

# **Assessing the impact of re-opening childcare as part of the COVID-19 recovery process in Scotland**

September 2020

Title of policy	The provision of critical childcare during the COVID-19 pandemic and the re-opening of registered childcare.
Summary of aims and desired outcomes of policy	To enable children to access childcare options safely in order to support their learning and wellbeing (both during lockdown for those accessing critical childcare and once registered settings re-opened); to support families to continue or return to work and other responsibilities; to support the childcare workforce to work in a safe environment.
Directorate: Division: Team	Directorate for Early Learning and Childcare

## **Background – Entering lockdown**

As part of the Scottish Government's response to the COVID-19 pandemic, the Deputy First Minister announced on 19 March 2020 that all local authority schools and childcare settings in Scotland, including childminders, would close from the end of Friday 20 March 2020. Childcare providers in the private and third sector were advised they should also close.

Critical childcare was made available by all local authorities for children and families who were most in need from Monday 23 March<sup>1</sup>. This included provision for the children of keyworkers and for children who local authorities considered would benefit from access due to a broad definition of vulnerability<sup>2</sup>.

The workforce across school education and childcare stepped up to support children and young people through these challenging times. However, the closure of children's usual childcare settings will have had an immediate impact on all aspects of children's progress and development, and their health and wellbeing, both physical and mental.

Although we have limited information on the views of young children, we have some information from older children through the work of the Children's Parliament with children aged between 8 and 14<sup>3</sup>:

*The period of lockdown has shifted the balance of children's lives - not going to school, meeting friends or taking part in activities means that family time and relationships become even more central. Most children are safe and happy at home but for those children who are not, the experience of lockdown may intensify concerns or worries.*

For parents, the experience of childcare closures alongside employment uncertainty and concern about the public health emergency brings particular challenges, with women experiencing disproportionate negative impacts:

*The impacts of COVID-19 are being felt by us all, with huge changes transpiring across our working lives and beyond. At this stage, coronavirus is not just a health crisis, but an economic crisis that will have long-term implications. The longer-term consequences will impact women's equality by exacerbating pre-existing inequalities...<sup>4</sup>.*

For the childcare workforce, the last few months will have presented different challenges. For some, they will have significantly refocussed their work to care for

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<sup>1</sup> <https://www.gov.scot/publications/coronavirus-guide-schools-early-learning-closures/pages/overview/>

<sup>2</sup> <https://www.webarchive.org.uk/wayback/archive/20200710111815/http://www.gov.scot/publications/coronavirus-guide-schools-early-learning-closures/pages/vulnerable-children/>

<sup>3</sup> [https://www.childrensparliament.org.uk/wp-content/uploads/How\\_are\\_you\\_doing\\_Results\\_April\\_May\\_2020\\_Childrens\\_Parliament-Updated.pdf](https://www.childrensparliament.org.uk/wp-content/uploads/How_are_you_doing_Results_April_May_2020_Childrens_Parliament-Updated.pdf)

<sup>4</sup> <https://www.closethegap.org.uk/news/blog/coronavirus-brings-new-focus-to-womens-continued-inequality-/>

the children who have most needed support at this time, in critical childcare hubs. For others, they will have been furloughed and unable to connect with their professional community and the children and families they care for. Returning to their usual workplace may hold excitement but also possible anxiety:

*Working in the hub at the beginning did cause a little anxiety, as the virus was very out there. Communication was key with staff, and I feel it boosted staff morale which helped to create a positive ethos for staff, parents and children<sup>5</sup>.*

## **Decision-making**

As set out in the Scotland's Route Map through and out of the crisis:

*COVID-19 is first and foremost a public health crisis, and the measures to combat it have been necessary to save lives. But those measures also cause harm, and can have the most negative impacts on some people in our society least able to withstand them. We are learning that the harms caused by the pandemic are not felt equally.*

*Our response to this pandemic must recognise these unequal impacts. Just as we have sought to shield those most at risk, we must continue to provide additional support for those who need it and seek to advance equality and protect human rights, including children's rights, in everything we do.*

Decisions on closure and re-opening of childcare services have been informed by scientific advice and discussion and agreement through a number of groups. For childcare, the main fora for decision-making have been the Covid-19 Education Recovery Group (CERG) work streams, specifically those on critical childcare and early learning and childcare (ELC); and through the Working Group on ELC and Childcare Recovery. Further information on the key groups are set out here.

**The Scottish Government COVID-19 Advisory Group<sup>6</sup>** was established in March 2020 to:

- apply the advice from the Scientific Advisory Group on Emergencies (SAGE) and other appropriate sources of evidence and information; and
- use it to inform local decisions in Scotland during the pandemic.
- This includes providing insight and modelling to Ministers and the COVID-19 Education Recovery Group.

**The COVID-19 Education Recovery Group<sup>7</sup>** (CERG) was established in April 2020 to support government decision making by providing insight into the practicalities around re-opening schools and childcare. The group has been supported by ten work-streams, which draw on expertise from key stakeholders across the sectors, to recognise and respond to multiple factors that have already affected or will affect children and young people, families and the education workforce. These include:

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<sup>5</sup> Anon. Stirling Hub childcare worker

<sup>6</sup> <https://www.gov.scot/groups/scottish-government-covid-19-advisory-group/>

<sup>7</sup> <https://www.gov.scot/groups/covid-19-education-recovery-group/>

- the impact of closures and lockdown more broadly.
- the process of re-opening settings and the necessary steps to do so.
- supporting the sectors to ensure that when face-to-face contact resumes, that it is done safely.

