had continued to review the scientific advice and epidemiology data. SSE set out the challenges and the potential need to delay the ambition that all primary pupils would be in school by the end of the summer term if infection levels were not low enough to enable a change in social distancing advice and/or increase sizes of groups being taught together on school premises.

4.55 On 17 May 2020, DfE published a document titled *Overview of scientific advice and information on COVID-19* (Exhibit JK1/148 - INQ000542500). This document highlighted that the levels of infection and transmission by children was not fully understood but there was no evidence to suggest that children transmitted the virus any more than adults and some studies suggested younger children might transmit less. This evidence was mixed and provided a low degree of confidence at best.

4.56 On 20 May 2020, SSE received a paper focussed on EY setting reopening as part of a wider submission on reopening settings for transition year groups from June 2020 (Exhibit JK1/149 - INQ000075423).

4.57 Within the paper, DfE officials assessed the impact of returning children to EY settings and concluded that evidence was consistent on the benefits of early education to children's learning and development, particularly for the most disadvantaged children with a less enriching home environment than their peers. Within the EY analysis, DfE officials stated:

"In April, a survey of parents of 0-4 year olds found that families in the most deprived areas were less likely to read or look at books with their children at least once a day (61%), compared to those living in the least deprived areas (77%). Similar trends were found on other home learning activities (e.g. numeracy-based play and learning) during COVID-19, meaning a disadvantage gap will be emerging in frequency of learning at home."

4.58 This was discussed at a meeting chaired by CO between ministers, officials and independent advisers on 21 May 2020, DfE actions from the meeting included (Exhibit JK1/150 - INQ000542506):

- 4.58.1 Sharing DfE projections of take up for early years and operational delivery plans with the secretariat and CO Programme Management Office.
- 4.58.2 Ensuring guidance and operational plans aligned with the testing approach to ensure clear and consistent messaging.
- 4.58.3 Collaborating with DfT to confirm transport plans to support the phased reopening of settings from 1 June 2020.

4.59 On 21 May 2020, the sitrep generated ahead of the May 2020 half term holiday, estimated that around 2.7% of children attended school with 16% of vulnerable children attending, up from 2% and 12% respectively as reported in the 4 May 2020 sitrep (Exhibit JK1/151 - INQ000542502). The sector update on vulnerable children provided a summary on each of the four internal vulnerable children and young people delivery plan strands, attendance being one of the updated strands in the report.

4.60 On 24 May 2020, the government issued a press release announcing that a phased full reopening of settings was on track to begin from 1 June 2020 (Exhibit JK1/152 - INQ000075727). This was provided that the government's five 'roadmap' tests were

met by 28 May 2020. The press release stated that government would continue to consider all the evidence and advised that guidance had been published on how settings could open further in a way that was safe for children, teachers and parents, acknowledging that some settings might not be able to take these steps immediately. The second Corporate Statement provided by Susan Acland-Hood dated 12 June 2025 (Exhibit JK1/562 – INQ000587823) provides a full account of DfE’s external engagement and communications.

- 4.61 On 28 May 2020, SSE received advice and supporting evidence from DfE officials on the phased full reopening of settings from 1 June 2020 (Exhibit JK1/153 - INQ000075416). The advice contained several submissions, including the *School opening ministerial submission* (Exhibit JK1/154 - INQ000075445). Within this submission, DfE officials recommended a phased return and advised that certain transition year groups be welcomed back from 1 June 2020, however, secondary schools would not be able to welcome children back before 15 June 2020. The submission set out a summary of the scientific advice underlying the policy assumptions and stated that SAGE had indicated that a phased approach would be needed to limit the risk of increasing the rate of transmission (often referred to as R) above 1. DfE officials advised that decisions on the steps to full reopening from 1 June 2020 would need to “*sit as part of wider government considerations about the next phases of easing lockdown measures, as set out by the Prime Minister in the Roadmap*” (entitled *Our plan to rebuild*) (Exhibit JK1/155 - INQ000542930).
- 4.62 Within the *School opening ministerial submission*, DfE officials also set out the proposal to reopen settings for transition year groups and cited data from the vulnerable children and young people’s survey to show that just under half of children in need and in care, and 4/5 of children on child protection plans, were reported to have interacted with social workers during the previous two weeks. The vulnerable children and young people’s survey was conducted from 4 May 2020 until July 2022. The collection covered information on the number of looked after children, children in need, and children with protection plans who were contacted by social care services in the last four weeks; the number of social care workers who were able to work in their usual way; and the number of children who became a looked after child. This data collection helped DfE quantify the impact of COVID-19 on these particular groups of vulnerable children and young people.

- 4.63 The survey data used within the *School opening ministerial submission* showed that referrals to local authority CSC had dropped by 18% compared to a three year average of the same week (2016 to 2018) and a total of 318 children started to be looked after the previous week, a drop of 48% compared to a three year average of the same week (2016 to 2018), though noting that there had been a general downward trend in the number of children starting to be looked after in recent years. Data relating to vulnerable children is covered more fully in the first Corporate Statement provided by Fran Oram (Exhibit JK1/559 – INQ000587996).
- 4.64 On 28 May 2020, SSE also received *Annex A – further detail on proposals for wider opening advice* from DfE officials, as part of a wider submission on reopening settings for transition year groups (Exhibit JK1/156 - INQ000075417). Annex A set out DfE's preferred option of phased return; that from 1 June 2020 primary schools should welcome back children in nursery (where applicable), reception, year 1 and year 6, alongside the provision offered to CCW and vulnerable children and young people, on a full-time basis. Secondary schools should begin welcoming back all pupils in years 10 and 12 from 15 June 2020 for some face-to-face contact and FE settings should offer face-to-face contact to 16- to 19-year-olds on the first year of a two-year study programme.
- 4.65 On 28 May 2020, SSE also received a *COVID-19 childcare, school and other educational settings wider opening EIA* from DfE officials, as part of a wider submission on reopening settings for transition year groups (Exhibit JK1/157 - INQ000075443). The EIA highlighted the reason why the return for transition year groups had been considered the preferred option. DfE officials noted within the EIA that children in nursery, reception, and year 1 were prioritised for return due to the importance of early childhood education for cognitive, social, and emotional development as children in these years were mastering the essential basics, including counting and the fundamentals of reading and writing, and learning to socialise with their peers. Children in year 6 were also prioritised as this is a key transition year before moving to secondary school and at this stage, children would benefit from time with their peers and teachers to ensure they were prepared to move on. DfE officials also noted that, particularly for disadvantaged students, performance could drop during this transition, making year 6 essential for reinforcing learning. Year 10 and year 12 students were selected because they had the shortest amount of time to make up for lost learning before taking exams that would affect future opportunities and were most at risk of falling behind due to time out of school or college.

4.66 Within the EIA, DfE officials assessed whether the decision to fully reopen settings from 1 June 2020 would have a disproportionate impact on individuals with protected characteristics and stated that:

“Educational and equity: Missing education has a disproportionate impact of disadvantaged children:

- *Children and young people in better off families have more hours of learning per week on average and are more likely to have access to their own study space.*
- *In unpublished analysis, the Education Endowment Foundation (EEF) estimates that the attainment gap will grow by between one month to three months every 10-week period without school. This suggests returning children to school sooner will help to mitigate this negative impact - reducing the amount of time it would take disadvantaged pupils to ‘catch up’ to the level of their better off peers.”*

4.67 DfE officials concluded within the EIA that it was important to get children and young people back into face-to-face education as soon as it was judged to be safe to do so because it was the best place for them to learn, and important for their mental wellbeing.

4.68 On 28 May 2020, SSE also received an evidence narrative from DfE officials, as part of a wider submission on reopening settings for transition year groups (Exhibit JK1/158 - INQ000075422). DfE officials summarised the current evidence around COVID-19 and the further reopening of settings in relation to science, education, economy, welfare and delivery. DfE officials stated that:

4.68.1 As of 5 May 2020, it was estimated that 13% (76,000) of vulnerable children attended their school setting. DfE officials considered that there would be an increased risk of harm to some vulnerable children when isolated with their families and not attending settings.

4.68.2 Early research on the impact of COVID-19 on children and young people with mental health needs suggested that 24% of children and young people were no longer accessing mental health support that

had been in place, and 30% to 40% of parents who had been home schooling agreed that home schooling had negatively affected their child's wellbeing.

- 4.68.3 The Institute for Fiscal Studies ("IFS") survey of 4,000 parents found that children and young people spent around five hours a day on home learning, but children and young people in households in better off families had more hours of learning on average (Exhibit JK1/159 - INQ000542946). The IFS study also showed that gaps in access to technology were more pronounced in primary schools and access to study space differed depending on household income.
- 4.69 That same day, SSE agreed with the preferred option of a phased reopening of settings for the majority of pupils from 1 June 2020 and noted the risks (Exhibit JK1/160 - INQ000075446).
- 4.70 Also on 28 May 2020, the Prime Minister announced at a COVID-19 press conference that all five of the tests which needed to be met before adjusting lockdown had been met and so a phased full reopening of settings would begin from 1 June 2020 (Exhibit JK1/161 - INQ000551632).
- 4.71 In May 2020, DfE participated in and also commissioned work to understand the impact of partial closures on children and young people. This included participating in a PHE study and commissioning research to help understand children and young people's experiences. The PHE study in preschools and primary schools, later known as the *Prospective active national surveillance of preschools and primary schools for SARS-CoV-2 infection and transmission in England, June 2020 - COVID-19 Surveillance in School KIDs* ("sKIDs") aimed to develop evidence on the extent to which extended opening of education settings from June 2020 would increase prevalence of the virus in children and adults who worked with children, as well as risks associated with transmission through children (Exhibit JK1/162 - INQ000542507). On 5 June 2020, SSE advised that he was content for DfE to be involved in the PHE sKIDs study (Exhibit JK1/163 - INQ000542509).
- 4.72 DfE commissioned Ipsos Mori, a market research organisation, to conduct research to understand young people and parents' experiences over spring and summer 2020 (Exhibit JK1/164 - INQ000542945). Given the rapidly evolving nature of the COVID-19

pandemic and the impact of lockdown and other government measures on children and young people and parents, DfE commissioned two waves of surveys from May 2020 to July 2020 to research how the pandemic had been affecting these groups.

4.73 The surveys were intended to provide immediate information on a number of topics including remote education, attendance, and mental health and wellbeing. In summary, findings included:

4.73.1 Primary parents/guardians reported that their child was spending an average of three hours on learning at home each day. Secondary pupils reported undertaking three and a half hours of home learning on average each day.

4.73.2 For parents whose child had returned to school during the survey period, 64% of primary parents and 55% of secondary parents reported that their child was finding it easy to adjust to new COVID-19 measures at school (e.g. handwashing, keeping distance from others, smaller groups, timetable changes). Around 12% of primary parents and 18% of secondary parents reported that their child was finding it difficult to adjust to the new measures.

4.73.3 36% of primary parents/guardians reported that they had looked for information on how to look after their child's mental health and wellbeing during lockdown.

4.74 In May 2020, £10 million on top of an existing £27.3 million, was allocated by DfE to Family Fund to provide additional support for low-income families of disabled children and young people, helping parents to educate and look after disabled or critically ill children who were staying at home more than usual (Exhibit JK1/165 - INQ000542958). Family Fund is a UK charity that provides grants and services to families on low incomes who are raising disabled or seriously ill children and young people. During the pandemic, these grants were used to pay for goods and services such as items supporting children's' education and learning; technology, extending to adaptive technologies; sensory toys and equipment; games and books; the opportunity to use outdoor areas more fully; and the necessary equipment to recreate the school or college's physical education setting.

- 4.75 In May 2020, DfE signposted technology support, Oak and the Hungry Little Minds campaign, as well as details on resources for SEND pupils, to educational providers and local authorities, along with advice on supporting vulnerable children and young people's learning via home education. This was done via an update to the guidance *Supporting vulnerable children and young people during the coronavirus (COVID-19) outbreak - actions for educational providers and other partners* (Exhibit JK1/139 - INQ000519888).
- 4.76 From May 2020, DfE issued guidance with advice for clinically vulnerable and immunocompromised children and young people (Exhibits JK1/166 - INQ000542889 and JK1/167 - INQ000542525). DfE worked closely with DHSC, PHE (which became the UK Health Security Agency ("UKHSA") in April 2021) and others to ensure that all children, including those who were clinically vulnerable or immunocompromised (or living with someone who fell under this classification), could return to and/or remain in their education setting during the pandemic. DfE officials worked with PHE and others on the guidance and secured PHE's agreement on the guidance.
- 4.77 On 1 June 2020, the phased reopening of settings began for children in nursery (where applicable), reception, year 1 and year 6, alongside the provision offered for CCW and vulnerable children and young people, on a full-time basis.
- 4.78 On 4 June 2020, DfE launched the first wave of the Alternative Provision Transition Fund to provide funding for AP settings to keep their year 11 pupils engaged in education and ensure they were supported into sustainable post-16 settings. DfE recognised that year 11 pupils, in AP settings in particular, were at higher risk of becoming disengaged from their education, especially with the cancellation of exams for summer 2020. At the same time, DfE published accompanying guidance (Exhibit JK1/168 - INQ000542959) and MfCF wrote an open letter to those working in the AP sector about this fund and asked AP settings to follow the same principles and guidance as mainstream schools (Exhibit JK1/169 - INQ000542508).
- 4.79 On 9 June 2020, SSE gave a statement to Parliament regarding the next phase of reopening settings from 15 June 2020, as part of the government's response to the pandemic. SSE addressed concerns from some settings, particularly in areas such as the north-west which were experiencing high rates of local transmission, advising that, according to SAGE, the estimated transmission rate for the whole of the UK was below 1 at that time. SSE explained that if it became the case that robust data showed that local action needed to be taken, the government would not hesitate to do so but

emphasised that this was not presently the case, which allowed for the next phase of reopening to go ahead from 15 June 2020 (Exhibit JK1/170 - INQ000542929).

- 4.80 On 10 June 2020, at a COVID-19 press conference, the Prime Minister advised the public that the rate of infection was not yet low enough to change social distancing advice and so it would not be possible for all primary pupils to return to school before the end of the summer term (Exhibit JK1/171 - INQ000075728). The Prime Minister expressed the intention to fully reopen settings by autumn 2020, provided the rate of infection continued to fall.
- 4.81 From 11 June 2020, SSE chaired three cross governmental 'Educational Institution' meetings set up to develop proposals for the full reopening of settings in autumn 2020. Regular attendees included senior officials from DfE, HMT, DHSC, PHE, Department for Transport ("DfT"), Home Office ("HO"), Chief Medical Officer ("CMO"), government CSA and No.10.
- 4.82 On 11 June 2020, the first of these 'Educational Institution' meetings was held to agree next steps for full reopening in autumn 2020, establish how to address potential constraints and agree actions to enable an announcement by the end of June 2020 (Exhibits JK1/172 - INQ000075677 and JK1/173 - INQ000542528). Actions included:
- 4.82.1 Exploring the changes required to social distancing measures in settings to allow for the return of all pupils;
 - 4.82.2 Establishing the steps needed to agree changes to social distancing measures;
 - 4.82.3 Planning how to provide continuity of education should local lockdowns take place, particularly for vulnerable children and CCW;
 - 4.82.4 Setting out incentives for people to change their transport behaviour;
 - 4.82.5 Producing draft guidance for an autumn 2020 return covering full reopening and fall-back scenarios.
- 4.83 On 11 June 2020, following the phased reopening of settings for children in nursery (where applicable), reception, year 1 and year 6, alongside the provision offered for CCW and vulnerable children and young people from 1 June 2020, the sitrep provided

estimated attendance figures. The sitrep estimated that around 12% of children in nursery, 20% of children in reception, 18% of children in year 1 and 24% of children in year 6 attended (Exhibit JK1/174 - INQ000542512).

- 4.84 From 15 June 2020, secondary schools and colleges were able to provide some face-to-face support for year 10, year 12 and 16 to 19 FE students due to take key exams and assessments (with later flexibility to offer the equivalent to older learners taking the same exams). Providers of wraparound childcare for school age children could open if they were on a school or EY site, for the children attending that setting. From this date, additional flexibility was also announced for primary schools to welcome back more children if they already had provision available for CCW, vulnerable children and those in nursery, reception, year 1 and year 6, and could accommodate more children whilst following principles in protective measures guidance and their own risk assessment (Exhibit JK1/175 - INQ000519949).
- 4.85 On 18 June 2020, the second Education Institutions meeting took place, and the agenda covered the *C19-Strategy* paper and transport (Exhibit JK1/176 - INQ000542527). Scenarios set out in the *C19-Strategy* paper were discussed alongside the work being carried out to estimate the impact of the transmission rate from September 2020 through to Christmas to enable ministers to decide on how to proceed in the new year. It was emphasised that the full reopening in autumn 2020 was dependent on increased transport capacity and the introduction of little or no social distancing.
- 4.86 On 19 June 2020, SSE attended a Covid S meeting with the Prime Minister to discuss DfE proposals to fully reopen settings in autumn 2020 (Exhibit JK1/177 - INQ000088284). The Prime Minister stated that the aim of this meeting was to ensure that plans were in place to get every eligible child back into school and emphasised that there was a social imperative to allow children to make up for lost time in education. SSE presented advice that had been prepared by DfE officials and circulated prior to the meeting which set out DfE's objectives and the steps taken to prepare for the full reopening of settings in autumn 2020.
- 4.87 SSE sought approval for the steps DfE was taking to prepare for the full reopening of settings, as well as the contingency plans that should be prepared in the event that this was not possible (Exhibits JK1/178 - INQ000263377 and JK1/179 - INQ000088237).

- 4.88 SSE emphasised that the understanding of the role that children and young people played in transmitting the virus continued to evolve and while some studies suggested younger children (0 to 13) might transmit the virus less, evidence at this time was mixed and provided a low degree of confidence at best. SSE set out a plan for DfE to continue to strengthen its understanding of the role that children and young people played in transmission by monitoring the impact of wider opening of settings, via COVID-19 related instances and a small-scale serology study testing incidence in schools, but advised these were unlikely to produce definitive evidence in time to inform initial policy decisions on September plans.
- 4.89 SSE presented two main options: an option for a full reopening in autumn 2020 and a fallback option for a partial return, should circumstances require. The paper set out the policy and operational response to a return in autumn 2020 if social distancing continued to be required. The response involved maintaining distinct groups or 'bubbles' that did not mix. Paragraphs 4.111 and 4.112 provide further information on 'bubbles'.
- 4.90 The Prime Minister agreed to SSE's plan and emphasised that there was a strong determination to get children back in all settings at the beginning of autumn 2020 term. It was decided that schools that were not already open should be compelled to do so and the fallback plan should be worked up but not publicly announced. The message should be clear that there would be a full reopening of settings, and DfE should create a fully worked up plan to achieve this, including how local lockdowns and the relationship between settings and the Joint Biosecurity Centre ("JBC"), a scientific body which provided government with evidence-based, objective analysis, assessment and advice to inform decision-making, would work (Exhibit JK1/180 - INQ000088241).
- 4.91 On 19 June 2020, following the conclusion of the Covid S meeting, SSE made a statement to Parliament advising that all settings would return to full attendance from autumn 2020, with guidance to follow in the coming weeks (Exhibit JK1/181 - INQ000075718).
- 4.92 On 25 June 2020, the third and final Education Institutions meeting was held (Exhibit JK1/182 - INQ000542529). The meeting covered scientific modelling, with updates given on the hierarchy of controls and the possible impact of a full reopening in autumn 2020. There was an update to the guidance prepared for the sector by DfE, with discussions about the possible consequences of a return on transport capacity,

triggers for self-isolation and school closures, and expectations for attendance (Exhibits JK1/183 - INQ000542533 and JK1/184 - INQ000542532).

- 4.93 On 30 June 2020, following the phased return of some face-to-face support for year 10, year 12 and 16 to 19 FE students due to take key exams and assessments from 15 June 2020, the sitrep provided estimated attendance figures. The sitrep estimated that around 23% of children in nursery, 39% of children in reception, 37% of children in year 1 and 44% of children in year 6 attended, up from 12%, 20%, 18% and 24% respectively as reported in the 11 June 2020 sitrep (Exhibit JK1/185 - INQ000542536). The sitrep also estimated that 14% of children in year 10 and 12% of children and young people in year 12 attended.
- 4.94 On 30 June 2020, MfCF and the Minister for Crime, Safeguarding and Vulnerability wrote jointly to Police and Crime Commissioners and Directors of Violence Reduction Units. This letter encouraged ongoing collaboration across organisations to help identify vulnerable children and young people and support their school attendance (Exhibit JK1/186 - INQ000540904).
- 4.95 On 30 June 2020, SSE received advice from DfE officials on the full reopening of settings in autumn 2020. The advice included an *Opening of schools in September 2020* submission (Exhibit JK1/187 - INQ000075458), a document detailing the *Lead Planning Scenario* (Exhibit JK1/188 - INQ000075459), draft guidance (Exhibit JK1/189 - INQ000075457) and COVID-19: childcare, school and other educational settings wider opening EIA covering the departmental approach to reopening settings to all pupils in all year groups from autumn 2020 (Exhibit JK1/190 - INQ000075456).
- 4.96 Within the *COVID-19: childcare, school and other educational settings wider opening* EIA, DfE officials set out the approach to full reopening in autumn 2020 and advised that returning to education full time, as soon as possible, was:

“the most important step in making up for lost time in the previous academic year, for pupils either in year groups that have not been eligible for face-to-face provision or who were but did not attend”.

- 4.97 Within the EIA, DfE officials went on to advise that DfE did not intend to set out prescriptive rules that settings must follow, rather, in line with the wider national approach at the time, DfE would issue guidance that set out the range of interventions that settings could consider. DfE guidance was based on the latest scientific and public

health advice as well as being consistent with other parts of society. The second Corporate Statement provided by Susan Acland-Hood (Exhibit JK1/562 – INQ000587823) provides a full account of DfE’s responsibilities and DfE’s external engagement and communications.

- 4.98 DfE officials considered the risks involved in the full reopening of settings and concluded overall that any negative impacts of the full reopening of settings were outweighed by the positive impacts.
- 4.99 The draft guidance, included within the 30 June 2020 submission, identified the key legal obligations imposed on employers under health and safety law, in particular setting out the PHE endorsed system of controls that settings would be expected to adopt in accordance with PHE advice to address the risks identified in their own risk assessments, which worked for their setting, and which allowed them to deliver a full educational experience.
- 4.100 Within the *Opening of schools in September 2020* submission, DfE officials set out the considerations SSE should note ahead of full reopening in autumn 2020 and DfE publishing operational guidance for settings. These considerations included:
- 4.100.1 The continuation of social distancing;
 - 4.100.2 The availability of home to setting transport;
 - 4.100.3 Cost pressures from education estate modification; and
 - 4.100.4 The endorsement of operational guidance for settings from the CMO and PHE.
- 4.101 DfE officials concluded that a full reopening would be an “*important step back towards normal life for many children and families. We know it is vital for children’s education and for their wellbeing. Time out of school is detrimental for children’s cognitive and academic development*”. DfE officials also concluded that settings were a vital point of contact for public health services, safeguarding and other initiatives. This included access to mental health support, vaccinations, special therapies, FSM, physical activity and EY services. SSE noted the operational guidance and advice.

- 4.102 Within the submission, DfE officials recommended that SSE approve the draft guidance for schools, note the scientific and analytical advice, alongside equalities considerations, and agree that draft guidance should be issued and published for proposed triple lock clearance (a clearance process that required documents to be signed off at official level by No.10, DHSC/UKHSA and Government Digital Service (“GDS”)) ahead of publication on 2 July 2020.
- 4.103 SSE noted the assumptions underlying the guidance and advice, including the assessment made in the EIA on 3 July 2020. SSE advised that he was content for the guidance to go through triple lock (Exhibit JK1/191 - INQ000075455).
- 4.104 Throughout this period, DfE worked closely with PHE to help limit the exposure risk. Guidance published by DfE in May 2020 and June 2020 set out interventions that built on the PHE endorsed system of controls and protective measures that had been in use throughout the COVID-19 outbreak. The protective measures were to limit the risk of transmission and create an inherently safer system for children and young people attending settings during closure periods. These measures also sought to enable as many children and young people as possible to return to their setting when settings further reopened (Exhibits JK1/145 - INQ000519981, JK1/192 - INQ000519980 and JK1/193 - INQ000542955).
- 4.105 In June 2020, SSE and the Prime Minister agreed to launch a package of measures to support children and young people to make up for lost time in education (Exhibits JK1/194 - INQ000542845, JK1/195 - INQ000542846, JK1/196 - INQ000542847, JK1/197 - INQ000542849, JK1/198 - INQ000542850 and JK1/199 - INQ000541081). The package of measures SSE and the Prime Minister agreed on 16 June 2020 and announced on 19 June 2020, included a National Tutoring Programme (“NTP”) and a ‘universal catch up premium’ to support EY settings, schools and 16 to 19 providers to offer additional support to children and young people.
- 4.106 The ‘universal catch up premium’ funding would be shared across state funded primary and secondary schools over academic year 2020 to 2021 to support pupils, recognising that all young people have lost time in education as a result of the COVID-19 outbreak, regardless of their income or background. Through the catch-up premium, mainstream schools received £80 per pupil. This would amount to £16,000 for a typical primary school with 200 pupils, and £80,000 for a typical secondary school with 1,000 pupils (Exhibit JK1/200 - INQ000542973). Special schools, special units in

mainstream schools, AP and hospital schools received £240 per pupil for the academic year 2020 to 2021, reflecting the specific needs of children and young people with SEND in specialist settings and those in AP.