As scientific evidence evolved on when it may be safe to start to return to settings, the CERG worked alongside government officials to develop a practical staged framework for re-opening. This ‘Strategic framework for reopening schools, early learning and childcare provision’<sup>8</sup> was published on 23 May 2020.

**The Coronavirus (COVID 19): Advisory Sub-Group on Education and Children’s Issues**<sup>9</sup> was convened in June 2020 as a sub-group of the COVID-19 Advisory Group. It was established to provide increased resource on scientific advice for education and children’s issues.

Scientific data and guidance continues to evolve and the Scottish Government has continued to adapt its approach accordingly. Due to the ongoing suppression of the virus, at the time of writing, all Care Inspectorate registered childcare settings (“registered settings”) have been able to re-open from 15 July. The first set of guidance on this was published in June and updated<sup>10</sup> with the most up-to-date scientific advice<sup>11</sup>.

The **Working Group on ELC and Childcare Sector Recovery** was created to provide support to the childcare sector through the relevant representative bodies<sup>12</sup>, in response to the needs brought about by COVID-19. The group’s work sits within the wider architecture of the CERG and the Critical Childcare and ELC workstreams and is designed to ensure that the private, third and childminding sectors are able to input into the work of the workstreams.

The work of the group has primarily been focussed on helping to shape guidance and formulate support to the childcare sector through the provision of expert advice. Early Years Scotland and the Scottish Government provide the formal link between this group and the CERG workstreams.

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<sup>8</sup> <https://www.gov.scot/publications/excellent-equity-during-covid-19-pandemic-strategic-framework-reopening-schools-early-learning-childcare-provision-scotland/>

<sup>9</sup> <https://www.gov.scot/publications/coronavirus-covid-19-advisory-sub-group-on-education-and-childrens-issues/>

<sup>10</sup> <https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-reopening-early-learning-and-childcare-services/>; <https://www.gov.scot/publications/coronavirus-covid-19-childminder-services-guidance/>; <https://www.gov.scot/publications/coronavirus-covid-19-fully-outdoor-childcare-providers-guidance/>; <https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-reopening-school-age-childcare-services/>

<sup>11</sup> <https://www.gov.scot/publications/coronavirus-covid-19-advisory-sub-group-on-education-and-childrens-issues---physical-distancing-in-early-learning-and-childcare-settings-etc/>

<sup>12</sup> <https://www.careandlearningalliance.co.uk/>; <https://earlyyearsscotland.org/>; <https://www.ndna.org.uk/NDNA/All>AboutUs/Scotland.aspx>; <https://www.childminding.org/>; <https://soscni.org/>

## **Context**

This document has been developed at an early stage of re-opening childcare services. It aims to assess the impact of actions taken in response to the COVID-19 pandemic from March 2020 to the start of re-opening of all registered childcare settings from 15 July. The document covers: the provision of critical childcare and the re-opening of registered childcare (ELC, school age childcare, childminders and fully outdoor settings).

Due to the need for registered childcare to close quickly, it was not possible to proactively assess the impact of closures. Re-opening has been led by scientific advice on risks to public health. In this sense these have not been active policy decisions on childcare specifically but on the safety of paused activities resuming.

This assessment is therefore to collate in one place our understanding of the impact of the steps we have taken at a national level, and to inform any future decision making for similar events at a local or national level. It builds on the earlier publication of an initial impact assessment which supported the strategic framework for re-opening schools and early learning and childcare settings<sup>13</sup>.

As there has been limited opportunity to gather views and input from wider stakeholders (beyond those involved in CERG workstreams and the Working Group on ELC and Childcare Sector Recovery), we will keep this document open for comment and review.

This document does not consider the decision to pause the statutory implementation of the expansion of the funded ELC entitlement to up to 1140 hours a year. A brief consideration of impacts is set out in the policy note accompanying the revocation order<sup>14</sup>. We will provide an updated suite of impact assessments<sup>15</sup> on the 1140 expansion programme when we re-lay the order to restore the statutory increase in hours.

This document considers the impact on children, their families and the childcare workforce. It covers the scope of:

- **A Children's Rights and Wellbeing Impact Assessment (CRWIA)**

The document considers the articles of the UN Convention on the Rights of the Child (UNCRC) and the child wellbeing indicators under the Children and Young People (Scotland) Act 2014. These apply to all children and young people up to the age of 18, including non-citizen and undocumented children and young people.

- **An Equalities Impact Assessment (EQIA)**

In line with The Equality Act (2010), the EQIA element considers the impact of the outlined policy decisions on the nine protected characteristics<sup>16</sup>.

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<sup>13</sup> <https://www.gov.scot/publications/coronavirus-covid-19-strategic-framework-reopening-schools-early-learning-childcare-settings-initial-impact-assessment/>

<sup>14</sup> <https://www.legislation.gov.uk/ssi/2020/136/policy-note/contents>

<sup>15</sup> <https://www.gov.scot/publications/equality-impact-assessment-expansion-early-learning-childcare/>

<sup>16</sup> Age, Disability, Sex, Gender reassignment, Pregnancy & maternity, Race, Religion or belief, Sexual orientation, Marriage & civil partnership

- **An Island Communities Impact Assessment (ICIA)**

Considers impacts on those living in island communities.

- **A Fairer Scotland Duty Assessment (FSDA)**

Reflecting the Scottish Government's commitment to Fairer Scotland Duty Assessments since April 2018, this document considers how socio-economic disadvantage may impact on the experiences of people affected by these decisions.

## **Impact Assessment Contents**

### **Chapter 1**

How children's rights and wellbeing have been affected

### **Chapter 2**

How protected characteristics impacted on experiences of:

- Children
- Workforce
- Parents and families

### **Chapter 3**

How those living in island communities have been affected

### **Chapter 4**

How socio-economic disadvantage has impacted on people's experiences.

### **Chapter 5**

Mitigating Actions

### **Conclusion**

## Chapter 1

How children's rights and wellbeing have been affected

<b>Children and young people (Children's Rights and Wellbeing Assessment)</b>
<b>What aspects of the policy/measure will affect children and young people up to the age of 18?<sup>17</sup></b>
All elements of these decisions have affected children in Scotland who attend registered childcare.  These children are generally between the ages of 0 and 12 years of age.
<b>What likely impact – direct or indirect – will the policy/measure have on children and young people?<sup>18</sup></b>
All elements of these decisions have had a direct impact on all children in Scotland who attend registered childcare. These impacts are further set out below in the section 'What impact have the decisions had on children's rights?'
<b>Which groups of children and young people will be affected?<sup>19</sup></b>
All children in Scotland who attend registered childcare have been affected by childcare closures. Some of the children who accessed critical childcare may never have accessed registered childcare before. This means, a broad profile of children will have been affected  Particular consideration will be given to children who will have experienced a disproportionate impact from closure, accessing critical childcare and re-opening. This includes children: <ul style="list-style-type: none"><li>• <b>with additional support needs</b> who may have access to resources and experiences in childcare that are not available at home;</li></ul>

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<sup>17</sup> The Articles of the UN Convention on the Rights of the Child (UNCRC) and the child wellbeing indicators under the Children and Young People (Scotland) Act 2014 apply to all children and young people up to the age of 18, including non-citizen and undocumented children and young people.

<sup>18</sup> 'Direct' impact refers to policies/measures where children and young people are directly affected by the proposed changes. 'Indirect' impact refers to policies/measures that are not directly aimed at children but will have an impact on them.

<sup>19</sup> Under the UNCRC, 'children' can refer to: individual children, groups of children, or children in general. Some groups of children will relate to the groups with protected characteristics under the Equality Act 2010: disability, race, religion or belief, sex, sexual orientation. 'Groups' can also refer to children by age band or setting, or those who are eligible for special protection or assistance: e.g. preschool children, children in hospital, children in rural areas, looked after children, young people who offend, victims of abuse or exploitation, child migrants, or children living in poverty.

- **at an increased risk of harm** through domestic violence, neglect and poor mental health and wellbeing, where childcare provides safety, consistency and access to wider support/interventions.
- **in poverty**, where childcare provides access to experiences and necessities that are not (readily) available at home.

### **Which UNCRC Articles are relevant to the policy/measure?**

All UNCRC rights are underpinned by the four general principles: non-discrimination; the best interests of the child; the right to life, survival and development; and the child's right to have their views given due weight.

The following are the key Articles of most relevance to the decisions we are considering in this document:

#### **Article 2**

##### **Non-discrimination**

Children should not be discriminated against in the enjoyment of their rights. No child should be discriminated against because of the situation or status of their parent/carer(s).

#### **Article 3**

##### **Best interests of the child**

Every decision and action taken relating to a child must be in their best interests. Governments must take all appropriate legislative and administrative measures to ensure that children have the protection and care necessary for their wellbeing - and that the institutions, services and facilities responsible for their care and protection conform with established standards.

#### **Article 6**

##### **Life, survival and development**

Every child has a right to life and to develop to their full potential.

#### **Article 12**

##### **Respect for the views of the child**

Every child has a right to express their views and have them given due weight in accordance with their age and maturity. Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.

#### **Article 13**

##### **Freedom of expression**

Every child must be free to say what they think and to seek, receive and share information, as long as the information is not damaging to themselves or others.

#### **Article 15**

##### **Freedom of association**

Every child has the right to freedom of assembly: to meet with other children, and to join groups and organisations, as long as it does not stop others from enjoying their rights.

### **Article 18(1,2,3)**

#### **Parental responsibilities and state assistance**

- Parents, or legal guardians, have the primary responsibility for the upbringing and development of the child, and should always consider what is best for the child.
- Governments must provide appropriate assistance to parents and carers to help them.
- Governments must take all appropriate measures to ensure the children of working parents have the right to benefit from childcare services and facilities.

### **Article 19**

#### **Protection from all forms of violence**

Children have a right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation.