- 4.107 The NTP aimed to increase access to high-quality tuition for the most disadvantaged children and young people over academic year 2020 to 2021. It consisted of two pillars: tuition partners and academic mentors. State-maintained primary and secondary schools in England could access tuition from approved tuition partners, with the cost subsidised by DfE, to reach and provide tuition to as many disadvantaged pupils as possible. Schools in the most disadvantaged areas were supported to employ in-house academic mentors to provide intensive catch-up support to their pupils. The package of measures announced on 19 June 2020 confirmed that the government would provide £350 million towards the cost of the programme.
- 4.108 Alongside this, on 1 July 2020 SSE agreed that, in addition to the devices already procured, 133,000 further devices should be procured for a reserve pool which was expected to cover up to 15% of disadvantaged primary and secondary school children (Exhibit JK1/201 - INQ000542541). The second Corporate Statement provided by Julia Kinniburgh (Exhibit JK1/215 – INQ000587978) provides further detail on remote education support.
- 4.109 On 2 July 2020, SSE announced the full reopening of schools, colleges and nurseries for all children and young people in September 2020 (Exhibit JK1/202 - INQ000541143).
- 4.110 On 2 July 2020, DfE published guidance to support settings to prepare for a full reopening (Exhibit JK1/203 - INQ000542954). DfE worked with DHSC and PHE to develop this guidance. The guidance included recommendations on hygiene, social distancing, contact tracing, and maintaining distinct groups or 'bubbles'. The guidance advised that settings would need to assess their circumstances and if class-sized groups were not compatible with offering a full range of subjects or managing the practical logistics within and around school, they could look to implement year group sized 'bubbles'. Whatever the size of the group, the guidance advised that they should be kept apart from other groups where possible and older children should be encouraged to keep their distance within groups.
- 4.111 The guidance advised that implementing 'bubbles' would facilitate quicker identification of positive cases and minimise their number. The guidance also provided advice on

actions to take if maintaining small group sizes could not be achieved. At this point, DfE also stressed that advice on class or group sizes would be revisited when the science indicated it would be safe to invite more children and young people back to settings. The guidance included an emphasis on supporting flexibilities to return and advice on welcoming pupils back to school.

- 4.112 On the same day, DfE published *Guidance for full opening: special schools and other specialist settings* (Exhibit JK1/204 - INQ000519710). This outlined actions for special schools and other specialist settings to take to minimise the risk of transmission in their setting, highlighting additional or different considerations for special education settings compared to mainstream settings.
- 4.113 On the 6 July 2020, the sitrep estimated that around 17% of children in nursery, 33% of children in reception, 31% of children in year 1 and 37% of children in year 6 attended, down from 23%, 39%, 37% and 44% respectively as reported in the 30 June 2020 sitrep (Exhibit JK1/205 - INQ000542546). The sitrep also estimated that 10% of children in year 10 and 11% of children and young people in year 12 attended, down from 14% and 12% respectively as reported in the 30 June 2020 sitrep.
- 4.114 On 21 July 2020, in a Covid O paper on school transport planning, SSE outlined issues relating to public transport and the subsequent impact on the full reopening of settings. DfE recognised that getting all children and young people to education settings would not be possible within existing public transport capacity, especially on buses. The paper advised that 1.6 million students used buses to get to school and college (12% of school pupils and 24% of FE students aged 16 to 18 travelled by bus) but analysis by DfT modelled that only around 17% of normal school and college journeys would be possible on public transport and only about a third of journeys across the rest of England could be completed by public transport as a result of COVID-19 restrictions (Exhibits JK1/206 - INQ000088768 and JK1/207 - INQ000542549). DfE and DfT worked closely on developing a strategy to resolve this issue over summer 2020. Paragraphs 4.118 to 4.122 provide further detail on this.
- 4.115 On 22 July 2020, following ministerial agreement to allocate £9 million of the NTP funding to deliver an early language catch up programme, SSE agreed to issue a direct award of a contract to the Nuffield Foundation for the delivery of the Nuffield Early Language Intervention (“NELI”). The Nuffield Foundation is a charitable trust that funds research and innovation projects. NELI is a national support programme for

reception children with poor spoken language skills via a grant for academic year 2020 to 2021 (Exhibits JK1/208 - INQ000542547 and JK1/209 - INQ000542553).

- 4.116 On 6 August 2020, SSE attended a Covid S meeting chaired by the Prime Minister on the subject of the full reopening schools from autumn 2020 (Exhibits JK1/210 – INQ000088257 and JK1/211 - INQ000075461). At this meeting, the Prime Minister set out “*that he wanted every single pupil to return to school in September.*” Covid S agreed that to build confidence in parents and children, there was a need to implement a targeted, unwavering and nationwide communications plan and prioritise both the education workforce and children for COVID-19 testing (Exhibits JK1/212 - INQ000542555 and JK1/213 - INQ000075463). The Prime Minister also asked for a ‘forward-leaning’ approach on testing for any teachers coming out of quarantine and there was a discussion on the purchase of devices, with the steer broadly being that within existing funding set for this, DfE should look to maximise the reserves for laptops/tablets. Paragraphs 4.21, 4.22, 4.108 and 4.127 provide detail about work DfE took forward to set up and then extend a devices reserve. The second Corporate Statement provided by Julia Kinniburgh (Exhibit JK1/215 – INQ000587978) provides further detail on remote education support.
- 4.117 At the meeting, there was also a substantive discussion on transport. As transporting children and young people from home to settings was understood to be a key part of planning for the full reopening of settings, it was agreed at this meeting that plans should be put in place to mitigate any shortfall in provision and ensure that localised or capacity-based problems did not become a barrier to full reopening. SSE presented his advice that had been circulated the day prior to the meeting and, as an action, DfE was asked to work with CMO or PHE to obtain further advice on social distancing on buses (Exhibits JK1/214 - INQ000088294 and JK1/213 - INQ000075463).
- 4.118 On 8 August 2020, a joint announcement was made by DfE and DfT of the allocation of more than £40 million additional funding (actual amount just under £44 million) to hire dedicated coaches to get children and young people to settings as pupils returned in autumn 2020. This was the first tranche of what would be a total of £108 million of additional transport funding allocated to local transport authorities through the course of the 2020 to 2021 academic year (Exhibit JK1/216 - INQ000542928).
- 4.119 On 10 August 2020, SSE met with the Prime Minister (Exhibit JK1/211 - INQ000075461). The meeting readout detailed that the discussion considered several

points including transport, testing and the requirement to quarantine. With regard to transport, the Prime Minister had been clear that the overarching objective was that children and young people would not be prevented from attending school due to a lack of transport.

- 4.120 On 11 August 2020, following the triple lock process, DfE published *Transport to school and other places of education* guidance for autumn term 2020 (Exhibit JK1/217 - INQ000519673). The guidance stated that capacity on public transport remained limited given the requirements for social distancing and that this would be particularly challenging for children and young people who travelled to settings by bus. The guidance advised that local authorities would need to put in place local demand management solutions for public services to ensure that children and young people could travel to and from settings safely. The guidance went on to advise the sector that the social distancing guidelines that applied on public transport would not apply on dedicated school transport services from the autumn term 2020.
- 4.121 With the strategy in place for home to school transport arrangements, including agreed funding and guidance, DfE and DfT focused on proactively managing the issue via a *Gold Command Structure* (Exhibit JK1/218 - INQ000542561). There was an agreed structure for drawing together local intelligence gathered by both education and transport as well as an agreed regular cycle of meetings, where issues could be escalated if necessary. Once settings returned in autumn 2020, regular reports were produced by DfT, which outlined the situation on the ground, including any specific issues in local areas and how these were being tackled, such as crowding on a specific bus route at peak times (Exhibits JK1/219 - INQ000542569 and JK1/220 - INQ000542570).
- 4.122 On 12 August 2020, SSE received a submission from DfE's CSA which provided an update on the developing evidence base on the role of children in transmission (Exhibit JK1/221 - INQ000075600).
- 4.123 Within the submission, DfE's CSA explained that overall, the evidence suggested that children, especially young children, responded differently to COVID-19 when compared to adults, but in many cases the evidence was inconclusive, mixed or of limited quality. DfE's CSA advised that new internal and external work, while helpful and highly informative, could not provide a strong indication of the impact of full reopening in autumn 2020 for several reasons including the low summer term

attendance, more primary pupils than secondary pupils attending settings, and the effects of eased lockdown restrictions on public behaviour.

- 4.124 DfE modelling looked at the relationship between COVID-19 rates and school participation rates within different local authorities. The models used demographic and wider COVID-19 related information to give fairer comparisons between local authorities. Due to the complexity of isolating the effect of increased school attendance, DfE analysed the data using three separate approaches, thereby allowing DfE to cross check the results. The modelling results suggested that the phased reopening of schools to the majority of pupils from 1 June 2020 had a minimal impact on COVID-19 rates during this period. DfE's CSA stated:

“the research finds reopening schools did not appear to have a significant increase in COVID levels. Over the period of school closures, COVID levels declined, two out of the three detailed models run by the department suggests that increased attendance in the summer term led to no increase in COVID rates and the third modelling approach only showed a small positive relationship between pupil attendance and COVID.”

- 4.125 Within the submission, DfE's CSA also provided an update on the SKIDs work undertaken by PHE (Exhibit JK1/221 - INQ000075600). DfE's CSA advised that the SKIDs analysis was expected to show that there had been very little evidence that COVID-19 had been transmitted in preschools and primary schools over the summer term when settings had reopened to transition year groups.
- 4.126 DfE's CSA also advised that Professor Russell Viner (University College London) and Dr Rosalind Eggo (London School of Hygiene and Tropical Medicine) had conducted research to understand the role of children in transmission and planned to update a systematic review of relevant literature in light of new and emerging evidence for SAGE. DfE's CSA advised that he expected a formal update of the systematic review “shortly” and that the analysis would build on the work SAGE had done to model the relative impact of different full reopening scenarios on the transmission.
- 4.127 On 12 August 2020, DfE officials sought SSE's agreement (Exhibit JK1/222 - INQ000542559) to buy a further 120,000 devices, which would provide coverage

equivalent to a third of the total population of disadvantaged school-age children who lacked access to a suitable device.

4.128 On 19 August 2020, SSE received a submission from DfE officials on the approach to full reopening in the autumn term of 2020. Within the submission DfE officials provided *Advice on final decision on full return* (Exhibit JK1/223 - INQ000075601), a *Schools wider opening EIA* (Exhibit JK1/224 – INQ000075599) and advice by DfE’s CSA on 12 August 2020 (paragraph 4.124). DfE officials asked SSE to decide whether to go ahead with the plan, publicly announced on 2 July 2020, to fully reopen settings.

4.129 The *Advice on final decision on full return* document provided SSE with updated information to make a final decision on full reopening of settings in autumn 2020. DfE officials concluded in the advice that the decision for SSE was about weighing up:

- *“The benefits to young people’s education and wellbeing of returning to school or college;*
- *The benefits to the wider society and the economy of all pupils/students being back at school or college;*
- *The scientific advice; and*
- *The effectiveness of the mitigating factors we have suggested are put in place.”*

4.130 DfE officials explained that *“the evidence – as far as it can say – does not stand in the way of a full return to schools, colleges and FE providers”*. Although evidence was still weak and unsettled, children seemed to respond less severely to COVID-19 than adults and faced little risk overall.

4.131 DfE officials assessed that the full reopening of settings would be important to mitigate some of the largest risks that had materialised during the period of setting closures. Citing emerging data highlighted within the *Advice on final decision on full return* document, DfE officials advised that:

“ongoing synthesis of emerging data from the lock down period shows consistent indicative evidence that coronavirus (COVID-19) and associated measures, such as social distancing, stay at home guidance and school closures, have likely had an adverse effect on the mental health and wellbeing of children and young people. While

there is evidence that many children report coping well, children and young people are also experiencing a range of worries about the virus and the future, increasing levels of loneliness and social isolation, loss of support networks, and for some a loss of existing mental health support and access to support through school.”

- 4.132 DfE officials concluded that the full reopening of settings, enabling all children and young people to return, would be beneficial for most pupils in terms of their mental health and wellbeing, would provide opportunities to re-engage with peers and supportive adults, and provide more routes to early identification of emerging mental health needs.
- 4.133 DfE officials considered the equalities impacts of full reopening within both the *Advice on final decision on full return* document and the *Schools wider opening EIA*. These considerations included:
- 4.133.1 Time out of education being detrimental for children and young people’s cognitive and academic development, and especially so for disadvantaged children and young people.
 - 4.133.2 Some disproportionate impacts on children and young people from different ethnic minorities, given increased risk that children and young people from ethnic minority groups could face from COVID-19.
 - 4.133.3 Ethnic minority communities being subjected to disproportionate levels of sanctions (this could include penalty notices, parenting orders/contracts and ultimately prosecutions) due to the reinstatement of mandatory attendance in autumn 2020 as a result of parents keeping their children at home because of an elevated level of parental anxiety about returning to settings.
- 4.134 Within the *Schools wider opening EIA* document DfE officials stated:

“There may be some disproportionate impacts on pupils with disabilities and BAME pupils/students and staff of a full return, given increased risk they may face from COVID-19. These impacts are

significantly reduced by settings implementing the measures in the system of controls however and we consider the benefits to these pupils/students of a return to settings mean a decision to proceed is warranted.”

- 4.135 DfE officials also cited a number of independent studies including the June 2020 *YouCOPE* study and May 2020 *SchoolDash* survey and assessed that estimates of the proportion of young people with existing mental health issues who were not able to access their existing mental health support varied (Exhibits JK1/225 - INQ000542944 and JK1/226 - INQ000542937).

“Around 25% of children and young people with existing mental health issues reporting a loss of support (Mind, March 2020). Another study found 58% of young adults reported some disruption to their mental health care (YouCope study, May 2020). In one survey, the majority of respondents (covering years 1-13) felt that their school had provided enough support for their mental health and wellbeing while they weren’t at school. The proportion saying that school had not provided sufficient support increased with age with around 20% of respondents in Years 9-12 saying “not really” or “not at all”. This compares to around 30% who say that they get plenty of support (SchoolDash, May 2020).”

- 4.136 DfE officials also considered the impact of mandating attendance within the *September schools wider opening EIA* and concluded that mandating attendance would facilitate equality in access to education particularly when there was known disparities in absence and attainment rates for some ethnic minority groups. Additionally, DfE officials acknowledged the importance of ensuring that children and young people who were unable to attend face to face education due to clinical and/or public health advice would not be penalised for their absence. DfE officials stated:

- 4.136.1 *“Where children and young people are unable to attend school, due to following public health or clinical advice – including those shielding or self-isolating – absence will not be penalised. In these circumstances they should be able to access remote education. Schools should monitor engagement with this activity and ensure adequate contact is*

made, especially for vulnerable children, but absence in such circumstances will not be penalised.”

4.137 Mandating attendance was considered paramount to improving educational engagement and attainment for all pupils and particularly for at-risk groups (see paragraph 4.138 below for information on attendance for those following clinical and/or public health advice). DfE officials concluded that mandating attendance would serve to facilitate equality in access to education and the benefits of a return to on-site provision in autumn 2020. DfE officials advised that full attendance was continuing to be supported, and concerns addressed through operational activity at a local and regional level, communications to build parental and others' confidence, stakeholder engagement and policy development. DfE launched a national 'back to school safely' campaign ahead of autumn 2020 (Exhibit JK1/227 - INQ000542936). This was designed to reassure both parents and children about a return to school. The launch included a statement from SSE where he explained that the "*government is committed to doing everything necessary to deliver on our national priority of all students returning to schools and colleges in September.*" It also included a statement from the CMO who stated:

"Education is essential for a child's development so it is crucial we get children safely back to school in September."

"A number of important risk reduction measures have been put in place to help students and teachers return to school with confidence."

4.138 On 20 August 2020, in response to the submission from DfE officials on the approach to full reopening in autumn term 2020 received on 19 August 2020, SSE confirmed that DfE should go ahead with the plan, first announced on 2 July 2020, to ask settings to reopen fully from the start of the autumn term 2020 (Exhibit JK1/228 - INQ000075598).

4.139 On 21 August 2020, DfE published guidance titled *What parents and carers need to know about early years providers, schools and colleges* (Exhibit JK1/558 - INQ000624551). This guidance stated that children who could not attend their setting due to following clinical and/or public health advice would not be penalised. On 28 August 2020, the DfE *Guidance for full opening: schools* also explained (Exhibit JK1/551 - INQ000624328):

“Where a pupil is unable to attend school because they are complying with clinical or public health advice, we expect schools to be able to immediately offer them access to remote education. Schools should monitor engagement with this activity as set out in the action for all schools and local authorities section.

Where children are not able to attend school as parents and carers are following clinical or public health advice, for example, self-isolation or family isolation, the absence will not be penalised.”

- 4.140 On 23 August 2020, the CMO stated during an interview on the full reopening of settings that *“the chances of many children being damaged by not going to school are incredibly clear and therefore the balance of risk is very strongly in favour of children actually going to school because many more are likely to be harmed by not going than harmed by going, even during this pandemic”* (Exhibit JK1/229 - INQ000542975).
- 4.141 On 24 August 2020, following a meeting between CO, PHE, DHSC and DfE regarding face coverings in educational settings, PHE submitted a summary policy position to DfE officials about face coverings (Exhibits JK1/230 - INQ000075465 and JK1/231 - INQ000075466).
- 4.142 On 25 August 2020, after consultation with DfE officials, the Prime Minister and No.10 officials, and based on the PHE advice and the evidence available at the time, SSE decided that schools should have the option to advise that face coverings should be worn in communal areas if they believed that was right in their circumstances (Exhibits JK1/232 - INQ000075467, JK1/233 - INQ000075468, JK1/234 - INQ000075469, JK1/235 - INQ000075631 and JK1/236 - INQ000075471). SSE decided it would not be necessary for anyone to wear face coverings in classrooms where protective measures already meant the risks were lower, and where they inhibited learning.
- 4.143 In addition, SSE decided that in some local areas the government would advise that adults and pupils wear face coverings when moving around settings, such as in corridors and communal areas where social distancing was difficult to maintain. This was consistent with the statement published by WHO on 21 August 2020 on children and face coverings. Officials across DfE, CO, PHE and No.10 worked together during 25 August 2020 to draft the new *Face coverings in education* guidance.

- 4.144 On 25 August 2020, SSE publicly announced that the government had revised its guidance on face coverings and on 26 August 2020, DfE published the new *Face coverings in education* guidance. The guidance advised that from 1 September 2020 new advice would apply to the use of face coverings by staff and pupils in some schools, and to learners in FE (Exhibits JK1/237 - INQ000542935 and JK1/238 - INQ000519958). SSE also wrote to all MPs about this revised guidance following the announcement (Exhibit JK1/239 - INQ000542563). Face coverings remained in use during the pandemic period in line with public health advice. Further detail on face coverings can be found in the second Corporate Statement provided by Julia Kinniburgh dated 17 July 2025 (Exhibit JK1/215 - INQ000587978).
- 4.145 During the summer of 2020, DfE continued to expand the programme to distribute laptops and tablets, to increase the proportion of disadvantaged children and young people who were able to secure a device and/or an internet connection. By 26 August 2020, approximately 220,000 laptops and tablets, and 51,000 wireless routers had been delivered or dispatched to local authorities or academy trusts for them to distribute since the start of the GHwT programme (Exhibit JK1/240 - INQ000540928).
- 4.146 On 28 August 2020, the Contingency Framework was first published in collaboration with PHE as an education focused annex of their *Contain Framework* (annex 3); a document which provided local decision-makers with guidance on how national, regional, and local partners should collaborate with stakeholders to prevent, manage, and contain COVID-19 outbreaks (Exhibit JK1/241 - INQ000542965). Following the initial decision to close settings to the majority of pupils on 23 March 2020, the government did not recommend any further attendance limitations at a national or regional level until 4 January 2021, when the third national lockdown was announced. Rather, given the considerable benefits to children and young people of continued face-to-face teaching, the government's intention was to do everything possible to avoid settings closing to the majority of pupils by implementing the local, area-based approach of the Contingency Framework; a guidance document which served as the primary policy framework for deciding how settings (excluding universities) should operate in the exceptional circumstances that further restrictions on settings would be required.
- 4.147 Annex 3 of the *Contain Framework* stated that there could be exceptional circumstances in which some level of restrictions on settings may be required in a local area. In those situations, restrictions would be implemented in a structured manner,

with the key aim being to retain as much face-to-face education and childcare as possible. Annex 3 applied a “tiered” approach to the closure of settings. This ensured that any restrictions to face to face education and childcare was only ever implemented as a last resort. In these exceptional circumstances, decisions on which of the tiers were most appropriate were made on a careful case-by-case basis that involved local and national partners. Where there were no local restrictions in place, education and childcare provision would continue to remain fully open to all, and these tiers would not apply.

- 4.148 The “tiered” approach to settings in local lockdowns set out within annex three of the *Contain Framework* was established through collaboration between DfE, JBC, CO and other officials across government and was agreed by DfE ministers. SSE agreed to the education approach set out in the *Contain Framework* on 20 August 2020 concurrently with the advice he received from DfE officials on the approach to fully reopening settings from autumn 2020.
- 4.149 In August 2020, DfE commissioned IFF Research to deliver the COVID-19 Parent and Pupil Panel (“PPP”) from September 2020 to July 2021 (Exhibit JK1/242 - INQ000542800). The PPP built on the annual cross-sectional surveys of parents and pupils via Pupil Parent and Carer Omnibus survey which DfE first commissioned in 2017 (Exhibit JK1/243 - INQ000542941). The PPP consisted of 10 surveys, known as waves and the first survey is referred to as wave 1 in PPP reports.
- 4.150 The PPP aimed to collect robust and quick turnaround research in response to the COVID-19 pandemic, monitoring the impact of COVID-19 and seeing how views and experiences of parents and primary and secondary pupils changed over time. PPP findings were shared with DfE officials from autumn 2020. Chapters 5 and 6 provide further information on PPP findings and published reports.
- 4.151 In August 2020, DfE worked with DHSC to develop a Wellbeing for Education curriculum, which aimed to equip education staff with resources and training to promote children and young people’s mental wellbeing and resilience and support mental health recovery in light of the impact of COVID-19 and the lockdown (Exhibit JK1/224 - INQ000075599). DfE and DHSC launched the joint £8 million Wellbeing for Education Return programme on 25 August 2020 ahead of the full return in autumn 2020 (Exhibit JK1/245 - INQ000514686).

- 4.152 In August 2020, DfE published guidance for settings ahead of full reopening in autumn 2020. The guidance provided updated information on several areas including supporting transport to and from settings, attendance and managing confirmed COVID-19 cases as well as shielding and self-isolation. The M08-DFE-001 guidance spreadsheet submitted to the Inquiry on 22 November 2024 provides access to guidance published by DfE during this period (Exhibit JK1/125 - INQ000514482).
- 4.153 In August 2020, an additional DfE DCSA with expertise on children's health was appointed on a part-time basis by DfE. At that point, DfE had one DCSA focused on social sciences and the newly appointed DCSA focused on natural sciences within DfE, whilst continuing to work as a senior lecturer in Child Public Health at Imperial College, and an Honorary Consultant Paediatrician at University College London Hospital (Exhibit JK1/246 - INQ000542554).
- 4.154 In autumn 2020, The National Institute for Health and Care Research ("NIHR") and UK Research and Innovation ("UKRI") launched a £20 million joint project to fund research into the longer term physical and mental effects of COVID-19 in non-hospitalised individuals (Exhibit JK1/247 - INQ000542934). The Children and Young People with Long Covid ("CLoCK") study bid was successful, and the CLoCK study launched in March 2021 (Exhibits JK1/248 - INQ000542933 and JK1/249 - INQ000542943).
- 4.155 The CLoCK study is still active and continues to be led by experts from University College London Great Ormond Street Institute of Child Health. In autumn 2020, DfE's DCSA, as part of his continuing work as a senior lecturer in Child Public Health at Imperial College, and an Honorary Consultant Paediatrician at University College London Hospital, was part of the co-investigator team that bid for the CLoCK study. CLoCK publications occurred from 2021 to 2024 (Exhibit JK1/250 - INQ000542932). Key findings from the study included:
- 4.155.1 Identifying that the most common problems were persisting tiredness, trouble sleeping, shortness of breath and headaches.
 - 4.155.2 Finding that an increased chance of long COVID-19 persisting for 24 months in children and young people with a past history of asthma, allergy problems, learning difficulties at school, those with a family

history of ongoing COVID-19 problems, those who were older at infection and in girls.

4.155.3 Defining long COVID-19 for children and young people.

4.156 Settings reopened fully from September 2020, following SSE's confirmation on 20 August 2020 that DfE should proceed with the plan initially announced on 2 July 2020, to ask settings to reopen fully.

4.157 On 1 September 2020, the sKIDs report (Exhibit JK1/251 - INQ000223828) was published and concluded that:

"SARS-CoV-2 infection and transmission rates were low in preschool and primary schools under surveillance. Seropositivity rates in students and staff were similar and not associated with school attendance during the lockdown."

4.158 On 2 September 2020, following work in summer 2020 by DfE officials to commission a research project that would monitor pupil progress across a sample of schools during the 2020 to 2021 academic year, SSE agreed to proceed with finalising the contract to conduct research to better understand the effects of COVID-19 on children's education. The research aimed to understand the effects of COVID-19 on pupil progress and DfE officials intended to use the research information to inform ministerial decisions on recovery support (Exhibits JK1/252 - INQ000542862 and JK1/253 - INQ000542564). A range of stakeholders, including the SRAG and teachers' union representatives had been supportive of this research. Renaissance Learning was awarded the contract to conduct this research and DfE published six reports on learning loss experienced by pupils in England as a result of the COVID-19 pandemic (Exhibit JK1/254 - INQ000542881). Chapters 5 and 6 provide information on these reports.

4.159 On 7 September 2020, the sitrep estimated that of all pupils attending state funded settings nationally at least 70.9% attended. DfE officials advised that given INSET days and staggered starts there was an expectation that early attendance data for autumn 2020 would be unpredictable (Exhibit JK1/255 - INQ000542568). Attendance rates for groups showed 88% of children and young people with an EHC plan attended and 87% of children and young people with a social worker attended.

- 4.160 On 25 September 2020, the Professor Russell Viner and Dr Rosalind Eggo paper titled *Susceptibility to SARS-CoV-2 Infection Among Children and Adolescents Compared With Adults* was published (Exhibit JK1/256 - INQ000542939). The paper stated that preliminary evidence suggested that children had lower susceptibility to COVID-19 infection compared to adults, and the role that children played in transmission of COVID-19 remained unclear.
- 4.161 On 30 September 2020, the sitrep estimated that primary pupil attendance was 91.9% and secondary pupil attendance was 85.4%. Attendance for all pupils attending state funded settings was 88.9%, up from 70.9% as reported in the 7 September 2020 but below the “normal level” of 95% attendance seen pre-COVID-19 (Exhibit JK1/257 - INQ000542578). Attendance rates for groups showed 85% of children and young people with an EHC plan attended and 85% of children and young people with a social worker attended, down from 88% and 87% as reported in the 7 September 2020 sitrep.
- 4.162 On 1 October 2020, DfE improved how it reported the findings from the attendance data collection launched week commencing 23 March 2020. This data was used to create an additional data dashboard which focused on vulnerable children and young people data. This allowed for a clearer analysis of vulnerable children and young people’s attendance and supported DfE to have a targeted approach to its interventions, including REACT and VCU jointly calling those schools with low attendance statistics (Exhibit JK1/258 - INQ000540938).
- 4.163 On 6 October 2020, SSE agreed to the commencement of the COVID-19 School Infection Survey (“SIS”) led by DHSC, and for DHSC officials to work with DfE officials on school engagement from 2 November 2020 (Exhibits JK1/259 - INQ000542573 and JK1/260 - INQ000542572). The SIS intended to build on the learning from the sKIDs study and aimed to investigate the prevalence of COVID-19 infection and COVID-19 antibodies among pupils and staff in sampled primary and secondary schools in England (Exhibit JK1/261 - INQ000542938).
- 4.164 On 7 October 2020, the sitrep estimated that primary pupil attendance was 92.2% and secondary pupil attendance was 86.7%, up from 91.9% and 85.4% respectively as reported in the 30 September 2020 sitrep (Exhibit JK1/262 - INQ000542575). Attendance rates for groups showed 85% of children and young people with an EHC plan attended and 84% of children and young people with a social worker attended, compared to 85% and 85% respectively as reported in the 30 September 2020 sitrep.

- 4.165 On 13 October 2020, following decisions already made to extend the DfE device reserve on 1 July 2020 and 12 August 2020 (see paragraphs 4.108 and 4.127 of this statement) SSE agreed to the purchase of an additional 530,000 devices and associated connectivity support. DfE was aware that if the rate of disruption experienced in the current term continued, its reserve of 250,000 devices, once the current procurement was complete, would mean they could be allocated to approximately 36% of the total population of disadvantaged children in years 3 to 11 who did not have access to a suitable device. Further devices would therefore be needed at some point between December and mid-January depending on demand. Buying an additional 530,000 devices at this stage would allow DfE to provide devices to schools and colleges to enable access to remote education for all disadvantaged children and young people in years 3 to 13 without a device. This would also extend provision to include those in FE and would bring the total devices purchased by the government to one million (Exhibits JK1/263 - INQ000542580 and JK1/264 – INQ000542579).
- 4.166 On 28 October 2020, the sitrep estimated that primary pupil attendance was 88% and secondary pupil attendance was 80%, down from 92.2% and 86.7% respectively as reported in the 7 October 2020 sitrep (data provided in the 28 October 2020 sitrep is based on figures from 23 October 2020 due to the October half term). DfE officials advised that this decrease in attendance was driven by increased COVID-19 related absences (absence data presented in this report showed that between 457,000 to 533,000 pupils were absent due to COVID-19) (Exhibit JK1/265 INQ000542581). Attendance rates for groups showed 79% of children and young people with an EHC plan attended and 79% of children and young people with a social worker attended, down from 85% and 84% respectively as reported in the 7 October 2020 sitrep. DfE officials advised that this decrease was likely due to increased local restrictions and higher COVID-19 rates.
- 4.167 In October 2020, DfE officials provided an updated scientific summary to other DfE officials that included an update on findings from the Professor Russell Viner and Dr Rosalind Eggo paper *Susceptibility to SARS-CoV-2 Infection Among Children and Adolescents Compared With Adults* (Exhibit JK1/266 - INQ000542894). This revised scientific summary incorporated track changes to reflect regular updates that all DfE officials could access if needed.

- 4.168 Within the updated scientific summary, DfE officials advised that on the role of children in transmission it was highly likely that they “*drive transmission less than influenza*”, and were probably, on average, less infectious than adults. A rapid literature review had also shown that whilst school and college closures to the majority of students appeared to reduce the number of contacts that children had outside the home; such contacts remained common. DfE officials explained that the exact rate of infection and transmission amongst children was not fully known, and the scientific understanding was continuing to develop.
- 4.169 In October 2020, DfE officials were asked by SSE to review annex three of the *Contain Framework* to coincide with a more general review of the tiered approach which had been adopted nationally across government. In November 2020, following this review, DfE officials recommended replacing the annex with a standalone, education focused piece of guidance in order to detail what should happen to education settings in the event of local lockdowns. DfE officials advised that this would give DfE ownership of the policy and ensure that any decisions on restrictions to education settings were carefully considered in their own right (Exhibit JK1/267 - INQ000542585). The recommended option would allow DfE to make updates as required and restrictions to education settings could be focused by geographical area (small group of settings, local authority, regional and national) depending on the clinical advice.
- 4.170 On 4 November 2020, the sitrep estimated that primary pupil attendance was 90% and secondary pupil attendance was 87%, up from 88% and 80% respectively as reported in the 28 October 2020 sitrep. Absence data provided in this report showed between 4% and 4.7% of pupils were absent due to COVID-19 related reasons, with 2.5% of this group isolating due to potential contact with a case within the school (Exhibit JK1/268 - INQ000542582). Attendance rates for groups showed 83% of children and young people with an EHC plan attended and 82% of children and young people with a social worker attended, up from 79% and 79% respectively as reported in the 28 October 2020 sitrep.
- 4.171 On 18 November 2020, SSE agreed that annex three of the *Contain Framework* should be withdrawn and new education guidance be published (Exhibit JK1/269 - INQ000542584). This approach replaced the existing ‘tiered’ approach with a single option for limiting on-site provision (similar to the previous Tier 3) whilst continuing to prioritise on-site provision for vulnerable children, CCW and exam cohorts. The

guidance was renamed the Contingency Framework and published on 27 November 2020 (Exhibit JK1/270 – INQ000546791).

- 4.172 The Contingency Framework emphasised that maintaining high-quality face-to-face education was a government priority and specified that setting closures should only be considered as a short-term measure and a last resort, only to be used after other mitigations had been deployed and failed. Depending on the scientific and public health advice, DfE was able to apply this Contingency Framework to any geographical area (a selection of settings, local area, local authority or regional) but such restrictions could only be enacted once agreement had been reached between the RSC, JBC, PHE, and DfE to ensure the decision was well informed and made with the intention of reducing transmission, not simply used as a way of addressing operational challenges.
- 4.173 If a local authority was concerned about the prevalence or transmission of COVID-19 in settings in their area, they could engage with their RSC to discuss those concerns. If DfE believed there was a case to consider restrictions following this meeting, they would engage with PHE and JBC to consider the next steps. Any restrictions made would be kept under review and would be lifted as soon as the public health and scientific advice allowed. The power to issue closure or continuity directions to settings lay with SSE under the powers given to him by the Coronavirus Act 2020. Paragraphs 4.179 to 4.182 provide detail on an instance involving the Royal Borough of Greenwich ("RB Greenwich").
- 4.174 On 25 November 2020, the sitrep estimated that primary pupil attendance was 87% and secondary pupil attendance was 78%, down from 90% and 87% respectively as reported in the 4 November 2020 sitrep. Absence data provided in this report showed between 8.7% and 10.2% of pupils were absent due to COVID-19 related reasons with 7.2% of this group isolating due to potential contact with a case within the school (Exhibit JK1/271 - INQ000542586). Attendance rates for groups showed 78.2% of children and young people with an EHC plan attended and 78.5% of children and young people with a social worker attended, down from 83% and 82% respectively as reported in the 4 November 2020 sitrep.
- 4.175 On 2 December 2020, the sitrep estimated that primary pupil attendance was 88% and secondary pupil attendance was 78%, compared to 87% and 78% respectively as reported in the 25 November 2020 sitrep. Absence data provided in this report showed between 7.3% and 8.6% of pupils were absent due to COVID-19 related reasons with 6% of this group isolating due to potential contact with a case within the school (Exhibit

JK1/272 - INQ000542587). Attendance rates for groups showed 79% of children and young people with an EHC plan attended and 79% of children and young people with a social worker attended, up from 78.2% and 78.5% respectively as reported in the 25 November 2020 sitrep.

- 4.176 On 4 December 2020, following a commission from CO, DfE worked in partnership with DHSC to draft a joint paper on mass lateral flow device (“LFD”) testing in education settings (in this instance schools, colleges and HE institutions) to be presented to Covid O. DfE worked closely with DHSC to help ensure that proposed COVID-19 testing measures in education and care settings were appropriate and deliverable and that any impacts on the provision of education and care were taken into account. The testing measures were also based on a series of mass testing pilots that had been run by DHSC and PHE in schools and colleges since October 2020.
- 4.177 On 10 December 2020, Covid O considered this paper (Exhibit JK1/273 - INQ000075484). The paper proposed weekly LFD testing of staff and daily LFD testing, for a given period, for students and staff who are identified as close contacts of asymptomatic cases. This would start in January 2021 in schools and colleges. Further detail on developing mass testing plans can be found in the second Corporate Statement provided by Julia Kinniburgh (Exhibit JK1/215 - INQ000587978) and in the first Corporate Statement provided by Tessa Griffiths dated 6 May 2025 (Exhibit JK1/561 - INQ000587559).
- 4.178 At the Covid O meeting on 10 December 2020, it was agreed that schools and colleges would receive financial support to cover additional workforce costs involved in setting up and running asymptomatic testing sites (“ATS”) to deliver on-site LFD testing. Furthermore, on return in January 2021, on-site LFD testing of secondary school and college staff and on-site LFD testing of close contacts would begin (Exhibit JK1/274 - INQ000075699).
- 4.179 On 13 December 2020, the Leader of RB Greenwich wrote to the headteachers of all the schools in the borough via an email issued by the Director of Children’s Services (“DCS”), advising schools in the borough to close their premises at the end of the day on 14 December 2020 (Exhibits JK1/275 - INQ000075492 and JK1/276 - INQ000075493). RB Greenwich did not inform DfE, PHE or JBC before taking the decision. This decision was not in line with the Contingency Framework, nor the education guidance in the annex of the *Contain Framework* that came before it and was not supported by the latest scientific or public health advice.

- 4.180 The RSC for London met with the DCS for RB Greenwich on 14 December 2020, in an attempt to resolve the issue without resorting to issuing a direction (Exhibit JK1/277 - INQ000075494). DfE officials in attendance explained that there had been higher infection rates elsewhere in the country, including in other parts of London, but no other local authority had moved to close all schools, and the government's position was that this should be the very last resort. The same day, MoSSS wrote to all headteachers and chairs of governors in London asking them to confirm with their school communities that they would remain fully open until the last scheduled teaching day of term (Exhibit JK1/278 - INQ000075497). The letter from MoSSS explained that the latest advice from both the Regional Director of PHE and the Deputy CMO was that DfE were not in a position where the scientific and public health advice supported the implementation of measures to restrict access to settings.
- 4.181 That same day, using the powers conferred by the Coronavirus Act 2020, SSE made the decision to issue a temporary continuity direction to RB Greenwich based on the advice received from DfE officials earlier that day (Exhibit JK1/279 - INQ000075498). Within the advice DfE officials explained that the *“ Regional Director for PHE was only made aware of Greenwich’s intentions after the letter had gone out to all schools. When consulted last night by the Deputy Chief Medical Officer he was clear that PHE advice remained that children should be in schools wherever possible.”*
- 4.182 RB Greenwich complied with the direction on 15 December 2020, withdrawing the letters sent to headteachers and families and advising all schools to remain fully open to all children until the end of term (Exhibits JK1/280 - INQ000075501 and JK1/281 - INQ000075500). While RB Greenwich was not the first local authority that sought to impose setting closures that went beyond the Contingency Framework, this was the only instance when discussions could not bring plans back within the Contingency Framework because of a refusal to engage; and so it was the only local authority to be issued with a legal direction.
- 4.183 On 14 December 2020, DfE provided information on schools remaining open until the end of autumn term via the Education Hub (Exhibit JK1/282 - INQ000542970). The blog stated that DfE expected settings to remain open as they were the best place for children to learn, and that DfE would continue to work with local authorities to support with any operational issues.

- 4.184 On 15 December 2020, SSE received a joint paper written by DfE and DHSC officials on the approach to managing the return of school and colleges at the start of January 2021 in preparation for the Covid O meeting the next day. Based on the latest public health and scientific advice, the paper set out new proposals to delay the return of secondary schools and colleges to 11 January 2021, a week later than originally planned, in order to enable all students and staff to be tested for COVID-19 prior to return (Exhibits JK1/283 - INQ000075499, JK1/284 - INQ000075502 and JK1/285 - INQ000075503). These proposals built on emerging evidence that restricted social mixing and contact might be needed to manage the virus in early January 2021, due to the rising prevalence of COVID-19 and as Christmas mixing would increase the risk of infection in all age groups. The paper recommended that Covid O approve a plan in which a testing regime was put in place to identify asymptomatic infections, alongside weekly testing if prevalence rates demanded it.
- 4.185 On 16 December 2020, SSE attended the Covid O meeting where the policy proposals were discussed to stagger secondary school and college return during January 2021 to enable LFD testing of all staff and students in secondary schools and colleges at the start of the January 2021 term. This was in addition to the weekly asymptomatic LFD testing of staff and daily asymptomatic LFD testing for students and staff of close contacts that would be rolled out from January 2021, as announced by SSE the previous day, on 15 December 2020 (Exhibit JK1/286 INQ000075709). The adjustment to the approach to the return to secondary schools and colleges in January 2021, agreed by Covid O, was announced on 17 December 2020 (Exhibit JK1/287 - INQ000075710). Mass testing remained in use during the pandemic period in line with public health advice.
- 4.186 On 17 December 2020, SAGE met (SAGE 73) and discussed the emergence of a new COVID-19 variant which had been identified in the South East of England (Exhibit JK1/288 - INQ000075736). Minutes of the SAGE meeting record that: *“A new variant of SARS-CoV-2 has been identified in the South-East of England... There are indications that this variant may be spreading more quickly than others but the extent of any increase in transmissibility is not yet known.”* At this meeting, SAGE also discussed the impact of children and schools on transmission. SAGE concluded that the evidence (which was attributed with high confidence) was consistent with transmission occurring amongst school children when schools were open, particularly in those of secondary school age.

- 4.187 On 17 December 2020, ahead of the Christmas holiday, the sitrep estimated that primary pupil attendance was 87% and secondary pupil attendance was 76%, down from 88% and 78% respectively as reported in the 2 December 2020 sitrep. Absence data provided in this report showed between 8.6% and 10% of pupils were absent due to COVID-19 related reasons with 6% of this group isolating due to potential contact with a case within the school (Exhibit JK1/289 - INQ000542895). Attendance rates for groups showed 80% of children and young people with an EHC plan attended and 80% of children and young people with a social worker attended, up from 79% and 79% respectively as reported in the 2 December 2020 sitrep.
- 4.188 On 18 December 2020, SSE received a submission from DfE officials on the return to education settings in January 2021 after the Christmas break (Exhibits JK1/552 - INQ000497714 and JK1/553 INQ000497715). The submission recommended an approach to managing transmission in settings and included an EIA on restricting attendance in secondary schools and FE settings in the first week of spring term 2021.
- 4.189 On 19 December 2020, the Prime Minister announced that a new fourth tier 'Stay at Home' alert level would be introduced, following concerns about the rapid rise in the number of COVID-19 cases due to the spread of a new variant (known later as the Alpha variant) (Exhibit JK1/290 - INQ000075737). Kent, Buckinghamshire, Berkshire, Surrey (excluding Waverley), Gosport, Havant, Portsmouth, Rother and Hastings; London (all 32 London Boroughs and the City of London) and the East of England were moved from Tier 3 to Tier 4. Education and childcare settings were exempt from the wider economic and social restrictions in these areas and no school closures were imposed within Tier 4 areas.
- 4.190 On 28 December 2020, in the context of the rapid accelerating spread of the Alpha variant, and in preparation for his meeting with the Prime Minister that same day, SSE received advice from DfE officials on further options for settings from January 2021 (Exhibit JK1/291 - INQ000075682). The options were designed to protect and maximise on-site attendance for as many pupils as possible.
- 4.191 DfE officials recommended that SSE consider extending the staggered return of secondary schools and colleges by a further week to 18 January 2021 nationally to enable testing in secondary schools and colleges to be set up and prioritised in a more robust way, as well as giving an additional week of remote education for most pupils to avoid the close contact and mixing associated with onsite attendance. Primary

schools, CCW and vulnerable children in secondary schools, EY and AP would return from the start of the spring term as planned. The advice noted that:

“if new scientific evidence comes to the fore and clearly shows that transmission is high in younger pupils, it is possible we may need to act quickly to take a different approach in relation to on-site attendance from January either for secondary school age pupils to whom the staggered return applies or primary school age”.

- 4.192 DfE officials also recommended that SSE agree to weekly testing for secondary and FE pupils. If any new scientific evidence came to light that clearly demonstrated that transmission was high in younger pupils, officials recommended that SSE consider using the Contingency Framework decision-making process to implement setting closures in all high prevalence areas from the week commencing 4 January 2021, including the possibility of extending restrictions to childcare and EY settings.
- 4.193 On 28 December 2020, SSE attended a meeting, chaired by the Prime Minister, alongside SSHSC, the CMO, the government CSA and key members of CO (Exhibits JK1/292 - INQ000075504 and JK1/293 - INQ000075505). The group discussed options for secondary school return and planned to discuss education further at Covid O on 29 December 2020. There was also discussion on whether to implement the Contingency Framework for primary schools in London and the south-east where case rates were rising. While there remained consensus that education settings should be ‘the last to close’, there was a difference in opinion about whether the situation was close to reaching this point. SSHSC set out his concern that the existing Tier 4 measures might not be sufficient to control the variant if settings returned to full attendance after the Christmas break. As set out in his Witness Statement dated 7 September 2023, Sir Gavin Williamson CBE stated that at this meeting SSHSC indicated that he thought that education settings should not re-open to all children after Christmas (Exhibit JK1/142 - INQ000268013).
- 4.194 In contrast, at the meeting SSE outlined the social impact of closing education settings and said that protecting and maximising on-site attendance for as many pupils and students as possible, particularly for those sitting exams, EY and primary settings, vulnerable children and CCW, should remain a top priority for the government. SSE emphasised the government's consistent stance on the significance of education and that transmission levels in London and the south-east were still lower than they had

been in northern cities and towns at certain points during the autumn term, when education settings in these places had remained open to all children.

- 4.195 Whilst not explicitly mentioned in the meeting readout, it can be inferred that the Prime Minister did not agree that education settings should be closed to most children when they returned from Christmas. This inference is based on the Prime Minister advising that the mass testing proposal sounded positive and that decisions would need to be taken in the round that same week. The Prime Minister requested further detail on the testing delivery plan to understand if weekly testing would be deliverable and what would need to be done to make this happen. SSE offered to work with SSHSC on any further measures that were considered necessary to further reduce any risk associated with opening settings after the Christmas break. This inference was based on the meeting readout conclusion that stated (Exhibits JK1/142 - INQ000268013 and JK1/292 - INQ000075504):

“In conclusion, the PM understood the DfE proposal and thought that the mass testing proposals sounded positive, though overall he could also see the arguments for having a lower risk appetite on opening. Decisions will need to be taken in the round this week. In the meantime, on schools specifically he would like to urgently see the delivery plan on testing in every school for the start of term, as well as understanding the precise policy (ie are we compelling individuals/schools? How? What’s the form of words he could use?) – and whether weekly testing is deliverable, and what would need to be done to make that happen.”

- 4.196 On 29 December 2020, a meeting took place attended by the Prime Minister, the Chancellor of the Exchequer, SSHSC, SSE and CDL, as well as the government’s CMO and CSA (Exhibit JK1/294 - INQ000075506). SSE and SSHSC agreed to delay the phased return of secondary schools and colleges by one week, until at least 18 January 2021, except for those in exam years, who would return on 11 January 2021. This would allow additional time to set up and offer LFD testing on return for those returning at this later date. Vulnerable children and CCW would return from 4 January 2021 and would be offered LFD tests on their return, testing for staff would also be available. It was agreed that weekly testing for all secondary pupils, as well as serial testing of close contacts, would begin from 18 January 2021. It was decided that the

Contingency Framework should be immediately implemented in areas where case rates were highest, but it was emphasised that there should be a high bar for entry to the Contingency Framework for secondary schools, and a higher one for primary schools, to ensure that closures were as limited as possible.

- 4.197 Later that day, on 29 December 2020, based on JBC public health advice and in consultation with SSHSC, SSE agreed to implement the Contingency Framework in 50 local authorities in London and the south-east, where infection rates were highest, from 4 January 2021, leading to the closure of primary schools from 4 January 2021 for all children except those who were vulnerable or CCW. In these 50 local authorities, it was agreed that the opening of primary schools would be delayed until at least 18 January 2021. In all other areas, primary schools were to open as usual on 4 January 2021. 23 of the 50 local authorities selected for inclusion in the Contingency Framework were London boroughs leaving 10 London boroughs without restrictions. As detailed in chapter 5, this decision was revised and the government announced on 1 January 2021 that all London primary schools were to limit attendance to vulnerable children and CCW from 4 January 2021. Further detail on this decision can be found in paragraphs 5.4 and 5.5.
- 4.198 On 30 December 2020, following agreement from the Prime Minister, SSE made a statement to Parliament to advise that the majority of primary schools would be opening, as planned, on 4 January 2021, but that in a small number of areas where infection rates were highest, only vulnerable children and CCW would attend face-to-face from this date (Exhibit JK1/295 - INQ000075738).
- 4.199 It was announced that DfE were working on an ambitious testing program that would help break the chains of transmission and reduce the need for self-isolation where students or staff tested positive for the virus (see paragraphs 4.176, 4.177, 4.178 4.184 and 4.185 for further detail). Due to the high infection rate amongst secondary-aged pupils, and those in college, the staggered return to settings would be pushed back with most children returning full time from 18 January 2021 to give more time to prepare for regular on-site testing.
- 4.200 That same day, the Prime Minister gave a press conference announcing that, because the COVID-19 infection rate was particularly high, action that affected education settings would need to be taken (Exhibit JK1/296 – INQ000075739). The Prime Minister stated that most primary schools would return from 4 January 2021. The

Prime Minister explained that to facilitate the setup of a mass testing program in all schools and colleges from 4 January 2021, the phased return of secondary schools and colleges would be delayed by one week. This was to ensure every secondary pupil was tested as they returned, and regularly thereafter. Pupils in exam years were scheduled to return the week beginning 11 January 2021, with the full return for all pupils delayed until at least 18 January 2021.

5. Chapter 5: January 2021 to March 2021 - Decision to close settings to the majority of pupils in January 2021 and fully reopen in March 2021, and monitoring of impacts during the period of closure

- 5.1 This chapter sets out the decision to close settings to the majority of pupils in January 2021 and fully reopen settings in March 2021. This chapter also provides a chronological overview of the monitoring activity that took place during this period and the actions taken by DfE which were informed by the overall monitoring activity. The monitoring activity included work to understand the epidemiological impact of children and young people attending educational settings from 4 January 2021. Additionally, it included the monitoring of children and young people's attainment, safety, mental health and wellbeing, as well as the attendance of all children and young people, including vulnerable children.
- 5.2 In early January 2021, the percentage of people testing positive for COVID-19 in England continued to increase with London having the highest proportion of people testing positive (week to 2 January 2021) (Exhibit JK1/297 - INQ000252667). London, the east of England and the south-east had the highest percentage of positive cases that were compatible with the new variant of the virus (known later as the Alpha variant).
- 5.3 The existing Contingency Framework was initially implemented in 50 local authorities based on JBC evidence including primary schools in parts of London, Essex, Kent, East Sussex, Buckinghamshire and Hertfordshire on 30 December 2020 (see paragraphs 4.192 and 4.193). On 1 January 2021, the Prime Minister commissioned the SSHSC and SSE to develop options on further primary school closures within the Contingency Framework.
- 5.4 On 1 January 2021, DfE and DHSC provided joint advice to No.10 recommending that primary schools across all London boroughs should be advised to close to all children except vulnerable children and CCW from 4 to 18 January 2021 to provide clarity and avoid inconsistent advice. EY, special schools and AP were not impacted by this decision. 10 local authorities in London had not been included on the 30 December list of areas that could invoke the Contingency Framework. All but one (Kingston) had asked for the list to be reviewed on an urgent basis and for the decision to be reversed (Exhibit JK1/298 - INQ000075513).

- 5.5 On 1 January 2021, Education Gold, a meeting organised and run by the CO's COVID-19 Taskforce, also agreed to the DfE and DHSC recommendation to extend the Contingency Framework to a further 10 local authorities (Exhibits JK1/299 - INQ000075515 and JK1/300 - INQ000075516). No.10 commissioned SSHSC and SSE to develop options on attendance restrictions within the Contingency Framework on 1 January 2021 (Exhibit JK1/301 - INQ000075512). The government announced this in a press statement on that same day (Exhibit JK1/302 - INQ000075740). The statement advised that all London primary schools were to limit attendance to vulnerable children and CCW from 4 January 2021 and would not be returning to onsite education for other children until 18 January 2021.
- 5.6 Over the weekend of 2 and 3 January 2021, DfE officials discussed the return of primary schools with No.10 officials and UKHSA officials. Discussions focused on the fast-changing situation, and on checking there was a common understanding that the plan for 4 January 2021 reflected the right balance between public health considerations and the need for children and young people to be in face-to-face education.
- 5.7 On 3 January 2021, the Prime Minister confirmed during an interview that primary schools unaffected by setting closures would return to full attendance on 4 January 2021 (Exhibit JK1/303 – INQ000542971). The Prime Minister advised that the government would keep the situation under constant review and be driven by public health considerations and by the importance of education to children and young people. The Prime Minister went on to explain that local authorities *“should be guided by the public health advice, which at the moment is that schools are safe in those areas where we’re not being driven by the new variant to close them, and that the priority has got to be children’s education.”*
- 5.8 On the morning of 4 January 2021, all primary schools unaffected by setting closure returned to full attendance after the Christmas break. Attendance data estimated that primary pupil attendance was 65% on 4 January 2021, with many settings expected to have had an INSET day on this date (Exhibit JK1/304 - INQ000542976).
- 5.9 In the afternoon of 4 January 2021, a Cabinet Meeting was held, attended by SSE, where the COVID-19 Taskforce reported that the national situation was worsening, with rising cases expected to put more pressure on hospitals. The update paper, prepared

by CO, stated that the four CMOs had advised moving to “Alert Level 5”, the highest of the levels defined to communicate the current risk level UK-wide, indicating that there was a significant risk of healthcare services becoming overwhelmed (Exhibits JK1/305 - INQ000075517 and JK1/306 - INQ000088942).