Governments must do all that they can to ensure this.

### **Article 23**

#### **Children with disabilities**

A disabled child has the right to enjoy a full and decent life in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community. Governments must recognise the right of the disabled child to special care, and ensure the disabled child has effective access to education, training, health care, rehabilitation, preparation for employment, and recreational opportunities.

### **Article 24**

#### **Health and health services**

All children have a right to the highest attainable standard of health, and to health care services that help them to attain this. Governments must provide good quality health care, clean water, nutritious food and a clean environment so that children can stay healthy.

### **Article 30**

#### **Children of minorities/indigenous groups**

Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of people in the country where they live.

### **Article 31**

#### **Leisure, play and culture**

Every child has a right to rest and leisure, to engage in play and recreational activities, and to take part in a range of cultural and artistic activities.

### **Article 34**

#### **Sexual exploitation**

Governments must protect children from all forms of sexual exploitation and abuse.

### **Article 39**

**Recovery and rehabilitation of child victims**

Children who have been the victims of any form of exploitation or abuse; cruel, inhuman or degrading treatment or punishment; or who are victims of war should receive the help they need to recover their health, dignity and self-respect, and reintegrate into society

**What impact have the decisions had on children’s rights?**

**If a negative impact is assessed for any area of rights or any group of children and young people, what options have you considered to modify the proposal, or mitigate the impact?**

**Article 2  
Non-discrimination**

**Article 23  
Children with disabilities**

**Article 30  
Children of minorities/  
indigenous groups**

At the point of closing registered childcare settings, both local and national government recognised that some children would be particularly adversely impacted. This would be compounded by restrictions on informal childcare.

Childcare provides access to opportunities and respite from home for many children and can be a key element for them enjoying their broader rights (e.g. those covered below on play and freedom of association).

The provision of critical childcare was put in place to support those children as well as their families.

Children affected by disability and children with complex additional support needs were identified in guidance on who could access critical childcare<sup>20</sup>.

Guidance on re-opening childcare (e.g. for early learning and childcare<sup>21</sup>) identified some specific groups who may require particular consideration in recognition of differential impacts on them:

- Support for Minority Ethnic children
- Children who are clinically vulnerable
- Children who are clinically extremely vulnerable (shielding)
- Support for children with Additional Support Needs

**Article 3  
Best interests of the child**

**Article 6  
Life, survival and development**

In making decisions on childcare, there is a recognition that we are directly impacting on children’s enjoyment of their rights.

While some rights have been negatively impacted during lockdown, we believe the decisions we have made promote their best interests, their right to life, survival and development and their right to health.

<sup>20</sup> <https://www.gov.scot/publications/coronavirus-guide-schools-early-learning-closures/pages/vulnerable-children/>

<sup>21</sup> <https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-reopening-early-learning-and-childcare-services/pages/risk-assessment-and-support-for-specific-groups/#additionalneeds>

<p><b>Article 24</b> <b>Health and health services</b></p>	<p>This is embedded in our Getting It Right For Every Child approach.</p> <p>In re-opening childcare, sector specific guidance has been put in place to ensure risks to children, staff and parents are managed and minimised as far as is possible.</p>
<p><b>Article 12</b> <b>Respect for the views of the child</b></p> <p><b>Article 13</b> <b>Freedom of expression</b></p>	<p>Children’s rights to have their views considered in decisions that affect them have been negatively impacted during the decision-making processes. Children were not consulted on the closure of childcare and have not been consulted on re-opening.</p> <p>For children of school age, we commissioned work from Active Inquiry to capture the views of children who would normally attend school age childcare using online theatre. While this did not reach a wide audience it provided some insight in to their thoughts and views.</p> <p>The refreshed early years national practice guidance for Scotland ‘Realising the Ambition: Being Me<sup>22</sup>’ has been central to the national response during lockdown and preparation for re-opening. This puts a focus on individual children’s needs and interests and promotes seeking and listening to children’s views as a central theme.</p>
<p><b>Article 15</b> <b>Freedom of association</b></p> <p><b>Article 31</b> <b>Leisure, play and culture</b></p>	<p>Children’s rights to play, to learn and to access experiences that meet their physical, social, emotional and cultural needs, and to associate with their peers have been impacted by childcare closures.</p> <p>Childcare provides access to these experiences for many children and guidance on re-opening all registered childcare highlights the importance of friendships, play and social connections for children.</p>
<p><b>Article 18(1,2,3)</b> <b>Parental responsibilities and state assistance</b></p>	<p>Re-opening of childcare will have had a particularly positive impact on families who access wider support through their child’s attendance. This can be resources, including food and advice and signposting to more specialist services.</p>
<p><b>Article 19</b> <b>Protection from all forms of violence</b></p> <p><b>Article 34</b> <b>Sexual exploitation</b></p>	<p>Research indicates children were more likely to experience domestic violence during lockdown<sup>23</sup>. These children for whom home is not a safe or stable environment will benefit from the re-opening of childcare services which provide access to trusted adults and to wider support.</p>

<sup>22</sup> <https://education.gov.scot/improvement/learning-resources/realising-the-ambition/>

<sup>23</sup> <https://www.gov.scot/publications/domestic-abuse-forms-violence-against-women-girls-vawg-during-covid-19-lockdown-period-30-3-20-22-05-20/pages/11/>

<p><b>Article 39</b>  <b>Recovery and rehabilitation of child victims</b></p>	<p>We know from the ‘ELC data dashboard’<sup>24</sup> that children meeting the criteria on access to critical childcare for those who are ‘vulnerable’, attended ELC in increasing numbers from March to June. This is perhaps because their usual settings closed at the beginning of lockdown and reopened gradually.</p>
<p><b>How have the decisions and actions contributed to the wellbeing of children and young people in Scotland?</b></p>	
<p><b>Safe and Healthy</b></p> <p>All of the decisions related to closing and reopening childcare have been taken bearing in mind the delicate balance of keeping children safe from harm and promoting their health and wellbeing. These decisions have been informed by specific scientific advice for different age groups of children from the Sub-Group on Education and Children’s Issues and on the advice of the Chief Medical Officer<sup>25</sup>.</p> <p>As outlined above, we know that some risks to children will have increased during the pandemic including experience of domestic abuse, child protection concerns and poor mental health and wellbeing. The Children and Families Leadership Group was a key forum for consideration of these issues with representatives from national and local level public and third sector stakeholders.</p> <p>Registered childcare was recognised as a priority element to be opened through the route map in response to the risks to some children. These considerations have also informed our focus on recommending the benefits of outdoor learning and highlighting the importance of children’s opportunities to play and socialise together.</p> <p><b>Achieving and Nurtured</b></p> <p>We know the closure of childcare, particularly disrupting children’s access to statutory early learning and childcare, will have had a negative impact on outcomes for some children.</p> <p>While many children will have benefitted from rich experiences at home, it is likely that a return to childcare, particularly funded ELC, will support improvements in outcomes for all our children.</p> <p>While childcare was closed, some childcare settings provided contact and resources to families to support their young child’s learning and wellbeing at home.</p>	

<sup>24</sup>

<https://public.tableau.com/profile/sg.eas.learninganalysis#!/vizhome/Covid19ELCandHubs/Introduction>

<sup>25</sup> <https://www.gov.scot/publications/coronavirus-covid-19-advisory-sub-group-on-education-and-childrens-issues---physical-distancing-in-early-learning-and-childcare-settings-etc/>;

<https://www.gov.scot/publications/coronavirus-covid-19-advisory-sub-group-on-education-and-childrens-issues---advisory-note-on-physical-distancing-in-schools/>

Some children were also able to access this through attendance at critical childcare.

At a national level, a range of support was provided for children at home e.g. advice and ideas were provided through the Parent Club website and from Education Scotland. Another example is the 'Virtual Nature School'<sup>26</sup> which was launched during lockdown, enabling childcare practitioners to support families with outdoor learning opportunities at home.

The childcare workforce were able to access professional learning and development during the lockdown period in order to support the return to settings and support for children whose experience in childcare was disrupted. The Scottish Social Services Council reported a significant increase in the uptake of 'Open Badges' (online accredited learning) during the lockdown period.

Many have also engaged in online sessions hosted around the themes in 'Realising the Ambition: Being Me'<sup>27</sup> to support children's sense of safety and connection when they return to settings.

### **Active**

As indicated above the focus on outdoor learning and benefits of play and socialising are a key element of the provision of childcare in Scotland. The reduced risks of transmission in outdoor settings was a key driver to opening fully outdoor settings in advance of other registered childcare.

The benefits of active play and outdoor activity were highlighted during the lockdown period in critical childcare provision and are emphasised in the re-opening guidance for registered childcare<sup>28</sup>.

### **Respected and responsible**

The decisions to close and reopen regulated childcare have been made first and foremost in light of scientific advice and on the advice of the Chief Medical Officer.

As outlined above, we commissioned work from Active Inquiry to capture the views of children who would normally attend school age childcare using online theatre.

Views from young children were not sought directly by national government although a survey was developed by Public Health Scotland to gather the experience of children from age 2-7 during the pandemic through the 'COVID-19 Early years resilience and impact survey' (CEYRIS)<sup>29</sup>

The childcare workforce is well experienced in seeking and observing children's thoughts and feelings and will be well attuned to their needs and views when they

<sup>26</sup> [https://www.youtube.com/channel/UC2Y3DI6I\\_rfTvjlTDvCHv4A](https://www.youtube.com/channel/UC2Y3DI6I_rfTvjlTDvCHv4A)

<sup>27</sup> <https://education.gov.scot/improvement/learning-resources/realising-the-ambition/>

<sup>28</sup> <https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-reopening-early-learning-and-childcare-services/pages/outdoor-spaces/>

<sup>29</sup> <http://www.healthscotland.scot/publications/covid-19-early-years-resilience-and-impact-survey-ceyris>

return to settings. This is supported by the practice guidance (Realising the Ambition<sup>30</sup>).

For older children and young people, their voices have been well expressed through surveys such as the [Lockdown Lowdown](#) and the [Coronavirus Times](#) publications.

These sources will inform ongoing support to children and families as we work through the different stages of the pandemic.