- 5.10 The paper explained that further limits on social contact, particularly in education settings, should reduce the R number. The paper stated:

“Restrictions on primary and secondary schools, colleges and higher education settings should deliver moderate impacts on transmission. The closure of schools will lead to further disruptions to education, particularly those children from lower income households with limited access to the internet. It will have a disproportionate impact on women who are responsible for the majority of childcare and homeschooling. The exemption to form support and childcare bubbles and continued opening of Early Years settings will help mitigate the impact and support affected families.”

- 5.11 Cabinet ministers decided to introduce a new national lockdown, based on a strong stay at home message, across the country.
- 5.12 Later that same day, the Prime Minister announced, in a televised address, that a third national lockdown was to start and that all primary schools, secondary schools, and FE settings across England would move to remote education for the majority of students (Exhibit JK1/307 - INQ000086664). Addressing the impact of the new lockdown on settings, the Prime Minister confirmed everyone would still be able to access EY settings, whilst primary schools, secondary schools and FE settings across England would learn remotely from 5 January 2021. Settings would remain open for vulnerable children and CCW. The Prime Minister expressed his aim for education settings to be among the first parts of society to reopen.
- 5.13 The DfE daily sector bulletin, issued on 4 January 2021, set out the implications of the Prime Minister’s announcement on settings. The email confirmed that all EY providers (including registered childminders but not including reception years in primary schools) could remain open. Schools, AP, special schools and colleges would remain open to vulnerable children and CCW only. All other children and young people would learn remotely until February half term (Exhibit JK1/308 - INQ000542591).

- 5.14 On 4 January 2021, regular mass LFD testing commenced in primary schools, secondary schools and FE colleges for staff, vulnerable children and CCWs. Even though the Prime Minister re-introduced attendance restrictions from 5 January 2021, regular LFD testing continued to be offered to staff and students who attended their secondary school or FE college setting. The primary school workforce, who attended their workplace, were also advised to carry out the same level of regular LFD testing as their secondary school counterparts in this phase, but there continued to be no plans for LFD testing for primary school pupils.
- 5.15 On 5 January 2021, SSE received a submission from DfE officials regarding the continuation of EY provision in response to the Prime Minister's statement from the previous day (Exhibit JK1/309 - INQ000542901). The submission recommended initiating discussions with HMT to reserve childcare places and instructing local authorities to "block buy" places, regardless of actual nursery attendance, in case of a significant drop in attendance levels. This was a change from an announcement made before Christmas that advised that block buying childcare places would be stopped from 1 January 2021 and policy would revert to funding for children in attendance only. DfE officials advised that this change would encourage EY providers to remain open.
- 5.16 DfE officials explained that EY settings had been open to all children since 1 June 2020 and there was no evidence that the EY sector had contributed to a rise in virus cases within the community. Evidence from SAGE showed that EY provision had a smaller relative impact on transmission rates than primary schools and PHE advice remained that the risk of transmission and infection was low if EY settings followed the system of controls. DfE officials advised that children under 5 years old continued to have the lowest rates of COVID-19 of all age groups. Evidence showed that pre-school children were less susceptible to infection and were not playing a driving role in transmission.
- 5.17 DfE officials also recommended that REACT follow up with school heads, trusts, and local authorities where school-based EY provision was not accessible to all children and young people and strongly encourage them to open. DfE officials advised that DfE should initially refrain from invoking direction powers to mandate the opening of schools or other EY providers.
- 5.18 SSE agreed that DfE should clarify its position to school-based nurseries on 6 January 2021 to advise that schools should be open for all EY children under reception year

ages, if they had EY nursery provision. On 8 January 2021 SSE also agreed that DfE should start discussions with HMT and not immediately invoke direction powers (Exhibit JK1/310 - INQ000542595).

5.19 On 5 January 2021, DfE sought to revise and further strengthen the minimum expectations for remote education provision following the announcement on 4 January 2021 that settings would close to the majority of pupils (Exhibits JK1/311 – INQ000542592 and JK1/312 - INQ000542593). SSE received a request from DfE officials to approve the following recommendations on minimum expectations for schools' remote education, which included:

5.19.1 Raising the number of hours of provision expected per day (for all but the youngest pupils) to bring remote education into closer alignment with a normal school timetable;

5.19.2 To signpost more clearly to support available from DfE alongside the remote education expectations; and

5.19.3 Expectations for the monitoring of pupil engagement to move from weekly to daily.

5.20 SSE agreed to the recommendations that same day and, on 6 January 2021, DfE officials provided an updated version of the remote education guidance with strengthened expectations (Exhibits JK1/313 - INQ000542606).

5.21 On 6 January 2021, SSE received advice from DfE officials on how the decision to close settings would be implemented (Exhibit JK1/314 - INQ000075519). The advice included a *Limiting attendance at schools and Further and Higher Education providers EIA* (Exhibit JK1/315 - INQ000075520) and *Changes to education settings in January submission* (Exhibit JK1/316 - INQ000075521).

5.22 Within the *Limiting attendance at schools and Further and Higher Education providers EIA*, DfE officials considered the equalities impacts of closing settings to the majority of pupils due to increased prevalence of COVID-19 and stated that infections were increasing across the country and that:

“There was initially concern that the new variant of concern may disproportionately increase susceptibility and/or transmissibility in children, as prevalence in London was higher among secondary school age group than other age groups. However, this is likely due (at least in part) to the fact that much of the spread occurred during the November lockdown, when schools were still open but many other potential transmission routes were closed. More recent analysis of other regions does not show a consistent pattern of greater prevalence of the new variant among children and young people than other age groups.”

- 5.23 DfE officials explained that there was no evidence that the new strain of COVID-19 caused more serious illness in children and that there continued to be strong evidence that children were much less susceptible to severe clinical disease than older people. The advice then emphasised that, on 22 December 2020, SAGE had warned that closure of schools might be necessary to bring levels of infection down and reduce the transmission rate below one.
- 5.24 DfE officials assessed that the decision to close settings to the majority of pupils would have a negative impact on some children due to time out of face-to-face education, although this would be mitigated by the provision of remote education and access to settings for some children and young people. However, due to the severe rise in COVID-19 cases, and subsequent impact on the NHS, DfE officials concluded that the decision to close settings to the majority of pupils was justified given the broader positive impacts that would occur as a result of breaking chains of transmission.
- 5.25 DfE officials went on to explain that vulnerable children and young people (including those with an EHC plan) and CCW could continue to attend settings during this period. The definition of vulnerable children included those identified as ‘otherwise vulnerable’ by education providers or local authorities and who could therefore benefit from on-site attendance. This included those who may have had difficulty engaging with remote education at home or others at the provider and local authority’s discretion who needed to attend to receive support or manage risks to their mental health.
- 5.26 DfE officials also considered the decision to keep EY settings open for face-to-face provision for all children within the EIA. DfE officials advised that the benefits of access

to EY settings outweighed the risks, particularly when factoring in the scientific evidence in relation to lower health and transmission risks for young children.

- 5.27 Within the *Changes to education settings in January* submission, DfE officials emphasised SAGE's recommendation that attendance at education settings needed to be reduced in order to reduce overall contacts and transmission rates. Although most children and young people were:

“not adversely affected by Covid-19, educational settings and the activities centred around them, create an increase in social interactions. There is no other significant action which could be identified to reduce spread sufficiently.”

- 5.28 DfE officials recommended continuing to limit school attendance to vulnerable children and CCW and keeping FE settings open for those on technical courses with a need to access specialist equipment, and switch to remote learning for all others until at least February half term 2021. Registered EY settings would remain open for all children where possible, but wraparound childcare and out of school settings would serve only vulnerable children and CCW.

- 5.29 On 6 January 2021, SSE agreed to the recommendations proposed by DfE officials and made an oral statement to Parliament to set out how the decision to close settings would be implemented (Exhibit JK1/317 - INQ000542887).

- 5.30 On 7 January 2021, as well as capturing data on remote education via the EdSet as set out in paragraph 5.34, DfE published revised and strengthened remote education expectations that set minimum hours for remote education for key stage 1, key stage 2 and key stages 3 and 4 to 3 hours, 4 hours and 5 hours a day respectively (Exhibit JK1/313 - INQ000542606).

- 5.31 On 7 January 2021, DfE updated *Actions for schools during the coronavirus outbreak* guidance to make clear that wraparound provision, such as before and after-school clubs, should continue to run for vulnerable children (Exhibit JK1/313 - INQ000542606).

- 5.32 On 8 January 2021, SSE received a separate scientific summary from DfE officials, which included a summary of SAGE 75 papers (Exhibit JK1/320 - INQ000542612). The scientific summary explained that it was too early to see the impact of closing

settings to the majority of pupils on transmissions and that the TFC would work with DfE to review the evidence on impacts on children of school closures and review the effectiveness of transmission mitigation measures in schools.

- 5.33 The scientific summary went on to note findings from a recent PHE paper, *PHE Investigation of novel SARS-CoV-2 variant, Variant of Concern 202012/01 - Technical briefing 3*. The paper stated that the new variant of concern was more transmissible but was not disproportionately impacting young people relative to adults.
- 5.34 Throughout January, February and March 2021, weekly sitreps were shared with SSE, ministers and SCS. The sitreps included information on attendance, vulnerable children and remote education. Data on remote education started to be captured in January 2021 via the EdSet data collection following agreement by SSE on 8 January 2021 to capture additional data on engagement with remote learning (Exhibits JK1/321 - INQ000542597 and JK1/322 - INQ000542598).
- 5.35 During this period of restricted attendance, vulnerable children and young people, including those with EHC plans continued to be prioritised for on-site attendance. In spring and summer 2021, DfE used the focused vulnerable children and young people attendance data dashboard, launched on 1 October 2020, to make targeted calls to local authorities where the data showed concern about low education attendance from vulnerable children. The calls enabled local authorities to be alerted to attendance concerns and to also inform DfE about the context around the data. DfE was then able to better understand challenges faced by the sector and could use it to inform policy work.
- 5.36 On 11 January 2021, the first sitrep shared after the decision to close settings on 4 January 2021 estimated that around 14% of children attended school. Attendance rates for groups showed 33% of children and young people with an EHC plan attended and 40% of children and young people with a social worker attended (Exhibit JK1/323 - INQ000542601). DfE officials advised that attendance for vulnerable children had improved from spring and summer term 2020 when settings closed to the majority of pupils. The sitrep dated 1 April 2020 estimated that circa 6% of vulnerable children attended (see paragraph 4.11), and by 21 May 2020, the estimated figure had risen to 12% (see paragraph 4.60). Initially, attendance rates were reported within the sitreps as a single percentage of vulnerable children with either an EHC plan or a social

worker hence why only one percentage figure has been provided for this group for April and May 2020.

- 5.37 Within the 11 January 2021 sitrep, DfE officials also advised that attendance for vulnerable children was below autumn term 2020 when settings fully reopened. On 7 September 2020, it was estimated that 88% of children and young people with an EHC plan attended and 87% of children and young people with a social worker attended (see paragraph 4.159).
- 5.38 On 12 January 2021, DfE launched the 'Review your remote education provision' tool for settings to use to assure themselves that their remote education offer met the expectations set out in the updated guidance (Exhibit JK1/324 - INQ000542605). On 6 January 2021, DfE also updated guidance on supporting pupils with SEND to access remote education (Exhibits JK1/325 - INQ000542952 and JK1/326 - INQ000542953).
- 5.39 On 14 January 2021, SSE received advice from DfE officials on a new education recovery/catch-up package (Exhibit JK1/327 - INQ000542855). The advice set out the extent of lost learning across the education system, as well as proposals for a series of interventions DfE could consider implementing to help students and settings make up for lost time. The advice recommended that DfE's approach to catch-up should be in three phases:
- 5.39.1 DfE's immediate response during spring term 2021;
 - 5.39.2 Medium term repair during summer 2021 and academic year 2021/22;
 - 5.39.3 Longer term recovery through academic year 2022/2023 and beyond.
- 5.40 SSE agreed that the focus on immediate term catch-up should be in targeting those who had fallen most behind and those who had less time to catch up whilst also offering a universal element on 19 January 2021 (Exhibit JK1/328 - INQ000542615).
- 5.41 On 14 January 2021, the Permanent Secretary Stakeholder Group ("PSSG"), a cross-sector forum, held their first meeting after being established by DfE to consider important issues related to the COVID-19 response and education recovery (meeting note dated incorrectly as 14 December) (Exhibit JK1/329 - INQ000542618). Several stakeholder meetings were held during this spring term period to develop the plans for full reopening. The PSSG was an important forum as it brought together key

stakeholders, including trade unions and representatives from EY, schools, FE, HE and children's social care sectors together weekly to discuss matters related to full reopening with the Permanent Secretary, myself and other senior DfE and DHSC officials. The PSSG meetings contributed to the plans and the broad consensus to fully reopen settings from 8 March 2021, they were an important element in this process as well as good reflection of the wider engagement taking place across DfE with its sectors. The second Corporate Statement Annex 5 (external stakeholder meetings and forums) provided by Susan Acland-Hood dated 12 June 2025 (Exhibit JK1/562 – INQ000587823) provides information on external stakeholder meetings including the PSSG.

- 5.42 The PSSG meeting held on the 14 January 2021, focused on planning for the full reopening of settings and current issues including testing, capacity in settings and EY funding. When considering full reopening, DfE officials discussed planning and reopening options as well as supportive measures and future communications with the group. DfE officials advised that full reopening would be an item for discussion each week ahead and attendees welcomed the opportunity to be part of strategic planning.
- 5.43 On 15 January 2021, SSE received a scientific summary from DfE officials, which included a summary of SAGE 76 papers (Exhibit JK1/330 - INQ000542610). DfE officials advised that the TFC would work with SPI-M to consider the epidemiological impact of a full reopening.
- 5.44 On 18 January 2021, SSE received a submission from DfE officials that set out options and associated risks for managing the February half term holiday period (Exhibit JK1/331 - INQ000075527). Three potential options were presented:
- 5.44.1 Settings to close as normal during the February half term period with holiday and wraparound clubs to remain open for CCW and vulnerable children;
 - 5.44.2 Keeping settings open for CCW only during the February half term period; and
 - 5.44.3 Collaborating with parents and local authorities to arrange childcare solutions for the February half term holiday period.

5.45 SSE agreed that settings should close as normal for the upcoming February half term on 21 January 2021 (Exhibit JK1/332 - INQ000075526).

5.46 On 19 January 2021, DfE's CSA and DfE's DCSA provided oral evidence to the Education Committee on the impact of COVID-19 on education and children's services (Exhibit JK1/333 - INQ000203962). DfE's CSA and DfE's DCSA discussed risks and mitigations explaining that government would continue to monitor the situation and look to make a judgment on where the balance of risks was at, at any point. In oral evidence, DfE's CSA stated:

"There is a range of survey evidence out there that points to a worsening mental health situation for children and young people. That is provided to my colleagues and also to Ministers. The information that is there is provided and the Department published jointly with SPI-B, which is one of the SAGE subgroups, a paper on the benefits of school and the losses from school on mental health and wellbeing. What we don't have is a single quantitative assessment of the total mental health impact. We have a range of survey evidence, which we provide to Ministers and my policy colleagues. That is taken into account when judging the balance of risks in making decisions, so Ministers definitely take that into account when making those decisions."

5.47 DfE's CSA made a reference to the joint *SPI-B/DfE: COVID-19: Benefits of remaining in education - evidence and considerations* November 2020 paper where key evidence and considerations on the closure of schools was outlined. The themes considered in the joint paper were educational outcomes, health and wellbeing, vulnerable children and inequalities as well as classroom learning and remote learning (Exhibit JK1/334 - INQ000073884).

5.48 In oral evidence DfE's DCSA stated:

"Last term we had, broadly, a system that was working. Schools were largely open and the R rate transmission went down across most of the country. That is not to underestimate the challenges of that and it took a lot of work to do that, but we did have a system that was working. Face coverings can be an additional mitigation. The big

question is whether the new variant changes that position. We will know more about that within the next few weeks. At the moment, the emphasis is on doing all the things we were doing last term but doing them better because we have a little bit less margin for error with the new variant. Hopefully, things like testing will also have had some improvement over time.”

- 5.49 On 20 January 2021, SSE received a submission from DfE officials to establish DfE’s headline policy positions on reopening settings to the majority of pupils in the event that full reopening after February half term 2021 was not possible (Exhibits JK1/335 - INQ000075523 and JK1/336 - INQ000075524). The advice set out a framework of possible actions for different settings depending on the public health picture in early February 2021 in preparation for a meeting with No.10 officials and the COVID-19 Taskforce the next day.
- 5.50 It was confirmed that any decision on increasing attendance in schools and colleges would be communicated at least five working days in advance of the decision coming into effect, whether SSE decided on full attendance, partial attendance, or to not ease restrictions immediately after half term. Given the Prime Minister’s ambition for pupils to return after the half term, officials considered 22 February 2021 as the earliest date for any school or college to lift their attendance restrictions. It was understood that, in practice, this meant telling the education sector on either Friday 5 February 2021 or on Monday 8 February 2021, given the need to gather up-to-date epidemiological data to inform decisions on easing lockdown.
- 5.51 DfE officials recommended that SSE agree to a gradual widening of attendance, beginning with primary schools and a small number of FE students on courses that required them to be present. For those students, DfE would establish a sliding scale to identify a list of those for whom attendance was most critical (either because of the subject matter or where they were in their studies) and add more to the list of those able to attend if the public health situation allowed.
- 5.52 On 20 January 2021, SSE received further advice from DfE officials on the new recovery/catch-up package (Exhibit JK1/337 - INQ000542856). The advice set out what a package of immediate catch-up interventions might look like, to be delivered over the course of summer 2021 and the following academic year and recommended “*an overall package of c.£1 billion to deliver high impact, evidence-base catch up*

support across the summer and into the next academic year.” The majority of the package would channel funding to those who needed most support, using disadvantage (e.g. pupil premium) as a proxy to allocate funding whilst also giving settings discretion to target pupils most in need. The recommended package had four core elements:

- 5.52.1 An expansion of high-quality tuition through an expansion of DfE’s core NTP and an extension of the 16 to 19 Tuition Fund;
- 5.52.2 An expansion of early language support;
- 5.52.3 Two-week summer schools for pupils who have fallen furthest behind to deliver 200,000 places; and
- 5.52.4 A one-off ‘Covid Premium’ grant for schools (5 to 16) and EY settings, tied explicitly to evidence-based approaches.

- 5.53 The advice stated that *“we’ve ensured this package of support sufficiently covers all phases – including both EY and 16-19.”*
- 5.54 On 21 January 2021, SSE’s office fed back that he had considered officials’ advice and discussed it with No 10 and that he was broadly happy with the recovery package proposed. He also asked for further advice on the proposed longer-term strategy for ‘catch up’, in particular, how this would complement or link to wider school reform. Over the following week, this detail was worked through with DfE officials with input from the relevant DfE ministers (Exhibit JK1/338 - INQ000542635).
- 5.55 On 21 January 2021, the PSSG meeting focused on full reopening as well as implementing protective measures (Exhibit JK1/339 - INQ000115181). DfE officials set out scenarios for reopening and the group discussed several related matters including priority year groups, local level planning and sector confidence. Attendees also had the opportunity to create a list of questions that would be responded to during the next PSSG meeting.
- 5.56 On 21 January 2021, the DfE daily sector email highlighted that settings should continue to encourage vulnerable children’s attendance (Exhibit JK1/340 - INQ000542621). DfE published general guidance for all schools during lockdown

which included expectations for encouraging vulnerable children to attend settings (Exhibit JK1/313 - INQ000542606) and, on 18 January 2021, specific guidance for special and AP settings to support them to maximise attendance (Exhibit JK1/341 - INQ000542960).

- 5.57 On 22 January 2021, SSE received a scientific summary from DfE officials, which included a summary of SAGE 77 papers (Exhibit JK1/342 - INQ000542624). The summary explained that new modelling had shown that vaccine roll-out alone would not have a substantial immediate impact on the trajectory of the virus. Even if the transmission rate remained below one, there would likely be substantial pressure on the NHS for the next six-week period. In this context, the full reopening of education settings could lead to a further, rapid increase in hospital admissions. DfE officials advised that DfE should further monitor new evidence relating to the severity of the new variant and its dominance in communities, as it would affect hospital capacity and options for reopening settings to the majority of pupils. DfE officials monitored and provided information on new variants via the scientific summaries.
- 5.58 On 25 January 2021, SSE received a submission from DfE officials seeking approval for a revised Contingency Framework as part of preparations for reopening settings to the majority of pupils (Exhibits JK1/343 - INQ000075528, JK1/344 - INQ000075529, and JK1/345 - INQ000075530).
- 5.59 In the time since the Contingency Framework was published on 27 November 2020, a number of events prompted a revision of this framework, including the fact that the framework had been superseded by a national lockdown which had introduced restrictive measures that the Contingency Framework had not accounted for.
- 5.60 Proposed changes included emphasising the Contingency Framework's primary role as guidance for decision-making; clarifying the decision-making process; providing greater flexibility for decisions pertaining to different sectors; and emphasising the DfE's ambition to give the sector as much notice as possible of major changes to restrictions. As with the original Contingency Framework, the update made clear that DfE would first accept some restrictions in secondary schools and colleges, then in primary schools, and finally EY.

- 5.61 DfE officials recommended that SSE agree to the revisions in the updated Contingency Framework and that the principles of the framework should be used within government to guide plans relating to setting closures.
- 5.62 That same day, SSE approved the proposed changes, allowing the revised Contingency Framework to move to the next stage of triple-lock clearance, where the framework was circulated within government departments to inform discussions on reopening settings to the majority of pupils, and for draft guidance to be created ready for publication once a full reopening plan was agreed.
- 5.63 On 27 January 2021, SPI-M-O issued a consensus statement on the reopening of schools to the majority of pupils (Exhibit JK1/346 - INQ000075793). SPI-M-O stated that the reopening of schools was likely to result in increased population level transmission, but the extent of this, and the impact of transmission within schools versus transmission associated with schools simply being open, remained uncertain and difficult to quantify. The statement suggested that, given regional differences in R, there may be '*headroom*' to open some schools before others, meaning that a partial return to school for some students could be feasible the following month provided the transmission rate remained below one, hospital occupancy decreased, and vaccines were effective against transmission.
- 5.64 The consensus statement advised that an initial reopening of schools, for example starting with certain year groups or only primary schools, for a time limited period and without easing other restrictions, would allow for an assessment of the impact on community transmission.
- 5.65 On 27 January 2021, SSE attended a Covid O meeting where, based on public health advice including the latest data on infection levels and vaccine take-up, the COVID-19 Taskforce recommended that pupils should not return to settings on 22 February 2021, instead advising that the resumption of face-to-face learning in settings should be delayed until at least 8 March 2021 (Exhibits JK1/347 - INQ000075531, JK1/348 - INQ000075532 and JK1/349 - INQ000542907).
- 5.66 Whilst preferring to return all education settings as soon as possible, "*in order to minimise the detrimental impacts whilst responding to the public health data*", DfE set out a prioritisation order for a staggered return (see Annex B of the COVID O paper). DfE proposed that the first group of pupils to return to settings should be students on practical, priority HE and FE courses, who would be unable to complete their courses if

they did not return to take part in practical teaching, access specialist facilities, or complete assessments. Next would be EY and key stage 1 pupils, as it was difficult for these children to learn remotely. Thirdly, key stage 2 pupils, who were also less able to learn remotely. After this, year 10 to year 13 pupils in schools, and equivalent exam years in colleges, because DfE acknowledged how vital it was for those approaching the final stage of their exam years to engage actively with education. Next, the remaining students on practical HE and FE courses, who needed access to specialist resources and facilities to continue their studies. Then the remaining secondary school groups and, finally, the remaining students in HE and FE.

5.67 Covid O agreed that the earliest that pupils would return to face-to-face education was 8 March 2021 and that this would be announced to Parliament that day by the Prime Minister. Covid O agreed to review this decision in the week of the 15 February 2021, taking into account the latest data, including data on the effectiveness of vaccination roll out. Covid O also agreed the prioritisation order for staggered return set out in the paper presented to them in the event that it was not possible to deliver the ambition to return all pupils on 8 March 2021 (Exhibit JK1/350 - INQ000542630).

5.68 On 27 January 2021, the headlines of the new education recovery package were announced (Exhibit JK1/351 - INQ000542877). The Prime Minister said:

“And as we did this financial year, we will provide a catch-up programme over the next financial year, with a further £300 million of new money to schools for tutoring, and we will work with the education sector to develop, wherever appropriate, specific initiatives for summer schools as well as a Covid Premium for catch-up and to support pupils to catch up.”

5.69 On 28 January 2021, the PSSG meeting focused on full reopening, protective measures and education recovery. A PHE official provided a response to the questions raised during the PSSG meeting held on 21 January 2021, as the questions raised by attendees related to case rates, protective measures and vaccines (Exhibit JK1/352 - INQ000115182). The meeting occurred the day after the Prime Minister announced to Parliament that the earliest that pupils would return to face-to-face education would be 8 March 2021.