### **Included**

Mitigation of negative impacts, particularly on those children who most need support, has been central to our response. There have been a number of approaches to provide support for those affected by disadvantage, including access to critical childcare, continued provision of free school meals and alternatives during lockdown and during holiday periods.

### **How will the policy/measure give better or further effect to the implementation of the UNCRC in Scotland?**

In these complex, finely balanced decisions, there has been consistent consideration of children's wellbeing and rights, and a particular focus on the reduction of negative impact through mitigating actions.

We recognise that in some circumstances it is not possible to wholly mitigate the impact to children's rights and that some decisions will have had a negative impact on some UNCRC rights. These have been assessed as necessary and proportionate and in the best interests of children and young people.

With a return to childcare and with the underpinning approach set out in 'Realising the Ambition<sup>31</sup>' we believe access to high quality childcare fundamentally promotes and gives further effect to children's rights.

### **What evidence have you used to inform your assessment? What does it tell you?**

We have reflected the information gathered through research, statistical evidence and data, and information provided by colleagues across the Scottish Government.

Footnotes are provided throughout.

The evidence supports the position that the closure of childcare will have had a negative impact for children, particularly on those where home does not provide a safe and secure environment or where access to essential resources (including food or support for additional needs) is limited.

<sup>30</sup> <https://education.gov.scot/improvement/learning-resources/realising-the-ambition/>

<sup>31</sup> <https://education.gov.scot/improvement/learning-resources/realising-the-ambition/>

For some children, an extended period at home may have provided positive experiences, although we are not aware of specific research on this at the present time.

**Have you consulted with relevant stakeholders?**

We have worked closely and collaboratively with sector representatives throughout the period of closing and re-opening childcare. We have not consulted specifically on this document but ongoing discussions have informed its creation.

We are open to further discussion on the findings of this process.

**Have you involved children and young people in the development of the policy/measure?**

Given the pace of decision-making, limited resource and limitations of ongoing restrictions, we have not directly involved children in the development of these decisions.

## Chapter 2

How protected characteristics impacted on experiences of: Children; Workforce; Parents and families

Children
Age
<p>The closure of registered childcare settings in March had a negative impact on aspects of children's progress, development and wellbeing. There was little time to prepare or scope to explain the changes to our youngest children. Their relationships and friendships were abruptly interrupted as well as their learning.</p> <p>Evidence from both UK and international studies of early learning and childcare programmes<sup>32</sup>, including our own Growing Up in Scotland Study<sup>33</sup>, supports the fact that all children, and especially those from disadvantaged backgrounds, can benefit in terms of social, emotional and educational outcomes from attending high quality early learning and childcare.</p> <p>The reopening of childcare settings will support our young children to develop and learn, to build social skills and networks, and in turn to help reduce the poverty related attainment gap.</p> <p>We now know that young children are less likely to be affected by or transmit the virus. Advice from the advisory sub group for education and children's issues<sup>34</sup> published 30 July, states that:</p> <p><i>"Children in the age groups accessing early learning and childcare have a low susceptibility to COVID-19 infection, they also have a low likelihood of onward transmission."</i></p> <p>Following this advice, guidance for safe reopening of services was updated and took effect from 10 August. Child and staff safety and wellbeing is at its heart.</p> <p>In an update to the 30 July advice from the advisory sub group, from the Chief Medical officer on 7 August, it is highlighted that older children may transfer the virus to a greater degree than was first thought. However, there is still little evidence that transmission of the virus is occurring at greater levels between children in schools<sup>35</sup>.</p>

<sup>32</sup> <http://www.healthscotland.scot/media/1613/rapid-evidence-review-childcare-quality-and-childrens-outcomes.pdf>

<sup>33</sup> <https://www.gov.scot/publications/growing-up-scotland-impact-childrens-early-activities-cognitive-development/>

<sup>34</sup> <https://www.gov.scot/publications/coronavirus-covid-19-advisory-sub-group-on-education-and-childrens-issues---physical-distancing-in-early-learning-and-childcare-settings-etc/>

<sup>35</sup> Chief Medical Officer update letter to local authorities, 7 August 2020: <https://www.eis.org.uk/Content/images/corona/CMO%20Summary%20of%20Evidence%20-%20Schools.pdf>

With ongoing suppression of the virus in Scotland, we have been able to ease the restrictions requiring consistent small groups and avoiding attending more than one setting. This extends to older children accessing school age childcare.

## **Disability**

Research on Parents' Views and Use of ELC<sup>36</sup> in Scotland found that, of the families surveyed which had a child with an additional support need (ASN), almost half of parents of children with ASN mentioned difficulties accessing suitable provision. These barriers were due to parents' concerns around staff not having the time required to meet their child's needs or that staff didn't have the appropriate qualifications or skills to support their child. This is further supported by findings from the University of York<sup>37</sup> which indicates a wide variation in the levels of support provided to families.

These concerns may be further exacerbated during the COVID-19 pandemic, in particular if the child has a disability or additional support need that means they are clinically vulnerable or extremely clinically vulnerable to COVID-19. Findings from Inclusion Scotland<sup>38</sup> indicate that some parents were not able to let carers into their house due to lack of testing or PPE available.

These children should follow medical advice on whether or not to attend a setting. It is expected that most children who have been shielding will be able to return<sup>39</sup>.

The Family Fund 'Impact of COVID-19' survey included 232 families in Scotland, seeking to understand how the COVID19 outbreak is affecting families raising disabled or seriously ill children. The findings showed that two in five families have lost income; the mental health and behaviour of children is being impacted; that the availability of both informal and formal support for children has been seriously reduced and that education is one of the most serious concerns<sup>40</sup>.

## **Sex**

No information is currently available on the sex of children accessing ELC. Our latest ELC census data<sup>41</sup> shows near universal uptake of funded ELC by 3 and 4 year olds and that uptake of the 2 year old offer has gradually increased over the last few years. Given that uptake for 3 and 4 years is near universal, we do not have any basis to conclude that uptake between children of different sexes is systematically or significantly different.

However, existing research indicates boys' development lags behind girls' development across a number of assessment domains,<sup>42</sup> so boys in particular may benefit from the reopening of ELC settings.

<sup>36</sup> <https://www.gov.scot/publications/exploring-parents-views-use-early-learning-childcare-scotland/>

<sup>37</sup> <https://psyarxiv.com/tm69k/>

<sup>38</sup> <https://inclusionscotland.org/wp-content/uploads/2020/04/Initial-Findings-Report-.pdf>

<sup>39</sup> <https://www.mygov.scot/support-shielding/>

<sup>40</sup> <https://www.familyfund.org.uk/News/health-and-wellbeing-of-disabled-children-at-risk-under-pandemic-as-government-announces-extra-10-million-funding-for-children-with-complex-needs>

<sup>41</sup> <https://www.gov.scot/publications/summary-statistics-schools-scotland-no-10-2019-edition/>

<sup>42</sup> <https://www.gov.scot/publications/scottish-study-early-learning-childcare-phase-1-report/pages/3/>

<b>Gender reassignment</b>
<p>We did not find information on this protected characteristic in relation to children and young people in childcare.</p> <p>Young people who are transitioning may benefit from contact from trusted adults outside the home. The workforce in school age childcare may provide this support to young people to some extent.</p>
<b>Pregnancy and maternity</b>
<p>Pupils who are pregnant and attending out of school care should be individually risk assessed as they are required to be when attending school.</p> <p>In 2019 there were 30 registered births of children to mothers under 16 in Scotland.<sup>43</sup></p>
<b>Race</b>
<p>According to 2019 data, 78% of children are from a White (Scottish) ethnicity, while 12% have a White (other) ethnicity and 8% are from a non-White minority ethnic group<sup>44</sup>.</p> <p>2019 data shows that 9.6% of children have a language other than English as their main home language<sup>45</sup>.</p> <p>The data currently collected through the ELC census does not allow us to measure uptake of ELC by ethnicity, however the new ELC census (currently being developed) will collect information about a child's ethnicity and enable us to assess impact on this protected characteristic.</p>
<b>Religion or belief</b>
<p>We did not find information on this protected characteristic in relation to children and young people in childcare.</p> <p>While rooms normally used for religious practice/observance may be re-purposed to meet requirements of re-opening guidance, space must still be made for any children requiring this.</p>
<b>Sexual orientation</b>

<sup>43</sup> <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/births/births-time-series-data>

<sup>44</sup> <https://www.gov.scot/publications/pupil-census-supplementary-statistics/>

<sup>45</sup> <https://www.gov.scot/publications/pupil-census-supplementary-statistics/>

We did not find information on this protected characteristic in relation to children and young people in childcare.

Young people may benefit from contact with trusted adults outside the home. The workforce in school age childcare may provide this support to young people to some extent.

**Marriage & civil partnership**

The age range of children accessing childcare services makes the likelihood of them requiring consideration of this protected characteristic very unlikely.

<b>Workforce</b>
<b>Age</b>
<p>While childminders have an older average (median) age than the general 'day care of children' workforce (46 years compared with 36 years)<sup>46</sup>, we do not believe it is to the scale that would have a differential impact on their experience at work.</p> <p>640 out of school care staff were aged 55 to 64. There were 70 who were 65 and over<sup>47</sup>.</p> <p>It is more likely that older members of the workforce will have been shielding throughout June and possibly into August, when compared to younger members of staff. This could be due to reasons linked to their own health or that of a family member. It will therefore be important for service managers to consider practical options for these members of the workforce.</p>
<b>Disability</b>
<p>1% of the childminding workforce and only 2% of the day care of children workforce are recorded as disabled.<sup>48</sup></p> <p>For disabled employees, there may be a particular negative impact where their disability may make working within infection measures more complex.</p> <p>It is also likely that a higher number of staff with disabilities will be shielding than school staff without a disability.</p>
<b>Sex</b>
<p>Staff working in childcare are mainly women, and without appropriate mitigation, may be exposed to a greater health risk in the workplace than men. Around 100% of registered childminders are women, 96% of staff in day care of children services<sup>49</sup> and 94% of teachers delivering funded ELC are women.<sup>50</sup></p> <p>Women generally carry out the majority of childcare and other caring responsibilities (census data shows 9 out of 10 single parent families are headed by women).<sup>51</sup> ELC staff with their own children may therefore have an increased childcare need as they return to work in settings.</p>