- 5.70 During the PSSG meeting, DfE officials advised that the department wanted to engage with the sector and “*focus on a shared understanding of safety and on the successful reopening when the time comes.*” I led on a PSSG action to convene a sub-group on risk mitigation and safety, chairing two meetings in February 2021. The sub-group included trade unions and representatives from EY, schools, FE, HE, children’s social care sectors and the Office of the Children’s Commissioner for England. The first meeting, held on 3 February, discussed a number of items including the PHE endorsed system of controls, testing, ventilation and vaccinations (Exhibit JK1/353 - INQ000497940). Discussion points during the second meeting, held on 10 February 2021, included face coverings and international evidence as well as the PHE endorsed system of controls.
- 5.71 On 28 January 2021, the sitrep estimated that around 14% of children attended school. Attendance rates for groups showed 35% of children and young people with an EHC plan attended and 41% of children and young people with a social worker attended, up from 33% and 40% respectively as reported in the 11 January 2021 sitrep (Exhibit JK1/354 - INQ000542628). Data on remote education indicated that almost all schools reported providing remote education in compliance with the minimum hours outlined in the guidance published on 7 January 2021 (Exhibits JK1/355 - INQ000542927 and JK1/313 - INQ000542606).
- 5.72 On 29 January 2021, SSE received a scientific summary from DfE officials, which included a summary of SAGE 78 papers (Exhibit JK1/356 - INQ000542632). The summary provided information on the modelling of scenarios for a full reopening and an update from the TFC. The summary of the current scientific position explained that SAGE had previously advised that the opening and closing of schools was likely to have an impact on transmission and R, and that policymakers needed to consider the balance of risks and harms. SAGE had also advised that the opening of primary and secondary schools was:
- “likely to increase effective R by a factor of 1.1 to 1.5 (10% to 50%) (medium confidence).”*
- 5.73 DfE officials provided a summary of the updated paper on the role of children and schools in transmission as this paper updated data and evidence discussed in previous papers at previous SAGE meetings (SAGE 65 held on 4 November 2020 and SAGE 73 held on 17 December 2020). Evidence continued to show that children were

susceptible to COVID-19 infection, with primary aged children being at lower risk than older children. Evidence also showed that the opening of schools was associated with increases in contact rates and that transmission to children and young people could occur in household, community and educational settings.

- 5.74 In January 2021, DfE published *COVID mass testing data in education* to illustrate the participation in LFD testing for the educational sector. This continued until 12 February 2021 (Exhibit JK1/357 - INQ000497933) when DHSC began to publish data on LFD testing in education settings (Exhibit JK1/358 - INQ000497935). Paragraph 6.55 provides further detail on testing data.
- 5.75 In January 2021, DfE published Education Policy Institute and Renaissance Learning's first interim report as a result of their research, *Understanding progress in the 2020/21 academic year Interim findings January 2021*. This report looked at learning loss experienced by pupils in England as a result of the COVID-19 pandemic (Exhibit JK1/359 - INQ000542835). The report analysis was based on the results achieved by pupils in the first half of the 2020/21 autumn term (up to and including 25 October 2020) in comparison to pupils in previous years. The report estimated the mean learning loss in reading (for primary and secondary pupils) and mathematics (for primary pupils only due to small sample sizes in secondary). The report showed that all year groups had experienced a learning loss in reading. In primary schools these were typically between 1.7 and 2 months, and in year 8 and year 9, 1.6 and 2 months respectively. Learning losses in mathematics were greater with estimates showing a learning loss of just over 3 months for primary pupils.
- 5.76 On 3 February 2021, Sir Kevan Collins was appointed by the Prime Minister and SSE as Education Recovery Commissioner (Exhibit JK1/360 - INQ000542878). Sir Kevan's terms of reference stated that he was to advise ministers on the approach for education recovery, with a particular focus on helping students catch up on learning lost as a result of the pandemic (Exhibit JK1/361 - INQ000542653). Between Sir Kevan's appointment and his resignation on 2 June 2021, SSE and Sir Kevan met regularly. Sir Kevan also provided the Prime Minister with regular updates on this work.
- 5.77 On 4 February 2021, the PSSG meeting focused on plans for full reopening and also provided feedback from the *Risk mitigation and safety* meeting held on 3 February 2021 (Exhibit JK1/353 - INQ000497940). When considering full reopening, there was agreement from the group that it would be essential for the decision to be based on scientific evidence and that the sector workforce would need to feel confident in

returning. The group discussed how to maximise safety in settings, and points raised on this included vaccinations, ventilation, face coverings and guidance.

- 5.78 On 4 February 2021, the sitrep estimated that around 15.3% of children attended school, up from 14% as reported in the 28 January 2021 sitrep. Attendance rates for groups continued to show 35% of children and young people with an EHC plan attended and 41% of children and young people with a social worker attended. These figures remained consistent with those reported in the 28 January 2021 sitrep (Exhibit JK1/362 - INQ000542640).
- 5.79 On 4 February 2021, SSE confirmed that he was content for DfE officials to organise the first meeting of Mental Health in Education Action Group (“MHiEAG”) (Exhibit JK1/363 - INQ000542644). The aim of MHiEAG was to look at the impact of the pandemic on the mental health and wellbeing of children and young people and to consider how best to support the sector; members included the Youth Mental Health Ambassador Dr Alex George. A total of five MHiEAG meetings were held from March 2021 to February 2022 (Exhibits JK1/364 - INQ000542882, JK1/365 - INQ000542707, JK1/366 - INQ000542730, JK1/367 - INQ000542741, and JK1/368 - INQ000542831). Paragraphs 6.46 and 6.51 provide further information on the MHiEAG meetings.
- 5.80 On 5 February 2021, the statutory instrument making it a legal duty for schools to publish remote education information on their websites was laid (Exhibit JK1/369 - INQ000542646). This imposed a requirement on schools to publish information regarding the provision of remote education so that parents, carers and pupils could better understand what their school’s remote education provision entailed.
- 5.81 On 10 February 2021, SSE received a submission from DfE officials on reopening settings to the majority of pupils from March 2021 (Exhibits JK1/370 - INQ000542661 and JK1/371 - INQ000542662). The submission confirmed that the order of prioritisation for the return to education had been agreed, committing to return as many of these groups as the science would allow:
- 5.81.1 Students on priority, practical higher education and further education courses;
 - 5.81.2 Reception and key stage 1 pupils;
 - 5.81.3 Key stage 2 pupils;

- 5.81.4 Year 10 to year 13 in schools, and equivalent exam years in colleges;
 - 5.81.5 Remaining students on practical HE and FE courses;
 - 5.81.6 Remaining secondary school groups; and
 - 5.81.7 Remaining students in HE and FE.
- 5.82 DfE officials recommended that SSE approve suggestions made on a variety of issues including reinstating mandatory attendance and contingency planning. On 12 February 2021, SSE agreed that if a full reopening was not possible for an extended period beyond 8 March 2021, DfE would continue to plan based on reopening for priority groups rather than a rota system. SSE also agreed that mandatory attendance should be reinstated when settings fully reopened.
- 5.83 On 10 February 2021, SSE also received advice from DfE officials, following advice received from PHE on reopening settings to the majority of pupils (Exhibits JK1/372 - INQ000075534, JK1/373 - INQ000075535 and JK1/374 - INQ000075537). Following a review of the system of controls in settings ahead of schools fully reopening, and with the understanding that the new variant of COVID-19 was more transmissible, the advice also set out a proposed review of the system of controls which would reinforce the current system, building on new evidence to create a safer system where the risk of transmission of infection was substantially reduced. Proposed measures included minimising contact with individuals who were unwell, cleaning hands more often than usual, good respiratory hygiene and ensuring a clear programme of regular testing was in place.
- 5.84 DfE officials set out DfE's narrative and high-level policy intentions around the reopening of settings to the majority of pupils ahead of the Education Gold meeting scheduled for 11 February 2021, chaired by SSHSC and which SSE attended. That same day, SSE confirmed that he was content with the presentations and was also content with the recommendations for the system of controls.
- 5.85 On 11 February 2021, SSE attended the Education Gold meeting chaired by SSHSC where the revised Contingency Framework was discussed as well as the agreed PHE system of controls and the approach to reopening wraparound care.

- 5.86 On 11 February 2021, the PSSG meeting focused on full reopening, education recovery and mental health and wellbeing (meeting note dated incorrectly as 4 February) (Exhibit JK1/375 - INQ000542668). When considering full reopening, discussions included the recently reviewed PHE endorsed system of controls, guidance and communications.
- 5.87 On 12 February 2021, SSE received a scientific summary from DfE officials, which included a summary of SAGE 80 papers (Exhibit JK1/376 - INQ000542658). The summary provided information on the impact of reopening settings to the majority of pupils and an update to the evidence on the role of children and schools in transmission.
- 5.88 In relation to the impact of fully reopening settings, DfE officials explained that SPI-M had modelled the relative impacts of different reopening scenarios for schools. Modelling suggested that fully opening reception and key stage 1 was expected to have a low impact on the transmission rate (circa 5% increase) and that adding the rest of primary year groups would take the impact to around 10%, while adding secondary exam year groups would increase this impact to around 20%.
- 5.89 The update to the evidence on the role of children and schools in transmission explained that those aged 12 to 16 still played a higher role in introducing infection into households than those aged 17. The difference was less marked for those aged under 12. There remained insufficient information to make any statement on the Alpha variant's severity in children due to the very small numbers of children affected by severe disease.
- 5.90 The scientific summary provided an update to the evidence on the role of children and schools in transmission from the TFC. Updated evidence from the TFC included:
- 5.90.1 Paper 5b TFC: update to 17 December 2020 paper on children, schools and transmission - this provided information on the broader impacts of setting closures on children and young people (Exhibit JK1/377 - INQ000542656). The paper stated that:
 - 5.90.1.1 There was evidence of the negative educational impact of missing school, particularly for younger children.

5.90.1.2 There was evidence that the pandemic had negatively impacted the mental health of children and young people, and that setting closures had caused impairment to the physical and mental health of children. Evidence suggested that the mental health of adolescents was particularly affected. A systematic review concluded that school closures were associated with considerable harms to children and young people's health and wellbeing (cited Viner et al. 2021 draft systematic review of broader health impacts of unscheduled school closure).

5.90.2 Paper 5a summary table - educational evidence consensus statements – this provided information on direct harms of missed education (Exhibit JK1/378 - INQ000542655). The paper stated that school closures put educational outcomes at risk, especially for disadvantaged students, and that school closures had a particularly adverse impact on vulnerable children due to reduced access to essential services. The paper went on to state that school closures caused impairment to the physical and mental health of children.

5.91 On 15 February 2021, SSE received and cleared slides titled *Enabling a safe return to education settings from 8 March* from DfE officials on reopening settings to the majority of pupils (Exhibits JK1/379 - INQ000542663 and JK1/380 - INQ000542664). These slides were prepared for a meeting scheduled between the Prime Minister and SSE on 16 February 2021 and set out options for a full reopening. The slides also provided scientific advice, stating that children and young people were much less susceptible to severe clinical disease and that there was developing evidence that the youngest children were less susceptible to infection and less likely to transmit. The advice detailed the PHE-endorsed system of controls to reduce the risk of COVID-19 transmission. Existing measures included face coverings, 'bubbles' and social distancing. Suggested additional measures included home testing, a phased return of secondary pupils to allow for onsite testing ahead of returning to face-to-face education and an increased use of face coverings.

5.92 On 16 February 2021, SSE met with the Prime Minister to discuss reopening settings to the majority of pupils (Exhibit JK1/381 - INQ000542666). The Prime Minister made

clear that this would not be a decision-making meeting and roadmap decisions, including a decision on the full reopening of settings, would need further agreement. As well as reopening settings to the majority of pupils, SSE and the Prime Minister discussed testing, communications and face coverings. The Prime Minister and SSE agreed to implement PHE's late December 2020 advice on introducing face coverings in FE and secondary classrooms. This had been postponed because of the third national lockdown. The Prime Minister and SSE agreed that the new face coverings policy would be reviewed at the start of the Easter holidays. This policy was reviewed in April 2021 and DfE issued a press release on 6 April 2021 confirming that the face covering measures were to be maintained (Exhibit JK1/382 - INQ000075755) The second Corporate Statement provided by Julia Kinniburgh (Exhibit JK1/215 – INQ000587978) provides further detail on face coverings.

- 5.93 On 16 February 2021, SSE received an *Increased attendance for education settings* EIA from DfE officials which detailed the impact of prioritising some year groups over others, as set out in the submission on 10 February 2021 (Exhibits JK1/383 - INQ000226738 and JK1/384 - INQ000226740).
- 5.94 The EIA considered the impact of introducing a phased return to settings for some year groups from March 2021 and the health implications of on-site attendance. DfE officials concluded that a decision to continue to limit attendance at education settings for some groups whilst introducing phased return for others would have a negative impact on some pupils due to increased time out of face-to-face education. However, due to the epidemiological picture at the time and subsequent impact on NHS, this decision would be justified given the broader positive impacts that would occur as a result of breaking chains of transmission between those attending settings.
- 5.95 SSE noted the EIA on 19 February 2021 and confirmed that his preferred option was to reinstate mandatory attendance for primary schools and eligible secondary year groups on 8 March 2021.
- 5.96 On 18 February 2021, following a submission from DfE officials on 4 February 2021, SSE agreed to a direct award of a contract to Nuffield to deliver NELI following on from the award issued to Nuffield in summer 2020 (Exhibits JK1/385 - INQ000542671 and JK1/386 - INQ000542672).
- 5.97 On 18 February 2021, following on from the Prime Minister's announcement of the education recovery package of 27 January 2021 and the appointment of Sir Kevan

Collins on 3 February 2021, SSE met the Prime Minister to discuss education recovery (Exhibit JK1/387 - INQ000542670). The Prime Minister agreed to:

- 5.97.1 Proceed with the tutoring package including £83 million for NTP, £102 million for small groups, £8 million on Nuffield Early Literacy, and £10 million for pre-reception early language catch-up;
 - 5.97.2 Scale up of the existing Holiday Activities and Food (“HAF”) Programme to provide one million places over summer 2021;
 - 5.97.3 Provide additional funding for an in-classroom secondary school catch-up over summer 2021; and
 - 5.97.4 Provide a credible COVID-19 recovery premium (to be allocated to schools and colleges on the same basis as the pupil premium) of £250 million plus £22 million for an ‘accelerator’ to accelerate progress in literacy and numeracy.
- 5.98 On 18 February 2021, the PSSG meeting focused on focused on full reopening, the PHE endorsed system of controls and education recovery (Exhibit JK1/388 - INQ000542677). The Permanent Secretary advised the group that ongoing work was being carried out to finalise decisions ready for the announcement on 22 February 2021 on the full reopening. DfE officials provided a science update which included information on COVID-19 case rates and prevalence amongst children and young people. DfE officials also provided information on the system of controls, this included information on testing, face covering and timelines.
- 5.99 On 22 February 2021, the Prime Minister announced a four-step roadmap for cautiously easing lockdown restrictions in England at his COVID-19 press conference (Exhibit JK1/389 - INQ000075711). Returning to face-to-face education in schools and colleges was the first step in the roadmap as the government considered education a national priority. Step 1 of the roadmap stated that schools and colleges would be open to all pupils from 8 March 2021 (Exhibit JK1/390 – INQ000542961) (Paragraph 3, Figure 9: Step 1).
- 5.100 That same day, DfE published the *Evidence summary: COVID-19 - children, young people and education settings* (Exhibit JK1/391 - INQ000075546). The evidence

summary set out the evidence relevant to, and in support of, the government's decision to reopen schools and colleges to the majority of pupils from 8 March 2021.

5.101 The *evidence summary* included information on the risks and harms of missing education stating that there was "*clear and unequivocal*" evidence that missed attendance in education was detrimental to children's cognitive and academic development and their long-term productivity. Citing a number of studies including the *DELVE Initiative, Balancing the Risks of Pupils Returning to Schools: DELVE Report No. 4 (July 2020)* and *Centre for Education Policy & Equalising Opportunities, Briefing Note: School Absences and Pupil Achievement (2020)*, the *evidence summary* showed that time out of attending education led to lost learning which could meaningfully affect the attainment and life chances of children if not addressed. Time out of attending education could also have affected primary pupils' performance in reading, maths and spelling, with pupil premium pupils being more affected.

5.102 The *evidence summary* also provided information on children and young people's role in transmission when settings had been closed to the majority of pupils. The *evidence summary* stated:

"There is no strong evidence to suggest that early years, schools and colleges play a role in driving large scale transmission in the community. Transmission to children and young people can occur in household, community and educational settings. The infection risk from behaviours and contacts within education settings cannot be separated from the wider 'end to end' behaviours and contacts associated with attendance but taking place outside of these settings."

5.103 The *evidence summary* explained that multiple data sources had shown a reduction in transmission in children following schools closing for half term in autumn 2020 and transmission rates increasing again following the post-half term return to school. This pattern was shown as consistent with schools being open having an effect on increasing the spread of the virus amongst children. The extent of the impact on transmission and the role played by transmission within schools and colleges, versus transmission in the wider community associated with restrictions being lifted, also remained uncertain and difficult to quantify.

5.104 On 22 February 2021, a joint ministerial letter from DfE, DHSC and HO was sent to local safeguarding partnerships in 30 serious violence hotspots (Exhibit JK1/392 - INQ000542674). The letter focused on the safeguarding of children and young people at risk of serious violence and stated that during the period of setting closures:

“we have seen a number of factors that may increase the vulnerability of children and young people. These include increased exposure to harms and abuse within the home and online; diminished effect of protective factors, for example reduced school attendance and contact with professionals who normally identify and safeguard those at risk.”

5.105 The letter then focused on taking action to prevent serious violence incidents, stating that it was important to use the learning over the past year on the vulnerabilities that young people can face in the context of national restrictions. The letter explained:

“We know that school attendance can be a protective factor against a range of harms and conversely that when a child is not attending school, the risk of harm a child faces may increase. Identifying which children and young people are most at risk of being drawn into serious violence and criminal exploitation can be challenging making it more important than ever that services share data and intelligence which helps early identification, protection and intervention.”

5.106 On 23 February 2021, with input from DfE, No.10 and HMT discussed the various aspects of the recovery package that SSE had discussed with the Prime Minister on 18 February (see paragraph 5.97 of this statement) (Exhibit JK1/393 - INQ000542789). No.10 confirmed through SSE’s office that HMT had agreed:

5.106.1 In addition to the £300 million for tutoring announced on 27 January 2020, DfE would also fund £10 million early language in nursery settings;

5.106.2 There would be an additional circa £100 million for summer schools (giving a total of £200 million);

- 5.106.3 There would be a new Recovery Premium of £302 million (£280 million cash and £22 million accelerator); and
- 5.106.4 This would be on top of the government's plans to run the HAF in the summer of 2021 for circa 350,000 children, at a cost of £145 million (from existing funding).
- 5.107 In total the package would be:
- 5.107.1 £203 million overall for tutoring; £83 million for NTP, £102 million for 16 to 19 tuition, £8 million for early language intervention;
- 5.107.2 £10 million for pre-reception early language catch-up (DfE funded);
- 5.107.3 £280 million for the Recovery Premium plus £22 million for the accelerator fund; and
- 5.107.4 £200 million for summer schools (SSE confirmed that he was content with an approach of a £200 million pot that secondary schools could draw down on with maximum flexibility for how it would be used but with some focus on incoming year 7s).
- 5.108 On 24 February 2021, after the government had announced the roadmap which laid out a cautious easing of restrictions, DfE announced the new £700 million education recovery package for children and young people (Exhibit JK1/394- INQ000541082). This funding was provided to ensure that no child or young person was left behind as a result of the learning they had lost because of COVID-19 and to equip teachers with the necessary tools and resources to support their pupils.
- 5.109 On 25 February 2021, the PSSG meeting focused on the three announcements made that week on full reopening, education recovery and qualifications (Exhibit JK1/395 - INQ000542682). DfE officials provided a science update in relation to the recently announced roadmap. The group agreed that the downward trend in COVID-19 prevalence was promising but raised concerns that full reopening might be affected by factors such as new variants. The Permanent Secretary noted that the roadmap was designed to allow for a significant period of stability, providing an opportunity for assessment before any changes were made. The situation would continue to be

monitored and if evidence suggested that the approach needed to be reassessed, it would be.

- 5.110 On 25 February 2021, the sitrep estimated that around 16.3% of children attended school, up from 15.3% as reported in the 4 February 2021 sitrep. Attendance rates for groups showed 36% of children and young people with an EHC plan attended and 43% of children and young people with a social worker attended, up from 35% and 41% respectively as reported in the 4 February 2021 sitrep (Exhibit JK1/396 - INQ000541100).
- 5.111 Sitrep data on remote education for 25 February 2021 stated that almost all schools reported providing remote education in line with the expected/minimum hours set in guidance published on 7 January 2021 and over 490,000 devices had been delivered to settings and local authorities since 4 January 2021.
- 5.112 On 26 February 2021, as part of one of his regular updates to the Prime Minister, Sir Kevan explained that he had *“begun to develop options for the longer-term plan that will be needed for a comprehensive education recovery. The plan should increase learning time, improve teaching quality and further extend access to tutoring (the “Three Ts”).”* (Exhibit JK1/397 - INQ000542857)
- 5.113 In February 2021, DfE published the *COVID-19 Parent and Pupil Panel August to October 2020 findings* that set out findings from the first 4 of 10 survey waves of the PPP (Exhibit JK1/398 - INQ000542796). Findings covered a range of areas including mental health, access to technology, barriers to learning and physical school attendance. The report conclusion stated that the experiences of pupils and parents during this period had not been universal, and that different families had faced different challenges and opportunities. The report showed patterns of variation within key groups, such as those who had a member of their household at high risk, those with SEND or pupils who were eligible for FSM.
- 5.114 In February 2021, RDD and REACT teams continued to provide remote education support and challenge at regional level (Exhibit JK1/396 - INQ000541100 – slide 13).
- 5.115 On 11 February 2021, DfE highlighted key guidance documents to support settings in providing high quality and safe remote education via the DfE daily sector bulletin. This was a daily bulletin sent out to education settings (Exhibit JK1/399 - INQ000542654). The DfE daily sector bulletin highlighted the *Keeping children safe in*

education guidance which provided information on what settings should do to protect their pupils and students online (Exhibit JK1/400 - INQ000542620). Annex C to the guidance provided online safety support and included resources and support on safe remote education, virtual lessons and live streaming. Annex C of *Keeping children safe in education* also included information on online safety for settings to share with parents and carers. DfE provided guidance on safeguarding and remote education to support schools to plan lessons safely (Exhibit JK1/401 - INQ000542926). DfE also updated joint Department for Culture, Media and Sport (“DCMS”), DfE, HO and Department for Science, Innovation and Technology (“DSIT”) guidance for parents and carers to keep their children safe online (Exhibit JK1/402 - INQ000542925).

- 5.116 The following week, DfE highlighted the importance of online safety via the DfE daily sector bulletin which was published on 18 February 2021 (Exhibit JK1/403 - INQ000542673). The DfE daily sector bulletin stated that keeping children and young people safe online remained a top priority for DfE and that, in collaboration with partners in the UK Council for Internet Safety (“UKCIS”) subgroup and the Samaritans, DfE had published new guidance and advice for settings. This guidance aimed to support their approach to tackling harmful online challenges and online hoaxes, whilst keeping children and young people safe online (Exhibit JK1/404 - INQ000542924). The UKCIS is a collaborative forum through which government, the technology community and the third sector work together to ensure the UK is the safest place in the world to be online. UKCIS is part of DfE, HO, and DSIT.
- 5.117 The DfE daily sector bulletin also highlighted that UKCIS’s Safety Education subgroup, in consultation with the National Police Chiefs’ Council, had also recently updated their guidance for education settings.
- 5.118 In February 2021, DfE updated the *Actions for schools during the coronavirus outbreak* guidance again (Exhibit JK1/405 - INQ000542639) to strengthen the guidance on vulnerable children with a social worker. DfE emphasised that there was an expectation for vulnerable children with a social worker to attend (subject to public health advice), given their safeguarding and welfare needs. Although attendance was not mandatory, DfE considered it vital that settings continued to work together with the parent or carer, local authority and where applicable, social workers, to explore the reason for any absence (Exhibit JK1/406 - INQ000540985).

- 5.119 In February 2021, DfE held attendance webinars to promote attendance best practice (Exhibit JK1/407 - INQ000542828). The webinars focused on how a range of schools across the country had maintained or improved their attendance levels, and the approaches they had taken.
- 5.120 DfE also provided back to school information to help prepare families and settings for the full reopening in March 2020 via the DfE daily sector bulletin (Exhibit JK1/408 - INQ000542829) and the Education Hub (Exhibit JK1/409 - INQ000497949). The information included advice on testing, vaccinations, scientific advice and additional funding to support recovery, chapters 6 and 7 of this statement provide further detail on monitoring and actions related to attendance from March 2021.
- 5.121 On 4 March 2021, the PSSG meeting focused on full reopening and qualifications (Exhibit JK1/410 - INQ000542686). DfE officials provided a science update which included information on vaccinations, COVID-19 case rates and new variants. When considering full reopening, discussions included points on testing, face coverings, guidance and transport.
- 5.122 On 4 March 2021, the sitrep estimated that around 18.4% of children attended school, up from 16.3% as reported in the 25 February 2021 sitrep. Attendance rates for groups showed 44% of children and young people with an EHC plan attended and 49% of children and young people with a social worker attended, up from 36% and 43% respectively as reported in the 25 February 2021 sitrep (Exhibit JK1/411 - INQ000542897).
- 5.123 The 4 March 2021 sitrep also provided information on remote education and showed that a majority of primary and secondary schools reported setting the expected number of hours of remote education. A small proportion of secondary schools reported not setting five hours of remote education; this was 13% at key stage 3 and 7% at key stage 4. Paragraph 5.30 provides further information on the expected number of hours of remote education.
- 5.124 On 5 March 2021, Sir Kevan Collins provided the Prime Minister with an update on his work (Exhibit JK1/412 - INQ000542858) that stated that "*an ambitious, long-term education recovery plan can redress the impact of the pandemic and help rebuild an education system that is stronger and fairer. We should aim to announce the plan in May, to begin in September 2021.*" Still focusing on the "Three Ts", Sir Kevan stated

that an *“indicative cost for the most ambitious version of the long-term plan we discussed this week is £12 to £15 billion over this Parliament.”*

- 5.125 On 5 March 2021, SSE and MoSSS received an attendance strategy submission from DfE officials that set out plans to monitor and improve the attendance of children and young people from 8 March 2021 (Exhibit JK1/413 - INQ000542679).
- 5.126 DfE officials explained that from September 2020, DfE had been focused on monitoring attendance, identifying areas of concern, determining drivers of absence and putting in place interventions to improve attendance. DfE officials then set out plans to maximise spring and summer term 2021 attendance. Plans included implementing a strengthened system of controls (e.g. wider use of face coverings and testing), reinstating mandatory attendance, regional team engagement and national communications. SSE noted the 5 March 2021 attendance strategy submission on 12 March 2021 and was content for DfE officials to provide further information on the attendance strategy (Exhibit JK1/414 - INQ000542689).
- 5.127 From 8 March 2021, schools and colleges returned to full attendance as planned with twice weekly testing for secondary school pupils alongside staff testing across primary and secondary schools and colleges. The government committed to review the options for the timing of the return of the second tranche of HE students by the end of the Easter holidays (Exhibit JK1/415 - INQ000542675).

6. Chapter 6: Monitoring the impact of fully reopening settings from 8 March 2021

6.1 This chapter provides a chronological overview of the monitoring activity that took place from 8 March 2021 to summer 2022 and the actions taken by DfE which would have been informed by the overall monitoring activity. The monitoring activity for this chapter includes the monitoring of all children and young people's attainment, safety and mental health and wellbeing, as well as attendance. As this chapter covers a long period of time, the monitoring and actions have been separated into the following periods:

- 6.1.1 March 2021;
- 6.1.2 Summer 2021;
- 6.1.3 Autumn 2021; and
- 6.1.4 Spring and summer 2022.

Monitoring and actions in March 2021

6.2 On 11 March 2021, following the full reopening of settings from 8 March 2021, the sitrep estimated that primary pupil attendance was 96% and secondary pupil attendance was 51% (44% of secondary pupils were not on-site due to a phased return) (Exhibit JK1/416 - INQ000542688). Attendance rates for primary pupil groups showed 91% of children with an EHC plan attended and 92% of children with a social worker attended. Attendance rates for secondary pupil groups showed 54% of children and young people with an EHC plan attended and 52% of children and young people with a social worker attended.

6.3 On 24 March 2021, SSE and MoSSS then received an attendance recovery submission from DfE officials (Exhibit JK1/417 - INQ000542697). DfE officials set out an approach to support good attendance for all children and young people as the EdSet data for 18 March 2021 showed 91.2% of pupils attending onsite provision. DfE officials stated that this showed 8.8% of pupils (717,000) were not attending onsite provision, rising to 17.7% of vulnerable children with a social worker and 15.3% of vulnerable children with an EHC plan. DfE officials explained:

"This represents an estimated 335,000 extra absences per day than in 2018/19. Although this increase is partially due to pupils absent for

covid related reasons, if these pupils and others at risk of disengagement are not quickly brought back into the classroom and ready to learn, not only will the efficacy of the recovery programme be reduced but it risks undermining the progress made on attendance since 2010. This in turn risks further increasing the disadvantage gap and limiting our ability to level up attainment in coming years.”

- 6.4 DfE officials recommended piloting a National Attendance Taskforce and stronger in-school behaviour units as well as establishing SAFE taskforces within the attendance recovery submission. Paragraph 6.86 provides further information on SAFE taskforces. MoSSS agreed with the recommendations made by DfE officials on 29 March 2021 (Exhibit JK1/418 - INQ000542704).
- 6.5 Also on 24 March 2021, DfE officials prepared an attendance strategy slide deck for an SSE meeting with CO on 25 March 2021 (Exhibits JK1/419 - INQ000542698 and JK1/420 - INQ000542695). The attendance strategy slide deck stated that early analysis of attendance data showed attendance being higher in schools with a low percentage of children and young people eligible for FSM and children and young people from ethnic minority backgrounds.
- 6.6 DfE officials explained that whilst the main driver of increased absence from pre-pandemic levels was COVID-19 related, there were a range of non-COVID-19 related issues which were being exacerbated. COVID-19 related and non-COVID-19 related drivers of absence were listed on slide 5 of the attendance strategy slide deck and actions to manage these drivers were listed on slide 6.
- 6.7 In summary, COVID-19 related absence – post Easter 2021 risks included:
- 6.7.1 Increased rates of community COVID-19 due to the easing of national restrictions;
 - 6.7.2 Clinically extremely vulnerable (“CEV”) children and young people not returning to settings after shielding had been lifted; and
 - 6.7.3 Higher detection of COVID-19 through mass testing programme roll out leading to higher rates of absence.

- 6.8 Non-COVID-19 related absence – post Easter 2021 risks included:
- 6.8.1 Health anxiety for clinically vulnerable or immunocompromised children and young people and children and young people living with family member who are clinically vulnerable or immunocompromised;
 - 6.8.2 Continued effects of lockdown on traditional drivers of absence such as poverty or mental health being exacerbated and leading to increased disengagement; and
 - 6.8.3 Timing challenges due to parents taking their children on holiday during term time.
- 6.9 DfE officials then listed actions to manage the core drivers of absence (slide 6). In summary, these actions included:
- 6.9.1 Guidance on attendance expectations as well as guidance on supporting exam year groups;
 - 6.9.2 Regional teams to follow up with schools identified as not acting in line with guidance;
 - 6.9.3 National communications campaign and communications messages targeted at CEV children;
 - 6.9.4 Reinstatement of mandatory attendance;
 - 6.9.5 Development of best practice resources to tackle difficult to engage children; and
 - 6.9.6 Specific actions to boost vulnerable children’s attendance.
- 6.10 On 25 March 2021, the sitrep estimated that primary pupil attendance was 92%, down from 96% as reported in the 11 March 2021 sitrep, and secondary pupil attendance was 89%, up from 51% as reported in the 11 March 2021 sitrep (Exhibit JK1/421 - INQ000542702). The sitrep also provided data on absences and stated that 2.7% of pupils were absent due to COVID-19 reasons, either confirmed and suspected cases

or self-isolation, across all state-funded schools. Attendance rates for groups showed 85% of children and young people with an EHC plan attended and 83% of children and young people with a social worker attended. These attendance rates were higher than the averages in the first week of full reopening on 8 March 2021.

- 6.11 On 29 March 2021, CO decided to defer the return of the remaining HE students to step 3 of the government's roadmap rather than step 2, meaning that HE students would return from 17 May 2021 rather than 12 April 2021 (Exhibit JK1/422 - INQ000075555). This decision was taken by CO with consideration of transmission levels amongst students and the wider community.
- 6.12 In March 2021, REACT continued to work with local authorities, academy trusts and education settings to support the full reopening of settings. Throughout spring and summer 2021, REACT contacted local authorities, academy trusts and settings to provide challenge and support where high levels of excess absence were identified through the EdSet data (Exhibit JK1/423 - INQ000542751).
- 6.13 In March 2021, DfE established a project team to look specifically at AP attendance. This aimed to look at how the department could better reflect needs of AP in the DfE attendance strategy. The project team conducted a deep dive of new census data, to better understand the drivers of AP absence. Paragraph 6.56 provides further information on this deep dive.

Monitoring and actions in summer 2021 (from Easter holidays in April 2021 to the end of the summer term in July 2021)

- 6.14 On 1 April 2021, the sitrep estimated that primary pupil attendance was 92%, remaining the same as reported in the 25 March 2021 sitrep, and secondary pupil attendance was 87.9%, down from 89% as reported in the 25 March 2021 sitrep (Exhibit JK1/424 - INQ000541108). Absence data showed that 2.6% of pupils were absent due to COVID-19 reasons and 13.9% of state-funded schools had one or more pupils required to self-isolate due to potential contact with a COVID-19 case. Attendance rates for groups showed 84% of children and young people with an EHC plan attended and 82% of children and young people with a social worker attended, down from 85% and 83% respectively as reported in the 25 March 2021 sitrep.

- 6.15 On 5 April 2021, the Prime Minister announced that from Monday 12 April 2021, the country would move to step 2 of the roadmap (Exhibit JK1/425 - INQ000542923).
- 6.16 On 26 April 2021, SSE and Sir Kevan Collins held their regular bilateral which focused on preparing for discussions between the Prime Minister and the Chancellor on spending considerations in which the recovery plan was to be presented (Exhibit JK1/426 - INQ000542710).
- 6.17 On 27 April 2021, Sir Kevan Collins provided an update note to the Prime Minister, copying in SSE. SSE also received advice on the Education Recovery Package from DfE officials (Exhibits JK1/427 - INQ000542859 and JK1/428 - INQ000542715). In his note to the Prime Minister, Sir Kevan Collins provided more detail on his recommendations to scale-up tutoring and on the impact of the funding that DfE had already been allocated to support education recovery during the pandemic:

“There is evidence that the National Tutoring Programme is succeeding in widening access to tutoring, rather than simply substituting private funding. For example, in Bradford – previously a cold-spot for accessing tutoring – over sixty schools are participating...the policy is explicitly designed to grow supply of and demand for high-quality tutoring in England by pump-priming proven providers...Our plan will drive-up quality by creating minimum quality standards. Those providers reaching these standards will receive funding, enabling them to scale quickly to deliver our recovery plan.

Some of the £1.7bn funding already announced has provided important resources to schools in dealing with the pandemic...However, the funding announced to date – equivalent to £173 per pupil – was never expected to be sufficient to enable children to recover lost learning. When it was announced, this funding was rightly presented as a first step towards recovery, rather than a comprehensive plan.”

- 6.18 On 29 April 2021, the sitrep estimated that primary pupil attendance was 95.1% and secondary pupil attendance was 90.5%, up from 92% and 87.9% respectively as reported in the 1 April 2021 sitrep. Absence data showed 0.8% of pupils were absent due to COVID-19 related reasons and 4.9% of state-funded schools had one or more

pupils required to self-isolate due to potential contact with a case within the school (Exhibit JK1/429 - INQ000541109). Attendance rates for groups showed 88% of children and young people with an EHC plan attended and 85% of children and young people with a social worker attended, up from 84% and 82% respectively as reported in the 1 April 2021 sitrep.

- 6.19 In April 2021, DfE published COVID-19 *Parent and Pupil Panel* (“PPP”) *November 2020 to February 2021 findings* that set out survey waves 5, 6 and 7 of the PPP (Exhibit JK1/430 - INQ000542797). One issue highlighted in the conclusion to the report was how the pandemic had *“impacted pupils’ mental health and wellbeing”*. In particular, it set out that *“learning remotely from home and the nature of lockdown restrictions combined [had] negatively impacted pupils’ anxiousness, happiness and loneliness levels”*. The report continued to illustrate the fact that the experiences of pupils and parents had not been universal, and that different families faced different challenges and opportunities.
- 6.20 In April 2021, DfE launched face-to-face summer schools for secondary schools. This was to support children and young people with their mental health and wellbeing and to help students catch up on missed face-to-face learning. DfE provided £200 million as part of a wider recovery package to enable as many secondary schools as possible to deliver face-to-face summer schools in 2021 (Exhibit JK1/431 - INQ000542708).
- 6.21 In April and May 2021, REACT teams engaged with the local authorities and academy trusts with the highest excess absence rates on a monthly cycle. Engagement with these local authorities included sharing best practice on improving attendance and opportunity for escalation of cases where absence was persistently high. REACT also followed up with 30 AP settings to identify the drivers of higher rates of absence in AP settings (Exhibit JK1/429 - INQ000541109).
- 6.22 An important element of support for children and young people with SEND was around ensuring that access to wider health support from allied health professionals, for example, speech and language therapists, occupational therapists and physiotherapists, continued to be available. During the pandemic, several barriers to therapy access emerged, including the redeployment of health professionals to frontline roles and concerns about resuming in-person sessions due to health risks. DfE were concerned that services that SEND children and young people depended on for health and therapeutic needs were compromised. Stakeholders, including children’s

charities such as the Disabled Children's Partnership and Family Fund, also highlighted this issue to DfE through their research. For example, a March 2021 *Family Fund* survey found that many families were not receiving support, including more than half of families who were previously receiving support from educational psychologists, occupational therapists, speech and language therapists and Child and Adolescent Mental Health Services ("CAMHS") (Exhibit JK1/432 - INQ000542694).

- 6.23 DfE worked collaboratively with DHSC to remove these barriers and to remind the education sector of the importance of therapists and other health professionals in supporting children and young people with SEND. For example, on 28 April 2021, DfE used its daily bulletin email sent to all EY, CSC, FE providers and schools to emphasise that therapists and other health professionals should be continuing to provide interventions (Exhibit JK1/433 – INQ000542711). On 30 April 2021, MfCF also wrote to the Minister for Prevention, Public Health and Primary Care in DHSC, and the Royal College of Occupational Therapists and the Royal College of Speech and Language Therapists to raise the issue of access to therapies (Exhibits JK1/434 – INQ000542712 and JK1/435 – INQ000542713).
- 6.24 On 5 May 2021, Sir Kevan provided the Prime Minister and SSE with an update on his work (Exhibit JK1/436 - INQ000542860) and outlined that "*in our meeting with the Chancellor of the Exchequer last week, we considered the need to increase learning time as part of the Education Recovery Plan.*" The update continued, saying that a "*recovery plan that does not extend learning time would miss the most obvious and direct remedy available.*" The update note was supported by a set of slides setting out the impact of extra time (Exhibit JK1/437 - INQ000542718).
- 6.25 On 6 May 2021, the sitrep estimated that primary pupil attendance was 95.5%, up from 95.1% as reported in the 29 April 2021 sitrep, and secondary pupil attendance was 90.2%, down from 90.5%% as reported in the 29 April 2021 sitrep (Exhibit JK1/438 - INQ000542720). Absence data showed 1% of pupils were absent due to COVID-19 related reasons and 6.3% of state-funded schools had one or more pupils required to self-isolate due to potential contact with a case within the school. Attendance rates for groups showed 88% of children and young people with an EHC plan attended and 85% of children and young people with a social worker attended, the same levels as reported in the 29 April 2021 sitrep.

- 6.26 On 10 May 2021, DfE announced more than £17 million to build on mental health support already available in education settings. This included £7 million of funding for local authorities to deliver the Wellbeing for Education Recovery programme, building on the success of the Wellbeing for Education Return programme that launched in August 2020. This ensured settings in England continued to have the knowledge and access to resources they needed to support children and young people, teachers and parents on topics related to mental health (Exhibit JK1/439 - INQ000514687).
- 6.27 On 11 May 2021, SSE received a note on long COVID from DfE officials (Exhibits JK1/440 - INQ000542721 and JK1/441 - INQ000542722). DfE officials set out what was known about long COVID at the time. DfE officials also provided information on long COVID in children, the impact of long COVID on the workforce and potential next steps. These next steps included improving understanding and including long COVID as an agenda item in stakeholder meetings. Long COVID was discussed during PSSG meetings in June 2021 (Exhibit JK1/442 - INQ000542824), August 2021 (Exhibit JK1/443 - INQ000542825) and September 2021 (Exhibit JK1/444 - INQ000542826).
- 6.28 On 28 May 2021, the sitrep estimated that primary pupil attendance was 93.4% and secondary pupil attendance was 83.6%, down from 95.5% and 90.2% respectively as reported in the 6 May 2021 sitrep. DfE officials advised that attendance had decreased in secondary schools predominantly due to study leave, as expected (Exhibit JK1/445 - INQ000541111). Absence data showed 1.4% of pupils were absent due to COVID-19 related reasons and 6.9% of state-funded schools had one or more pupils required to self-isolate due to potential contact with a case within the school. Attendance rates for groups showed 86% of children and young people with an EHC plan attended and 84% of children and young people with a social worker attended, down from 88% and 85% respectively as reported in the 6 May 2021 sitrep.
- 6.29 In May 2021, DfE published *PPP March 2021 findings* and *PPP May 2021 findings* that set out survey waves 8 and 9 of the PPP (Exhibits JK1/446 – INQ000542798 and JK1/447 - INQ000542799). Findings included information on attendance and mental health and wellbeing. The *PPP May 2021 findings* showed that in comparison to February 2021, parents reported improved happiness scores in March 2021, and these had improved further still in May 2021. Although mean scores were slightly different between primary and secondary parents, the trend had been the same for both throughout the period shown. The *PPP May 2021 findings* showed that overall,

reported attendance in May 2021 had remained stable since schools fully reopened to pupils in March 2021.

6.30 Towards the end of May 2021, the Prime Minister, the Chancellor and SSE considered the range of proposals in the education recovery package, including their affordability and deliverability. On 31 May 2021, the proposals for tutoring and teaching were broadly accepted by SSE and the Chancellor following these discussions (Exhibit JK1/448 - INQ000542864). As a result, an additional package of £1.4 billion was agreed for a 2 June 2021 announcement. The package also included £153 million that would provide professional development for EY practitioners, focusing on key areas such as speech and language development for the youngest children. The most expensive proposal put forward – which made up the full difference in cost between the package proposed and the package agreed – was a fully-funded extension of the school day to provide extra time. This was not agreed, and instead the Prime Minister asked that the Chancellor and the SSE continue to work on proposals in this area in the run up to the Spending Review, including committing publicly to reviewing the impact that additional time in school and college could have to support education recovery. This would eventually take the government's investment in education recovery to £5 billion (see paragraph 6.66 of this statement below).

6.31 On 1 June 2021, SSE received a revised *Overarching further funding and policies for education recovery* EIA from DfE officials on the package of measures totalling £1.4 billion (Exhibits JK1/449 - INQ000542723 and JK1/450 - INQ000542725). Within the EIA, DfE officials assessed that the impact of the pandemic had been felt across every stage and phase of the education sector. In summary, citing a number of studies, DfE officials advised that:

6.31.1 EY children had lost the developmental benefits of formal and informal childcare, interaction with peers and access to crucial services, such as health visitors, during the pandemic (Exhibits JK1/451- INQ000542709 and JK1/452 - INQ000347032).

6.31.2 The disadvantage gap in 0 to 3 year olds' language development had widened since April 2020 (Exhibit JK1/453 - INQ000542922).

6.31.3 Pupils in sixth forms and colleges had the least amount of time left to catch up and faced an uncertain labour market as they left compulsory

education; 75% of colleges reported that their students were behind in their learning by between one and four months in early spring 2021 (Exhibit JK1/454 - INQ000542921).

6.31.4 All children and young people, including those who had attended their settings during the school closure period, had missed other experiences including opportunities to make new friends, play competitive sport, or participate in extra-curricular activities, which had negatively impacted their mental health and wellbeing. The proportion of children and young people with mental health disorders had increased from one in nine in 2017, to one in six in July 2020, indicative of wider trends and the impact of the pandemic (Exhibit JK1/455 - INQ000542920).

6.32 DfE officials concluded that, overall, the policies for education recovery would benefit all children and young people and have a positive impact on those with protected characteristics.

6.33 On 2 June 2021, DfE announced the Education Recovery Package (Exhibits JK1/456 – INQ000542728 and JK1/457 - INQ000541083). This £1.4 billion package included:

6.33.1 £1 billion to support up to six million, 15-hour tutoring courses for disadvantaged school children;

6.33.2 An expansion of the 16 to 19 tuition fund, targeting subjects such as maths and English;

6.33.3 £400 million to help give EY practitioners and 500,000 school teachers across the country training and support; and

6.33.4 Funding for schools and colleges to give some year 13 students the option to repeat their final year.

6.34 Also on 2 June 2021, Sir Kevan Collins sent his resignation letter to the Prime Minister and was not replaced. His resignation letter stated that while the package of measures that the government had announced provided valuable support, including important investment in teaching quality and tutoring, Sir Kevan Collins did not believe it was

credible that a successful recovery could be achieved with a programme of support of that size (Exhibit JK1/458 – INQ000542974).

- 6.35 On 2 June 2021, DfE published a list of resources that education settings could access to develop a whole school or college approach to mental health and wellbeing. This GOV.UK page was updated by the department throughout 2021 and 2022 (Exhibit JK1/459 - INQ000542962). DfE also published a resources document containing links and sources of support that teachers and teaching staff could access to assist children and young people in getting the mental health and wellbeing advice and help they needed (Exhibit JK1/460 - INQ000542754).
- 6.36 On 10 June 2021, following the May half term holiday, the sitrep estimated that primary pupil attendance was 94.4% and secondary pupil attendance was 88.2%, up from 93.4% and 83.6% respectively as reported in the 28 May 2021 sitrep. DfE officials continued to advise that attendance had decreased in secondary schools, predominantly due to study leave as expected (Exhibit JK1/461 - INQ000542732). Absence data showed 0.8% of pupils were absent due to COVID-19 related reasons and 2.8% of state-funded schools had one or more pupils required to self-isolate due to potential contact with a case within the school. Attendance rates for groups showed 85% of children and young people with an EHC plan attended and 82% of children and young people with a social worker attended, down from 86% and 84% respectively as reported in the 28 May 2021 sitrep.
- 6.37 On 14 June 2021, Ipsos Mori, a market research organisation commissioned by DfE, published a report on the use of childcare in March 2021 and the perceived impact of COVID-19 on child development (Exhibit JK1/462 - INQ000542919). The report indicated that:
- 6.37.1 50% of parents believed the overall disruption to settings since March 2020 had impacted their child's social and educational development;
 - 6.37.2 Families living in more deprived areas were more likely than those in the less deprived areas to think the disruption had harmed their child's development, with 53% in the most deprived areas compared to 42% in the least deprived;

- 6.37.3 Parents of children from ethnic minority backgrounds were more likely than parents of white children to think their child's development had been harmed (57%, compared to 49%); and
- 6.37.4 Parents of vulnerable children were more likely than parents of non-vulnerable children to think their child's development had been harmed (73%, compared to 46%).
- 6.38 In June 2021, following SSE's agreement to appoint Renaissance Learning to conduct research in September 2020, DfE published the Education Policy Institute and Renaissance Learning's second and third reports of learning loss experienced by pupils in England as a result of the COVID-19 pandemic (Exhibits JK1/463 - INQ000542836 and JK1/464 - INQ000542832).
- 6.39 The second report, *Understanding Progress in the 2020/21 Academic Year Complete findings from the Autumn term*, was based on assessment data from Renaissance Learning's Star Reading and Star Maths online assessment tools that identified gaps in learning. This data was linked with data held by DfE in the National Pupil Database (a database controlled by DfE, based on multiple data collections from individuals aged 2 to 21 in state funded education and HE) which enabled analysis by pupil characteristics such as eligibility for FSM and pupil ethnicity. In addition, analysis of assessments carried out in the second half of the autumn term in 2020/21 enabled Renaissance Learning to carry out an initial assessment of whether pupils had started to make up for the "lost learning" identified in the first report, *Understanding progress in the 2020/21 academic year Interim findings January 2021*.
- 6.40 The second report also estimated learning loss by the first half-term in autumn 2020/21. In summary, the report stated that:
- 6.40.1 The average learning loss in reading for primary aged pupils was around 1.8 months and for secondary aged pupils it was around 1.7 months. Learning losses in primary mathematics were greater at around 3.7 months.
- 6.40.2 Pupils from disadvantaged backgrounds (eligible for FSM at any point in the last six years) lost, on average, approximately 2.2 months in reading amongst both primary and secondary aged pupils and around

4.5 months in mathematics for primary aged pupils. This showed that disadvantaged pupils lost about half a month more than non-disadvantaged pupils in reading and around a month more in primary mathematics.

6.40.3 The analysis suggested regional disparities in the degree of learning loss for both primary and secondary aged pupils in reading and mathematics.

6.40.4 Pupils with English as an additional language experienced a learning loss of approximately 2.3 months for secondary aged pupils. This compares to average learning loss in secondary reading of around 1.7 months

6.41 The second report provided the estimated “*catch-up*” between first and second half of autumn term 2020/21. The report stated that there was “*around a month of catch-up for primary aged pupils in mathematics*”. It set out that in reading, both male and female primary pupils recovered some learning in the latter half of the autumn term, but girls had recovered a greater amount of learning than boys. Girls had recovered around 0.7 months of learning loss by the second half of the autumn term, compared with approximately 0.5 months for boys. In reading, pupils from disadvantaged backgrounds recovered around 0.4 months of learning, compared with non-disadvantaged pupils who recouped 0.6 months of learning. Analysis of catch-up by pupil characteristics was restricted to primary aged pupils in the report due to the relatively small sample size for secondary aged pupils.

6.42 The third report, *Understanding Progress in the 2020/21 Academic Year Initial findings from the spring term*, was based on assessments in the second half of the autumn term 2020/21. Initial findings in this report showed that by the end of spring term 2021, primary pupils had experienced learning loss in reading and mathematics. Renaissance Learning provided further analysis on secondary pupils and breakdowns by pupil characteristics in the fourth report published in October 2021 (Exhibit JK1/465 - INQ000542833). Paragraphs 6.73,6.74 and 6.75 provide detail on findings in the fourth report.

6.43 On 1 July 2021, the sitrep estimated that primary pupil attendance was 88.2% and secondary pupil attendance was 78.4%, down from 94.4% and 88.2% respectively as

reported in the 10 June 2021 sitrep. DfE officials advised that attendance had decreased in secondary schools, predominantly due to study leave as expected (Exhibit JK1/466 - INQ000541112). Absence data showed 6.2% of pupils were absent due to COVID-19 related reasons and 25.4% of state-funded schools had one or more pupils required to self-isolate due to potential contact with a case within the school, a significant increase from 2.8% reported on 10 June 2021 and 16.8% on 21 June 2021. Attendance rates for groups showed 85% of children and young people with an EHC plan attended, the same level as reported in the 10 June 2021 sitrep. 83% of children and young people with a social worker attended, up from 82% as reported in the 10 June 2021 sitrep.

- 6.44 On 15 July 2021, the sitrep estimated that primary pupil attendance was 85% and secondary pupil attendance was 72%, down from 88.2% and 78.4% respectively as reported in the 1 July 2021 sitrep. DfE officials advised that attendance had decreased as COVID-19 case rates continued to rise, with an increase in COVID-19 related absence (Exhibit JK1/467 - INQ000542736). Absence data showed 11.4% of pupils were absent due to COVID-19 related reasons and 41% of state-funded schools had one or more pupils required to self-isolate due to potential contact with a case within the school, a significant increase from 25.4% reported on 1 July 2021. Attendance rates for groups showed 79% of children and young people with an EHC plan and 77% of children and young people with a social worker attended, down from 85% and 83% respectively as reported in the 1 July 2021 sitrep.
- 6.45 Ventilation was first mentioned in the general *Schools Covid-19 operational guidance* published in July 2020 (Exhibit JK1/244 - [INQ000519654](#)). This guidance included a section on ventilation which suggested that schools should consider poorly ventilated spaces as part of any risk assessments and make sensible changes to increase ventilation. These changes included opening windows and adjusting the ventilation rate on mechanical ventilation.
- 6.46 On 12 July 2021, SAGE and PHE had provided general advice confirming that ventilation remained important to reducing transmission (Exhibit JK1/468 - INQ000203993). The advice noted that CO2 monitors could be a cost-effective way of helping to identify spaces with poor ventilation and highlighted the usefulness of air filtration systems. Based on this advice, SSE agreed to develop more detailed guidance on good ventilation and the use of CO2 monitoring for the education and childcare sectors as the country moved to step 4 (Exhibit JK1/469 - INQ000075587).

SSE also agreed to provide funding to procure CO2 monitors for state funded education and childcare settings, and private, voluntary and independent EY settings, at a cost of £25 million. On 17 August 2021, SSE considered further advice which proposed a prioritisation list, so that settings most in need got monitors first and the use of a push model for distribution for the first set of monitors. This advice made it clear that special schools, AP, and state-funded residential schools were the priority for the first set of deliveries due to their higher-than-average number of vulnerable students (Exhibit JK1/470 - INQ000075687, JK1/471 - INQ000075688, and JK1/472 - INQ000075591).

- 6.47 On 21 August 2021, the DfE published a press release detailing the intention to provide CO2 monitors to state-funded education settings from September 2021, backed by £25 million in government funding (Exhibit JK1/563 - INQ000075746). The guidance on how to use CO2 monitors in education and childcare settings was published on 6 September 2021. Prior to publication the guidance was shared with key experts in ventilation. The first CO2 monitor deliveries took place from 22 September 2021 and 98.6% of eligible settings received their scheduled CO2 monitors before Christmas 2021. The deliveries continued through to June 2022 which covered top up deliveries, newly opened settings and settings that became eligible post-Christmas. The first Corporate Statement provided by Susan Acland-Hood dated 29 March 2023 (Exhibit JK1/001 – INQ000146054) provides further detail on key decisions on the introduction of CO₂ monitors into education and childcare settings.
- 6.48 On 16 July 2021, MfCF wrote an open letter to school staff, setting out the resources available to assist them in supporting children and young people’s mental health and wellbeing (Exhibit JK1/473 - INQ000542884). The letter also signposted DfE resources informed by the work of the MHiEAG (Exhibit JK1/474 - INQ000542876).
- 6.49 On 19 July 2021, DfE published the updated operational guidance to explain the actions leaders should take to reduce the risk of transmission of COVID-19 in their setting as the country moved to step 4 of the government’s roadmap (Exhibit JK1/475 - INQ000497926). The guidance no longer recommended that it was necessary to keep children in ‘bubbles’ and advised that ‘bubbles’ would not be needed in summer provision or from autumn term 2021. The guidance also provided updated information on face coverings, contact tracing and self-isolation as well as control measures. These measures included good hygiene, cleaning and ventilation.

- 6.50 On 23 July 2021, in response to advice from DfE officials on connectivity for academic year 2021 to 2022, SSE agreed the GHwT connectivity offer should include (Exhibit JK1/476 - INQ000542737):
- 6.50.1 Grant funding (£8 million budget) for schools, colleges and local authorities to enable disadvantaged pupils to get online and access remote education in the event of disruption or school closure. User research and stakeholder feedback suggested a range of possible reasons for the relatively low take up of the existing connectivity offer from DfE. This approach of funding/self-source would give schools and colleges the flexibility to meet pupil needs in ways that would work for them.
 - 6.50.2 Providing advice and guidance for schools and colleges on how to assess and meet connectivity needs.
 - 6.50.3 Continuing to allow schools and colleges to order 4G wireless routers while remaining stock lasted.
- 6.51 From the start of the pandemic to September 2021, DfE delivered 1.35 million devices to schools, colleges, academy trusts and local authorities (Exhibit JK1/477 - INQ000542787).
- 6.52 On 29 July 2021, in response to a commission from No.10 officials, DfE officials prepared and issued attendance strategy slides to No.10 (Exhibit JK1/478 - INQ000541013). The attendance strategy slides identified COVID-19 related absence causes and the recommended strategy to improve attendance. The strategy aimed to focus efforts on communications and continued data collection (Exhibit JK1/479 - INQ000541017).
- 6.53 In summer 2021, the third and fourth MHiEAG meetings were held (Exhibits JK1/366 - INQ000542730 and JK1/367 - INQ000542741). Attendees included representatives of teaching unions, schools, colleges and HE leaders, with discussions covering the education sector, staff wellbeing, specific issues for students and support for diverse groups. During the meeting held on 14 July 2021, MHiEAG looked at what had been achieved through the work of the group so far and discussed medium and longer terms

actions. These plans included the creation, publication and signposting of support, resources and specific pieces of work on EY, such as the wellbeing support videos.

- 6.54 In July 2021, DfE published the *Evidence summary: COVID-19 - children, young people and education settings* (Exhibit JK1/480 - INQ000448231). The *Evidence summary* set out the evidence relevant to, and in support of, the government's decision to revise the guidance on the COVID-19 safe working and protective measures that had been used in settings during the pandemic. The *Evidence summary* provided information on long COVID studies, including the *Illness duration and symptom profile in a large cohort of symptomatic UK school-aged children tested for SARS-CoV-2* (Exhibit JK1/481 - INQ000542918) and *Long-term symptoms after SARS-CoV-2 infection in school children* (Exhibit JK1/482 - INQ000542734).
- 6.55 The *Evidence summary* stated that further studies to understand long COVID in children were ongoing and made reference to the CLoCK study. The *Evidence summary* stated that the evidence at the time was limited and due to the nature of self-reporting and the group of common symptoms, it could be difficult to differentiate post-COVID-19 symptoms from other illness.
- 6.56 The *Evidence summary* also provided information on vaccines, explaining that the vaccination of adults indirectly protected children and young people by weakening chains of transmission and reducing onward transmission from those who have been immunised. This reduced opportunities for introduction of the virus into schools, colleges and EY settings. The *Evidence summary* explained that at that time, the government had asked the independent experts at the Joint Committee on Vaccination and Immunisation ("JCVI") (an expert scientific advisory committee which advises the UK government on vaccination and immunisation matters) to advise whether routine vaccination should be offered to younger people aged 12 to 17.
- 6.57 In July 2021, DfE launched an education data rapid testing dashboard, using LFD testing data provided by DHSC, which education settings could use to monitor their own LFD testing data. This was available to primary and secondary maintained schools, nurseries, FE colleges and other FE providers. The dashboard provided data on staff and students, covering total tests, negative tests, positive tests and void tests, with settings being able to download their own results. The dashboard remained active until April 2022. The data dashboard was dependent on education settings uploading

their LFD test results from ATS as well as parents or children uploading their individual home test kit results.

- 6.58 On 4 August 2021, the government accepted advice from JCVI to offer COVID-19 vaccines to all 16- to 17-year-olds. During this period, all vaccines were administered via GP surgeries and community pharmacies as well as NHS hospitals and dedicated vaccination centres. (Exhibits JK1/483 - INQ000542748 and JK1/484 - INQ000542967).
- 6.59 In August 2021, the UK Clinical Review Panel recommended that *“all children and young people under the age of 18 should no longer be considered CEV and be removed from the Shielded Patient List”*. This recommendation was presented to the CMOs of the UK who agreed with the recommendation. Following this agreement, DHSC announced that children and young people under the age of 18 were no longer considered to be CEV (Exhibits JK1/485 - INQ000066727). Although they were no longer considered CEV, DHSC advised that *“a small number of children may face a higher risk from COVID-19 than other young people, and therefore vaccination is appropriate for them as a precautionary measure”*. On 26 August 2021, DfE communicated that all children and young people should attend settings unless they had been advised by their clinician or other specialist not to attend (Exhibits JK1/486 - INQ000542750). DfE recommended that leaders in education work collaboratively with families to provide reassurance and to help their child return to their everyday activities. A collaborative approach was advised, focusing on the welfare of the child or young person and responding to the concerns of the parent, child or young person. If individuals were anxious about attendance, DfE advised that they should speak to their setting about their concerns and discuss the protective measures that had been put in place to reduce risk. They could also discuss other measures that could be put in place to ensure that they could regularly attend.
- 6.60 Throughout summer term 2021, DfE conducted a “deep dive” into attendance at AP settings due to concerns that attendance rates in AP settings were lower than before the pandemic (Exhibit JK1/424 - INQ000541108 see slide 6 for AP attendance actions and progress). The VCU worked with REACT to deliver a focused project aiming to understand the limitations to attendance in these settings, as many children in AP settings were considered vulnerable. REACT teams called 24 AP settings to better understand the cause of the increased low rate of attendance. From the data and conversations with the sector, the department was able to understand what tailored

support was required and specific policy initiatives were put in place. This included re-running the AP year 11 transition fund, tailoring communications to address sector concerns, and adjusting funding for AP and special settings to deliver summer schools to re-engage pupils early. MfCF was updated and engaged throughout, and No.10 were informed via SSE (Exhibits JK1/487 - INQ000541000, JK1/488 - INQ000541006 and JK1/489 - INQ000541009).

Monitoring and actions in autumn 2021

- 6.61 DfE continued to provide sitreps up to January 2022. The final weekly report for each month is provided for information (where settings closed for a holiday period the final report for that term or half term has been provided): September 2021 (Exhibit JK1/490 - INQ000541113), October 2021 (Exhibit JK1/491 - INQ000542806), November 2021 (Exhibit JK1/492 - INQ000541115), December 2021 (Exhibit JK1/493 - INQ000541116) and January 2022 (Exhibit JK1/494 – INQ000542902).
- 6.62 On 13 September 2021, the government announced that it had accepted the advice of the four UK CMOs and the NHS had started to prepare to deliver a schools-based vaccination programme (Exhibit JK1/495 - INQ000542966). On 16 September 2021, the DfE daily sector bulletin highlighted that in autumn 2021, all children aged 12 to 15 would be offered a first dose of the COVID-19 vaccine (Exhibit JK1/496 - INQ000542752). The bulletin explained that vaccinating children should help to reduce the need for children to have time off school and should reduce the risk of spread of COVID-19 within schools. The main purpose of the COVID-19 childhood vaccination programme was to provide protection to the children who had received the vaccine and to reduce the disruption to face-to-face education over the winter period. As this would be a school-based vaccination programme, the School Age Immunisation Service team would be the primary provider. DfE's role during this period was to:
- 6.62.1 Support schools to facilitate vaccination on their sites.
 - 6.62.2 Support vaccine uptake by working with DHSC to provide information through a variety of channels to schools and parents.
 - 6.62.3 Provide communications materials for schools and colleges to send information to parents/pupils.

6.62.4 Provide information for schools on their role in vaccine delivery and the vaccine consent process.

- 6.63 In September 2021, DfE published a blog signposting settings to the range of mental health resources available to support children and young people, parents and staff (Exhibit JK1/497 - INQ000542885).
- 6.64 On 13 October 2021, DfE responded to a commission from No.10 on adding 40 hours of teaching a year for 16–19-year-olds and a one-off recovery fund of around £500m (Exhibits JK1/498 - INQ000542790 and JK1/499 - INQ000542791). DfE officials stated that SSE had been clear that *“the proposition of 40 additional hours teaching per year for 16-19 students is credible and welcome, making a sizeable contribution, both to catch up and to moving us closer to our international comparators in this space.”*
- 6.65 On 18 October 2021, SSE received advice from DfE officials following discussions between the Prime Minister and the Chancellor on recovery, where a settlement of 40 additional hours for 16–19-year-olds and a £1 billion recovery pot for schools had been agreed (Exhibit JK1/500 - INQ000542861). The note outlined *“overall, this is a sizeable contribution to recovery. It provides a clear, evidence-based intervention for 16–19-year-olds in line with a focus on those with the least time left. On schools, it is positive to deliver more than the current recovery premium quantum and the option aligns with the sector ask for flexibility. However, we should be clear that we cannot claim that this is sufficient to deliver full recovery or close the disadvantage gap, and it is below the sector ask.”*
- 6.66 On 20 October 2021, SSE received advice from DfE officials on the £1 billion recovery premium funding secured as part of the Spending Review and what could be delivered with it (Exhibit JK1/501 - INQ000542802). DfE officials set out what had been agreed as part of the Spending Review and stated, in summary, that:
- 6.66.1 The funding would act as an extension of the recovery premium for the academic year 2021 to 2022, covering a further two academic years (2022 to 2023 and 2023 to 2024 respectively) and offering higher per pupil rates in secondary than in primary.

- 6.66.2 It would be offered as a time-limited grant to schools, predominantly based on socio-economic disadvantage but with schools given discretion to target support towards those pupils who need it most.
- 6.66.3 Through conditions of grant, guidance and reporting, DfE would support schools to use the funding on evidence-based approaches.
- 6.67 The officials sought SSE's agreement on the proposed methodology for distributing the funding with regards to eligibility, rates, funding floors and funding profiles, including that there should be double weighting for those eligible in specialist settings.
- 6.68 On 27 October 2021, SSE confirmed that he was content with the recommended approach (Exhibit JK1/502 - INQ000542801). On the same day, DfE announced additional education recovery support in academic years 2022/23 and 2023/24 (Exhibit JK1/503 - INQ000541084). This included funding to ensure all 16-19-year-old students would receive an additional 40 hours of education across the academic year. This would be the equivalent of one additional hour a week in school or college. The funding announced took the government's direct investment in education recovery to almost £5 billion.
- 6.69 On 21 October 2021, MoSSS agreed to appoint the five recommended candidates for the attendance advisers programme (Exhibit JK1/504 - INQ000542795). The attendance adviser role aimed to work closely with local authorities to support and challenge their practice on attendance. Attendance advisers were matched to local authorities in January 2022 and in April 2022, MoSSS agreed to extend the attendance adviser programme (Exhibit JK1/505 - INQ000542838).
- 6.70 On 21 October 2021, in response to a commission from No.10 officials, DfE officials prepared and issued a school attendance note to No.10 (Exhibits JK1/506 - INQ000542793 and JK1/507 - INQ000542792).
- 6.71 The school attendance note set out information on the drivers for non-attendance and plans to improve attendance. DfE officials advised that attendance for autumn term 2021 was lower than the pre-pandemic average. DfE officials stated:

“Based on the closest direct comparison, using live register data, attendance so far this term (excluding circumstances related to

Covid, other than confirmed cases) is lower than the pre-pandemic average by around 2pp, rising to 3pp in secondaries. This reflects high illness absence, including COVID illness, and an increase in unauthorised absence in secondaries of around 1pp.”

- 6.72 DfE officials listed the drivers of absence and explained that the pandemic had exacerbated existing risk factors and created a situation beyond the means of a school on their own to solve. DfE officials advised that key stakeholder groups (SRAG, PSSG and Primary Headteacher Reference Group) agreed that intensive partnership with local authorities, settings and health services to reengage persistently absent children and young people would be required to improve attendance. The Primary Headteacher Reference Group was set up prior to the pandemic and designed to support policy development and implementation across the department by collating views and providing feedback to ministers and officials.
- 6.73 In October 2021, DfE published *PPP July 2021 findings* that set out the final survey, survey wave 10 of the PPP (Exhibit JK1/508 - INQ000542951). Findings included information on attendance and mental health and wellbeing. The *PPP July 2021 findings* showed that happiness levels of pupils, as reported by parents, showed limited movement from May 2021 levels. This followed an increase in May 2021 and March 2021, following a sharp decrease in February 2021, during the time of the third national lockdown when settings were closed to the majority of pupils. Although at different levels, primary and secondary parents largely followed the same trend in this period.
- 6.74 The *PPP July 2021 findings* for attendance, showed that overall, reported attendance in July 2021 had decreased substantially compared to May 2021. The findings showed that this was in part due to the summer term coming to an end for some secondary pupils, but also due to an increase in the proportion reporting COVID-19 related absence.
- 6.75 In October 2021, DfE published the Education Policy Institute and Renaissance Learning’s fourth report, *Understanding progress in the 2020/21 academic year complete findings from the spring term October 2021* report (Exhibit JK1/465 - INQ000542833).
- 6.76 Two approaches were used in the fourth report. The ‘all spring term approach’ was presented as one finding with the ‘second half of spring term approach’ findings shown

in brackets, where a difference had been recorded. The report estimated that by the end of the spring term 2021, primary pupils had experienced a learning loss in reading equivalent to around 2.0 months of progress ('second half of spring term' approach showed this to be 2.3 months) and secondary pupils had experienced a learning loss equivalent to around 1.6 months ('second half of spring term' approach showed this to be 2.6 months) of progress. In mathematics, primary aged pupils experienced a much greater learning loss of around 3.1 months ('second half of spring term' approach showed this to be 2.3 months). No mathematics summary was provided for secondary pupils.

6.77 The fourth report also estimated learning loss from spring term 2021 by various characteristics to understand how the decision to close settings to the majority of pupils in January 2021 impacted certain characteristic groups. In summary, results by pupil characteristics stated:

6.77.1 Pupils from disadvantaged backgrounds lost 0.9 months of learning from the second half of autumn term, compared with non-disadvantaged pupils who lost around 0.6 months of learning. The 'second half of spring term' approach showed pupils from disadvantaged backgrounds lost 1.2 months of learning compared with non-disadvantaged who lost around one month.

6.77.2 Most ethnic groups appeared to have experienced some increase in learning loss, though due to sample sizes these were not necessarily statistically significant.

6.77.3 Children in need experienced further learning loss of around 1.6 months since the second half of autumn term, compared with 0.7 months for all primary aged pupils ('second half of spring term' approach show this to be two months compared with one month for all primary children).

6.78 In October 2021, DfE published the Education Policy Institute and Renaissance Learning's fifth report, *Understanding progress in the 2020/21 academic year findings from the summer term and summary of all previous findings* (Exhibit JK1/509 - INQ000542834).

6.79 The *Understanding progress in the 2020/21 academic year findings from the summer term and summary of all previous findings* report provided a summary of all preceding reports. The report explained that periods in which there were “*restrictions to in-person learning created and exacerbated learning losses in both reading and mathematics. These were partially counterbalanced by periods where schools re-opened for in-person learning for all pupils and there was some recovery in learning losses.*” The report provided the following information to demonstrate this:

6.79.1 Autumn term 2020 to 2021:

6.79.1.1 By the end of the first half of the autumn term, learning loss in reading was similar amongst primary and secondary aged pupils and was higher in mathematics than in reading. The average learning loss in reading for primary aged pupils was around 1.8 months, for secondary aged pupils it was around 1.5 months. Learning losses in primary mathematics were greater at around 3.6 months. By the end of the second half of the autumn term, primary aged pupils had lost around 1.2 months of learning in reading, implying that primary aged pupils were able to catch-up over half a month of learning lost in one half-term. There was even greater catch-up in mathematics, where primary aged pupils caught up around a month of progress.

6.79.2 Spring term 2020 to 2021:

6.79.2.1 By the end of the spring term, primary aged pupils had experienced a learning loss in reading equivalent to around 2.2 months of progress, implying losses returned to around their early autumn level as a result of pupils unable to attend face-to-face learning in early 2021.

6.79.3 Summer term 2020 to 2021:

6.79.3.1 By the end of the summer term in 2020 to 2021, there was notable recovery in learning loss in primary reading with the

learning loss for this cohort improving by around 1.3 months from our estimate of learning loss by the spring term, resulting in an estimate of learning loss by the summer term of around 0.9 months.

6.79.3.2 Primary mathematics learning losses over the academic year 2020 to 2021 had a similar pattern to findings for primary aged pupils in reading as the learning loss for this cohort improved by around 1.2 months from the estimated learning loss by the spring term, resulting in an estimate of learning loss by the summer term of around 2.2 months.

- 6.80 The third Corporate Statement provided by Susan Acland-Hood (Exhibit JK1/565 – INQ000587992) provides information on the longer-term impacts of COVID-19.
- 6.81 Throughout autumn 2021, DfE regional teams engaged with settings and local authorities with high levels of persistent absence and strengthened the focus on attendance (Exhibit JK1/510 - INQ000542903, slide 10).
- 6.82 On 4 November 2021, following the government’s commitment in its announcement about education recovery of 2 June 2021, to review the impact that additional time in school and college could have to support education recovery (see paragraph 6.30 of this statement) DfE published its review of time in schools and 16-19 settings (Exhibits JK1/511 - INQ000542879 and JK1/512 - INQ000542809). The review found that for those aged 16-19, “*countries identified as having high-performing technical education systems are characterised by a relatively high number of teaching hours, when compared to England*”. It also found that time could benefit pupils’ and students’ outcomes, but the extent of any benefit was dependent on how well the time is used. The findings informed the Autumn Budget and Spending Review 2021, with the Spending Review including funding for 40 additional hours of learning per student per year for 16-19 year-olds (Exhibit JK1/513 – INQ000253812).
- 6.83 On 23 November 2021, SSE received a submission from DfE officials on piloting an attendance mentoring programme to tackle the root cause of severe school absences (Exhibit JK1/514 - INQ000542811). In December 2021, further information on this programme was provided (Exhibits JK1/515 - INQ000542813 and JK1/516 - INQ000542812) and in summer 2022 the programme was agreed (Exhibits JK1/517 -

INQ000542871 and JK1/518 - INQ000542842). The attendance mentor programme pilot launched in autumn 2022.

- 6.84 In November 2021, SSE agreed to the Attendance Action Alliance (“AAA”) (Exhibit JK1/519 - INQ000542810). The AAA was made up of key figureheads from the attendance system to support raising attendance. AAA members included SSE, the Children’s Commissioner, Ofsted’s Chief Inspector and chief executives from a number of organisations. In December 2021, the first AAA meeting was held (Exhibit JK1/520 - INQ000542815). SSE attended this meeting. The AAA continued to meet in 2022 and the most recent meeting date was recorded as 21 May 2024 (Exhibits JK1/521 - INQ000542883 and JK1/522 - INQ000542890).
- 6.85 Oak had become an invaluable resource for teachers, pupils, and families, with over 130 million lessons completed in Oak’s classroom. During the autumn term of 2020, Oak’s Classroom usage steadily increased, a trend that continued into early 2021. Between January and March 2021, the average number of weekly users rose to 2.5 million, coinciding with the closure of schools to most pupils. In the 2020/21 academic year, Oak’s support webinars attracted 40,000 teachers, demonstrating the platform’s extensive reach. Additionally, teachers downloaded 885,000 resources such as slides and worksheets and shared 239,000 lesson links (Exhibit JK1/523 - INQ000497799). In November 2021, DfE committed further funding to Oak, enabling it to operate through to Easter 2022 to support settings in their remote education provision where required (Exhibit JK1/524 - INQ000497805). The second Corporate Statement provided by Julia Kinniburgh (Exhibit JK1/215 – INQ000587978) provides further detail on Oak and remote education.
- 6.86 On 2 December 2021, DfE announced support for vulnerable children in serious violence hotspots (Exhibit JK1/525 - INQ000541137). This included targeted support, backed by funding of £30 million, as part of a roll out of SAFE taskforces and Alternative Provision Specialist Taskforces (“APST”) in ‘hotspot’ areas, where incidents of serious youth violence were highest.
- 6.87 APST are multi-agency, co-located teams embedded in AP schools providing joined-up support to children and young people most in need. Since autumn 2021, a government funded pilot has been testing the impact of APST on pupil outcomes in 22 AP settings (including local authority-maintained pupil referral units, AP academies and AP free

schools) across England. The first impact evaluation of the model will report in 2025 (Exhibit JK1/526 - INQ000542874).

- 6.88 The SAFE taskforces programme aimed to provide support to address barriers to attendance, support behaviour and prevent children and young people from becoming NEET. The SAFE taskforces programme was established in April 2022 and is expected to run until March 2025 (Exhibit JK1/527 - INQ000542917).
- 6.89 From December 2021 to September 2022, DfE officials regularly provided No.10 with attendance sitreps (Exhibits JK1/528 - INQ000542904 and JK1/529 - INQ000542905). DfE officials provided information on attendance data and trends as well as intervention updates, including updates on the AAA, attendance advisers, APST and SAFE Taskforces.
- 6.90 On 16 December 2021, DfE officials recommended that the DfE-funded air cleaning units were expanded into other state-funded education settings, in light of the emerging Omicron variant of COVID-19 and increasing rates of people contracting the virus (Exhibit JK1/318 - INQ000075624). The submission requested a further 7,000 air cleaning units be made available, but up to 10,000 if needed. There was a detailed eligibility criteria for schools and colleges (FE and other post-16 settings), followed by a prioritisation criterion, such as the provider's average CO2 reading (Exhibit JK1/544 - INQ000075625). SSE agreed to purchase these additional units and this was then announced on 2 January 2022. Further advice from DfE officials was sent to the SSE on 19 January 2022 (Exhibit JK1/094 - INQ000075644) confirming that 8,000 DfE funded air cleaning units would be purchased following a round of applications. SSE agreed the advice. An evaluation of the programme which was published in June 2022, showed that 97% of settings which responded to the survey confirmed that they were using the air cleaning units provided by DfE with 80% going on to say that they would continue to use the units for 6 months or more (Exhibit JK1/554 - INQ000624549).

Monitoring and actions in spring and summer 2022

- 6.91 On 20 January 2022, Tessa Griffiths, DfE joint-Director of Covid Response Measures Directorate, and DfE's CSA attended a JCVI meeting as part of JCVI's discussions on whether to offer the vaccine to all 5 to 11-year-olds. Ahead of the meeting DfE officials sent a document to JCVI setting out the impact of COVID-19 on 5 to 11-year-olds in education settings (Exhibits JK1/530 - INQ000542819 and JK1/531 - INQ000542820).

This included the impact on lost learning, attendance and health as well as mental health and wellbeing.

- 6.92 On 25 January 2022, DfE launched a government consultation seeking views on what should be included in measures to improve the consistency of school attendance support and management (Exhibit JK1/532 - INQ000542821). The consultation closed in February 2022 and the government's response to the consultation was published in May 2022 (Exhibit JK1/533 - INQ000542839).
- 6.93 On 27 January 2022, Tessa Griffiths and the DfE deputy director responsible for vaccines in the Covid Response Measures Directorate, attended a second JCVI meeting, where slides prepared by DfE officials covering additional attendance and absence data were discussed, in advance of JCVI making a final decision on whether 5 to 11-year-olds should be vaccinated (Exhibits JK1/534 - INQ000542822 and JK1/535 - INQ000542823).
- 6.94 In January 2022, DfE trialled a new daily-attendance system which extracted attendance data directly from a School's Managing Information System ("SIMS") to assess the potential for it to replace other forms of attendance data collection and reduce the burden on schools, as schools were required to manually supply data at this time. Schools provided attendance data via this system on a voluntary basis (Exhibit JK1/536 - INQ000542956).
- 6.95 On 16 February 2022, the government accepted advice from JCVI to make a non-urgent offer of COVID-19 vaccines to all children aged 5 to 11 in England (Exhibit JK1/537 - INQ000542964). 5 to 11 year-olds would be vaccinated through pharmacy-led local vaccination services and vaccination centres would be the primary delivery models (Exhibit JK1/538 - INQ000497830).
- 6.96 In February 2022, DfE published the *State of the nation 2021: children and young people's wellbeing* report (Exhibit JK1/539 - INQ000542827). The report collated and presented new analysis of published evidence on the wellbeing of children and young people over the period of August 2020 to July 2021. The report aimed to provide a broad overview of children and young people's wellbeing in the academic year 2020 to 2021. To meet this aim, the report compiled evidence under six domain headings: personal wellbeing; mental and physical health; education and skills; relationships;

what we do – activities and time use; and self, society, and the future. Key sources of data within the report included the PPP.

- 6.97 On 14 March 2022, DfE published *Share your daily school attendance data* guidance for schools (Exhibit JK1/540 - INQ000542888). The guidance advised that DfE automatically collected daily attendance data from schools that had agreed to share their data, and this data would give schools, local authorities and academy trusts access to attendance data. The guidance advised that this access would help schools, local authorities and academy trusts meet the expectations set out in the *Working together to improve school attendance* guidance (Exhibit JK1/541 - INQ000542840). DfE clarified in the guidance that the data being collected was not new, but the frequency and method of collection had changed. DfE also confirmed that from April 2022, this data would be shared with the sector.
- 6.98 In March 2022, DfE published the Education Policy Institute and Renaissance Learning's sixth and final report, the *Understanding progress in the 2020/21 academic year extension report covering the first half of the autumn term 2021/22* report on learning loss experienced by pupils in England as a result of the COVID-19 pandemic (Exhibit JK1/542 - INQ000542837). The report stated that the first national lockdown and the lack of in-person learning for most children was associated with pupils making less progress in reading and mathematics compared with previous cohorts of pupils. During academic year 2020 to 2021 there were periods of recovery and further losses, with recovery being seen when schools were open to in person teaching.
- 6.99 The report estimated that by the end of the academic year 2020 to 2021, learning losses in reading amongst primary pupils amounted to around 0.9 months, and learning losses in reading amongst secondary pupils amounted to around 1.8 months. Learning losses in primary mathematics, at 2.8 months, were larger than reading losses. Sample sizes meant that it was not possible to provide robust estimates for secondary mathematics.
- 6.100 The *Understanding progress in the 2020/21 academic year extension report covering the first half of the autumn term 2021/22* conclusion stated:

“The analysis presented in this report shows that there has been some further recovery amongst some primary-aged pupils in reading though overall the total learning loss is similar to that seen in the summer, and

results in mathematics suggest further recovery. There have been further losses amongst secondary-aged pupils in reading since the summer. In addition, the differential effects of the pandemic on pupils from disadvantaged backgrounds and from particular parts of the country persist.”

- 6.101 In May 2022, following the public consultation in January 2022, DfE published *Working together to improve school attendance* guidance (Exhibit JK1/541 - INQ000542840). This non-statutory guidance applied from September 2022 and was advised to be read alongside existing statutory guidance documents on parental responsibility measures, children missing education, supporting children with medical conditions at school, suspensions and exclusions, AP, and safeguarding.

7 Chapter 7: Conclusions and lessons learned

- 7.1 DfE is acutely aware of the significant impact that closing education and childcare settings had on children’s development, attainment and wider health and wellbeing.
- 7.2 DfE is committed to learning how government can help to reduce the possibility that education and childcare settings may need to be closed to most children in the future, as well as how the negative impact of closing settings can be lessened through stronger planning and preparation. The department is committed to working with the Inquiry to learn these lessons.
- 7.3 DfE has learnt – and continues to learn – a number of important lessons from the COVID-19 pandemic. The pandemic was a fast-moving situation that required DfE to work rapidly to support education and childcare settings. DfE’s approach was to focus on learning and improving throughout each stage of the pandemic. DfE adapted its response to cater to the ongoing needs of education and childcare settings: seeking continuous feedback from education and care settings about the delivery of policies ‘on the ground’ and then adjusting policies and programmes in line with this feedback. Given the need to act quickly, feedback was always sought and factored in, through direct discussions and meetings, formal consultation with stakeholders was not always possible, but their feedback was always sought and factored in. A list of the key stakeholder meetings and forums that DfE held during the pandemic are detailed in “*Key Stakeholder meetings and forums*” (Exhibit JK1/543 - INQ000514478).
- 7.4 This section focuses on the lessons learned associated with closing education and childcare settings to most children in March 2020 and again in January 2021.

Emergency response function

- 7.5 As set out in the first Corporate Statement provided by Susan Acland-Hood dated 29 March 2023 (Exhibit JK1/001 – INQ000146054), DfE made a number of key improvements in its pandemic response function and capabilities during and after the COVID-19 pandemic. The following section updates the information provided on these key improvements, as DfE’s understanding of its pandemic response has grown.

7.6 As with pre-pandemic planning, government's initial efforts in responding to the pandemic were too focused on following existing plans for responding to a flu pandemic. The response did not initially consider the impact of the global pandemic the country faced and how plans would need to be flexed to accommodate this. In particular, greater attention could have been paid to the measures required across education settings to control the transmission of the virus, such as closing education settings to most children, and how the negative impacts of such mitigations on children could be lessened.

7.7 Furthermore, like other parts of government and society, DfE was too optimistic in the early stages of the pandemic about how long and profound the disruption would be. This meant that forward plans, even when based on a range of scenarios (including centrally provided CO scenarios), were often overtaken by events. As the pandemic progressed, plans were increasingly based on more robust worst-case scenarios and supported by stronger contingency actions. For example, additional laptops were purchased for winter 2021 to 2022 as a contingency measure against unexpected closures, and examinations planning for 2022 included a range of fall-back options including for scenarios worse than were expected (or transpired).

7.8 A further example was DfE's ventilation programme. DfE was one of the first government departments to provide devices to monitor and manage ventilation and air quality in its settings. Evidence from the SAGE Environmental Modelling Group ("EMG"), published in June 2021, highlighted that monitoring CO₂ was a useful way of managing ventilation in indoor spaces and reducing the spread of airborne pathogens (Exhibit JK1/555 - [INQ000310950](#)). On the back of this evidence, from September 2021, DfE started to provide CO₂ monitors to education settings. Initially 389,000 monitors were provided. By the end of April 2023, 700,000 monitors had been sent to over 45,000 state-funded schools and colleges as well as early years settings and children's homes, enabling settings to monitor and manage ventilation in teaching spaces. Early evaluation of how settings were using the CO₂ monitors indicated that, of the settings that responded to DfE surveys, the majority of respondents (95%) were able to use the CO₂ monitors to identify when ventilation in a room needed to increase. Most of the respondents who identified sustained high CO₂ readings were able to remedy this with a quick fix, such as opening windows (Exhibit JK1/564 - [INQ000075692](#)).

7.9 The department expanded the ventilation programme with the roll out of filtration-based (HEPA) air cleaning units for education or care settings that had identified poorly

ventilated spaces which could not be resolved through simple measures like opening windows or doors. This was based on advice from the SAGE EMG, including Professor Catherine Noakes, that air cleaning devices might be a useful tool to reduce COVID-19 transmission in such situations (Exhibit JK1/556 - **INQ00074950**). 9,000 air cleaning units were distributed to over 1300 settings between January 2022 to April 2023.

- 7.10 The Department of Health and Social Care funded a study aimed to evaluate the implications of fitting primary schools with air cleaning technology; the Bradford classroom air cleaning technology (class-ACT) trial. The project was managed through the UK Health Security Agency and had DfE officials on the working group. The study was conducted between Sept 2021 to March 2022 by the Centre for Applied Education Research which is based at the Bradford Teaching Hospitals NHS Foundation Trust. Unpublished results, which have not progressed through the peer-review process yet, were presented at a WHO conference in 2023 and suggest that illness absence rates were reduced in schools which had filter-based (HEPA) air cleaning units (Exhibit JK1/557 - INQ000624554). Once the paper is published detail, government will consider next steps; in the meantime, we continue to work closely with academic experts working in the area of air quality in schools.
- 7.11 Since the COVID-19 pandemic, DfE has continued to develop a more robust approach to emergency planning and response. The first Corporate Statement provided by Susan Acland-Hood dated 29 March 2023 (Exhibit JK1/001 – INQ000146054) details the full range of actions that DfE has taken in response to put itself in a stronger position for future emergencies.

Regional organisation and delivery

- 7.12 As outlined in paragraph 3.52 of this statement, DfE established REACT to enable the department to support local authorities in their role of coordinating a response to the pandemic in respect of education and children's services. It did this by bringing together teams from across DfE and Ofsted to allow intelligence to be shared.
- 7.13 Positive feedback from local authorities showed the benefits of having joined-up meetings with DfE during the pandemic, in particular ensuring services were not siloed in local areas. It also meant that strong relationships were developed between REACT teams and key officials within local authorities, such as Directors of Public Health and

Directors of Children Services. This helped deliver more local nuanced solutions rather than attendance restrictions or other restrictions across an area.

- 7.14 DfE therefore retained this approach throughout the key period of the pandemic and reinforced the REACT teams, building them directly into the COVID-19 response governance to provide direct and real time feedback.
- 7.15 Through setting up and running REACT, DfE gained a greater understanding of the value of bringing together and joining up DfE's regional improvement and intervention work across schools, SEND and CSC sectors. In part from this learning, DfE established the new Regions Group in September 2022, which took on board some of the lessons learned from REACT.
- 7.16 There are nine regional teams each led by a regional director and each covering a region (e.g. south-west England). Each team aims to improve outcomes for children, families and learners by accelerating system improvement and reform through active intervention and by better aligning DfE's operations and users' needs at a local and regional level.

Supporting remote education

- 7.17 DfE worked with the sector to strengthen its approach to remote learning and adapt policy and delivery as the pandemic progressed. As outlined in chapter 3, when education settings were first asked to restrict attendance in March 2020, DfE gave considerable discretion to settings on how to deliver their curriculum via remote education. Initially efforts focused on supporting education settings to share best practice. For example, the Ed Tech Demonstrator programme was expanded to reach an estimated 4,000 schools. DfE also worked with Ofsted and the sector to better understand what good remote education looked like.
- 7.18 Oak was particularly useful for implementing remote education during the pandemic. Oak demonstrated the value of producing and sharing high quality curriculum resources and content created by teachers for teachers and pupils that is free, optional and adaptable; this had value both for schools setting lessons during disruption and for parents supporting children's learning. As a result, DfE has sought to retain Oak as a long-term part of the education landscape. DfE did this by establishing Oak as a new, operationally independent, arms-length body on 1 September 2022. Oak was widely

used in the 2023 to 2024 academic year; 7.2 million lessons were taken across various school types and phases, and on average, around 28,000 lessons were taken daily. Oak also remains an important resource as a remote education contingency in the event of disruption to schools. For example, during Storm Ciarán, over 70,000 lessons were taken on 2 November 2023 (Exhibit JK1/545 – INQ000542909).

- 7.19 In the initial stages of the pandemic, DfE prioritised devices and internet connectivity for the most vulnerable children. As of 30 June 2020, DfE delivered 202,000 laptops and tablets and 47,000 4G wireless routers to education settings and local authorities. This enabled them to give children in the care system and care leavers a device, allowing them to continue their learning and keep in touch with their social workers. Furthermore, by the end of the pandemic over 1.9 million devices had been delivered.
- 7.20 However, government's initial assumption on the pandemic's length did impact on both the development of DfE's remote education policy and its implementation.
- 7.21 DfE did not initially set expectations and standards for remote education delivery, and as a result, remote education during the first lockdown was very variable. As it became clearer that the pandemic would last considerably longer than first expected, DfE realised it would be necessary to set stronger expectations in order to achieve a more consistent approach to remote learning across the country. From July 2020 into early 2021, DfE set out, and then strengthened, remote education guidance and requirements, setting clear curriculum expectations for remote education, specifying the number of minimum hours and placing a legal duty on education settings to provide remote education. Overall, the impact of these changes delivered a more positive experience of remote education for children and young people during the later stages of the pandemic, as well as creating a stronger legacy for remote education in the event that settings are unexpectedly required to close for short periods in time in the future.
- 7.22 DfE began by focusing the roll out of devices for the most vulnerable children as funding was only secured for this group. This was because government, including HMT, were too optimistic in assumptions about the length of the pandemic. If government had been less optimistic, a wider roll out of devices at an earlier stage would have been viewed as better value for money by HMT. While the funding was ultimately secured later in 2020, an earlier roll out of a larger number of devices would have helped to improve the experience of those children who did not receive laptops until the end of the staged rollout. DfE and HMT learnt this lesson for the winter of

academic year 2021 to 2022, as additional devices were ordered in good time as a contingency measure in case a further round of restrictions was required. The second Corporate Statement provided by Julia Kinniburgh (Exhibit JK1/215 – INQ000587978) provides further detail on devices and remote education support.

Education recovery and catch-up

- 7.23 DfE recognised early on that it would also need to invest in supporting pupils and settings to recover missed learning. Starting from June 2020, with the universal catch-up premium, DfE delivered a multi-year education recovery programme covering EY, schools and colleges. This £5 billion programme was delivered at national scale and it meant significant numbers of children could benefit. For example, 6.1 million courses were delivered through the £1 billion NTP by 31 August 2024, exceeding the target set. The third Corporate Statement provided by Susan Acland-Hood (Exhibit JK1/565 – INQ000587992) provides further detail on the impact of NTP.
- 7.24 The initial universal catch-up premium, announced in June 2020, was targeted at all pupils and settings had great discretion on how the funding was spent. The Recovery Premium and the NTP were more targeted towards disadvantaged children and more closely linked to adopting evidence-based approaches. For instance, in academic year 2022 to 2023, settings were required to use their recovery premium funding in line with a 'menu of approaches' that was based on the evidence of effective practice. Likewise, settings were required to use their NTP allocation for academic tutoring, which was based on this being one of the most effective interventions for helping children to catch up on lost progress.
- 7.25 However, there were also clearly lessons to learn concerning the proposal to extend the school day to create more learning time, and the central place this took in the proposed recovery package. This was an important element of DfE's education recovery proposals developed with the Education Recovery Commissioner, and there was evidence for it; but the evidence was not compelling enough to secure HMT support at the scale proposed. Funding for extra time at 16-19 was secured, and the proposal to move all schools to a minimum school day within existing funding were successfully implemented. Because the wider proposal on time in school and college was such a large element of the proposed package, failure to secure it significantly diminished the total investment compared to the proposal from the Commissioner,

meaning less investment in recovery than had been hoped and expected by the Commissioner and SSE. There was also a lack of clarity on appetite for spending on recovery, with the Prime Minister encouraging bold and radical proposals, but HMT consistently saying that the likely available investment would be in single rather than double digit billions. Government would have done better to give a clearer, more joined up set of parameters to the Education Recovery Commissioner; and DfE could have worked harder with the Commissioner to avoid putting so much emphasis on a single very large proposal which, when not supported, dramatically reduced the scale and impact of the package.

- 7.26 The formal and specified education recovery programmes detailed in this statement have been delivered. Tutoring sessions have exceeded targets set. The early years education recovery programme has provided more than 29,000 training opportunities at setting/school level and more than 52,000 training opportunities to individual practitioners (Exhibit JK1/550 - INQ000542977). The core purpose of the education recovery programmes – to see children’s attainment improve, and attainment gaps between more and less disadvantaged children narrow - remains at the core of the department’s work. There is further detail on the post-pandemic educational attainment of children in the third Corporate Statement on the long-term impact of COVID-19 on children provided by Susan Acland-Hood (Exhibit JK1/565 – INQ000587992).

Monitoring and improving attendance

- 7.27 As detailed in the third Corporate Statement on the long-term impact of COVID-19 on children provided by Susan Acland-Hood (Exhibit JK1/565 – INQ000587992), the pandemic negatively impacted school attendance. Attendance remains well below pre-pandemic levels, despite some recovery. Attendance levels are a key barrier to reversing the learning losses suffered during the pandemic. Improving attendance remains a key challenge and focus for DfE and the education sector.
- 7.28 Local authorities, academy trusts and schools were mainly responsible for monitoring and improving attendance for their local area and/or education setting based on local circumstances.
- 7.29 Before the pandemic began, attendance data came from two sources. Firstly, the termly school census: a mandatory collection providing pupil level data and absence

codes three times a year. Secondly, the live aggregate sample register: a daily collection taken from a small percentage of schools (17% of primary schools and 6% of secondary schools). The census data collection continues to this day, while the sample register ceased data collection in May 2022.

- 7.30 Early on in the pandemic, DfE recognised that school attendance was going to be a key challenge and so worked quickly to set up a daily on-site attendance reporting system (see paragraph 4.6). The termly school census, covering all pupils in schools, did not provide timely information due to a two-term lag on the data, and the live aggregate sample register only covered a small sample of schools. Implemented in March 2020, the attendance reporting system provided significant insight into pupil attendance to inform policy and operational decision making. Though extremely useful, providing this data was ultimately burdensome for schools as they were required to manually supply data on a daily basis.
- 7.31 In January 2022, DfE trialled a new daily-attendance system which extracted attendance data directly from management information systems, including SIMS, to assess the potential for it to replace other forms of attendance data collection and reduce burdens on schools. Schools provided attendance data via this system on a voluntary basis.
- 7.32 From April 2022, this data was shared with the sector: schools could access their own attendance data, academy trusts could access data from participating schools within the trust, and local authorities could access data from participating schools within their area.
- 7.33 From autumn 2024, sharing school attendance data became a statutory requirement, with every state school in England required to share their daily attendance data to provide an accurate and timely picture of school attendance across the country. This data equipped schools, academy trusts, and local authorities with innovative insights and tools to identify issues, benchmark their practices, and drive improvements.
- 7.34 DfE published guidance to help schools, academy trusts and local authorities improve school attendance in May 2022 (Exhibit JK1/541 – INQ000542840). This guidance set out that improving attendance should be a concerted effort across all teaching and non-teaching staff in a school, trust and governing body as well as the local authority and local partners. The guidance included information on:

- 7.34.1 Working in partnership with families to find supportive routes to improve attendance;
 - 7.34.2 Expectations of schools, academy trusts, governing bodies and local authorities;
 - 7.34.3 Persistent and severe absence;
 - 7.34.4 Legal intervention and relevant legislation; and
 - 7.34.5 The admissions and attendance register.
- 7.35 The guidance became statutory in 2024 and included updated information on (Exhibit JK1/547 - INQ000542886):
- 7.35.1 Changes to the law on keeping school attendance and admission registers including a revised set of codes, granting leaves of absence and access to, and sharing of, attendance information introduced through the *School Attendance (Pupil Registration) (England) Regulations 2024*; and
 - 7.35.2 The new National Framework for issuing penalty notices and changes to the law introduced through the *Education (Penalty Notices) (England) (Amendment) Regulations 2024*.
- 7.36 During the pandemic, DfE deployed expert attendance advisers to support schools, academy trusts, and local authorities. Advisers helped to remove wider barriers to attendance and embed expectations later set out in published guidance. In addition, the department funded attendance mentors to provide one-to-one intensive support to pupils and their families. DfE has recently expanded the programme. Mentors are now working in 10 further areas from September 2024 in addition to the five existing pilot areas.
- 7.37 Earlier this year, DfE also expanded attendance hubs following a successful pilot in 2022. An attendance hub is a network of schools that work together to share best practice and support each other to improve attendance. The lead hub school within the network provides guidance to other schools and school leaders by championing

attendance, sharing effective practice, and enhancing processes for analysing attendance data.

- 7.38 During the pandemic, the AAA was formed to convene key stakeholders across sectors (e.g. education and health) to raise the profile of the importance of school attendance and address barriers to attendance (see paragraph 6.82). The alliance included key figures such as SSE, the Children’s Commissioner, Ofsted’s Chief Inspector, health and police representatives and chief executives from various organisations including academy trusts, children’s charities and unions. Meetings of the alliance took place during the academic years 2021 to 2022, 2022 to 2023, and 2023 to 2024. These meetings were action-orientated, involving national leaders of children’s social and allied services committed to mobilising their workforces and organisational capability to achieve the aim of increasing school attendance.
- 7.39 In February 2022, DfE published the Children Not in School (“CNIS”) government consultation response following the CNIS consultation in 2019 (Exhibit JK1/548 - INQ000542875). The government’s response addressed several proposed measures and included the intention to legislate to place a duty on local authorities to maintain a register of CNIS, as well as duty on local authorities to provide support to home educating families, if requested. In December 2024, the *Children’s Wellbeing and Schools Bill 2024* was introduced in Parliament, incorporating the CNIS measures (Exhibit JK1/549 - INQ000542950). These measures will require local authorities to create and maintain registers for CNIS, as well as provide support to home educating families. These measures will be implemented as soon as possible and are subject to parliamentary processes and timings.
- 7.40 In the event of a future pandemic or another type of major emergency that affects attendance, DfE and the education system is in a much stronger position to track and monitor children’s attendance. It is also able to better take evidence-based actions in real time as a pandemic or emergency unfolds.

Assessing the role and impact of children

- 7.41 As set out in this statement, the initial efforts of the pandemic focused on understanding the role of children in COVID-19 transmission in the community. For

example, the work of the TFC researched the role children played in transmission in order to understand the impact of different education reopening options on transmission levels. Greater consideration could have been given, at an earlier stage, to understanding the impact of the COVID-19 pandemic on children's health and wellbeing, development and educational attainment.

7.42 As set out in Statement 1, DfE has successfully made the case that the 'core' of decision making on risk and resilience should include not just the holders of the primary risk, but those with the largest downstream impacts. This means DfE now has a 'seat at the table' in key cross-government resilience meetings, forums and exercises. The Department is now in a stronger position to explain to the rest of government the educational and care impacts of key risks occurring, and to be part of the core planning for mitigations. In addition, DfE is working with CO to develop a formal national emergency capability to safeguard children and reduce disruption to education in emergencies. This capability is intended to be a key focus of government in relevant emergencies.

7.43 DfE is also continuing to work with academics to improve our understanding of disease transmission between children and how that may contribute to wider community transmission; and possible strategies for mitigating disease transmission while maintaining face-to-face educational contact as much as possible. In addition, the DfE's Science Advisory Council and their wider networks would be a critical source of trusted advice during any future epidemic or pandemic.

Prioritising children and their education and development

7.44 In the initial phase of the pandemic, especially between March to July 2020, the department and government as a whole could have understood more quickly that getting children back into face-to-face education should be a primary consideration in pandemic decision-making, clearly prioritised over other activities and sectors. The fact that schools did not fully reopen in Summer 2020 at a time when retail and other premises were opened was not the result of a conscious deprioritisation – it was because of the practicalities of social distancing as well as the proximity of the summer holidays – but it was rightly criticised, and led to a much more conscious position in the second half of 2020 that education must be actively prioritised, and that all parts of government should be part of that. This was made clear in the *Contain* and then

Contingency frameworks, which set the bar for closing education settings very high, actively describing it as a 'last resort'.

- 7.45 While the nation-wide consensus on this position – often described as education being 'first to open, last to close' - was welcome, government should have done more work with the education sector to help it appreciate the full consequences of this. The obvious corollary of this position was that schools would remain open even when risk levels started to rise; and that any decision to close them would be taken at the last possible moment. This naturally caused concern and anxiety for some education staff and some parents. It also meant that decision-making on closing settings to most children was more pressured, rapid and 'last minute' than decision-making in other sectors, as decisions on closing education settings to most children were a last resort, to be used only when everything else had been tried. Decisions were pushed back until the public health case and evidence absolutely supported the need to close to most children. This inevitably meant that education settings would be asked to close to most children at very short notice.
- 7.46 The Inquiry has asked about whether, at a high level, the stance of unions, affected the Government's decision to close or open schools at each point in the pandemic. As I have set out in this statement, the decisions to close schools to all children except those who were CCW or vulnerable children were driven by the latest public health and scientific advice. Likewise, the timing on reopening schools and other education settings to more children was also driven by the public health and scientific advice including the epidemiological picture and, especially for the 2nd reopening, the roll-out of the vaccine programme. The input of the education unions was, however, influential in shaping the Government's detailed plans and guidance for children learning remotely and even more so for children returning to their education setting as well as understanding the views and needs of the education workforce.
- 7.47 Government could have put more focus on preparing the education sector, over the autumn term, for how this policy would play out in practice. It could have been clearer and more explicit that the result of this prioritisation was that transmission rates would get very high before settings were closed to most children and that decisions might very well feel very pressed and rapid.

- 7.48 On reflection, DfE could have brought all parts of the education and care sector together during the autumn term to better establish this understanding. These lessons were, however, rapidly learnt in early 2021. DfE worked with stakeholders across the education sector to develop the plans for fully reopening education settings in March 2021. This work developed a stronger consensus for these settings being the 'first to open' in society after the third lockdown. This consensus building happened through structured and stronger engagement on all key aspects of fully reopening settings to all remaining children. Working with stakeholders across the education sector was critical in enabling this to happen.
- 7.49 For a future pandemic or emergency, pandemic planning should continue to be focused on working with all parts of government and society to achieve the 'last to close, first to open' policy as a default (noting, however, that this might be affected by the precise contours of the pandemic – for example, in the case of a disease particularly harmful to or transmissible by children, this might need amendment, for which plans must also be made). Part of this preparation should include working with all parts of government and the relevant parts of society to help them understand the implications of education settings being the 'last to close, first to reopen' so government and society is better prepared for this approach in the future.

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.

Signature:

Personal Data

Dated: 28 July 2025