<sup>46</sup> <https://data.sssc.uk.com/images/WDR/WDR2018.pdf>

<sup>47</sup> <https://data.sssc.uk.com/local-level-data/166-2016-detailed-workforce-information>

<sup>48</sup> <https://data.sssc.uk.com/images/WDR/WDR2018.pdf>

<sup>49</sup> <https://data.sssc.uk.com/images/WDR/WDR2018.pdf>

<sup>50</sup> <https://www.gov.scot/publications/summary-statistics-schools-scotland-no-10-2019-edition/>

<sup>51</sup> <https://www.gov.scot/publications/centre-time-use-research-time-use-survey-2014-15-results-scotland/pages/6/>

Concerns have been raised about the impact of the closures on the private sector. Any loss of capacity in childcare provision through permanent closure of private providers could impact disproportionately on women, given that they are more likely to be responsible for childcare.

### **Gender reassignment**

There are not considered to be any areas of this policy area that could disproportionately impact members of the workforce with this protected characteristic.

### **Pregnancy and maternity**

With a disproportionate number of women in the workforce, the needs of pregnant women and mothers will be a key consideration for service managers.

The health impact of COVID-19 on expectant mothers and unborn children is inconclusive at this stage. However a recent TUC report of 3,400 women who are pregnant or on maternity leave found that 1 in 4 had experienced unfair treatment or discrimination and that low-paid pregnant women were more likely to have lost pay during COVID-19<sup>52</sup>.

Pregnant members of the workforce should continue to follow the latest guidance, and employers should conduct risk assessments.

### **Returning to work**

Some members of staff will be returning to the workforce after maternity leave and will not have experienced home learning in the same way as their colleagues. Experts have warned Covid-19 has had a negative impact on maternal mental health beyond that seen in the general population, where reported rates of anxiety have more than doubled. Consideration should be given to their re-induction to the workforce.

### **Race**

98% of childminding staff and 88% of day care of children staff are from a White ethnicity. There is a high percentage of 'unknown' ethnicity for day care of children staff.<sup>53</sup>

There is emerging evidence in England<sup>54</sup> and the US that COVID-19 impacts disproportionately on minority ethnic groups.

<sup>52</sup> <https://www.tuc.org.uk/research-analysis/reports/pregnant-and-precarious-new-and-expectant-mums-experiences-work-during>

<sup>53</sup> <https://data.sssc.uk.com/images/WDR/WDR2018.pdf>

<sup>54</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/892376/COVID\\_stakeholder\\_engagement\\_synthesis\\_beyond\\_the\\_data.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892376/COVID_stakeholder_engagement_synthesis_beyond_the_data.pdf)

Therefore, without appropriate mitigation, minority ethnic groups could be exposed to increased risk.

The data on deaths during this period (occurring on or after 12 March 2020 and registered by 14 June 2020) shows that deaths amongst people in the South Asian ethnic group were almost twice as likely to involve COVID-19 as deaths in the White ethnic group, after accounting for age group, sex, area-level deprivation and urban rural classification.<sup>55</sup>

### **Religion or belief**

With the impact of COVID-19 on everyone's wellbeing, staff who practice a belief may find their faith plays a significant role in their confidence or comfort with returning to work.

Providing space and time for religious observance and practice will need to be considered in planning for a return to settings where appropriate.

Where rooms are potentially being repurposed, it should be ensured that provision remains available for staff to access religious spaces at expected times of day.

### **Sexual orientation**

Data on sexual orientation of the workforce is not available.

We do not consider there to be aspects of these decisions that could disproportionately impact members of the workforce with this protected characteristic.

### **Marriage & civil partnership**

We do not consider there to be aspects of these decisions that could disproportionately impact members of the workforce with this protected characteristic.

<sup>55</sup> <https://www.nrscotland.gov.uk/files//statistics/covid19/ethnicity-deceased-covid-19-june20.pdf>

<b>Parents, carers and families</b>
<b>Age</b>
<p>Older carers (e.g. grandparent kinship carers) may be more likely to be shielding and unable to (or choose not to) send their children to childcare.</p> <p>Around 1 in 5 keyworker families would generally use informal childcare by grandparents. During the COVID-19 lockdown, many keyworkers continued to use grandparents to provide childcare indicating that they felt this was safer than using formal childcare provision<sup>56</sup>.</p>
<b>Disability</b>
<p>There will be a positive impact on parents with a disability if they are now able to access childcare to provide respite and broader support.</p> <p>However parents who shielded may be less likely to send their child back to childcare or feel more anxious about doing so.</p>
<b>Sex</b>
<p>Women generally carry out the majority of childcare and other caring responsibilities (census data shows nine out of 10 single parents are headed by women), so are likely to be positively impacted by a re-opening of childcare options.<sup>57</sup></p> <p>Research collected across Great Britain by the Office for National Statistics (ONS)<sup>58</sup> found the gap in unpaid work (activities such as childcare, adult care, housework and volunteering) between men and women reduced slightly during lockdown but was still large, with women doing 1 hour and 7 minutes more unpaid work per day than males. While men increased their amount of childcare by 58% between 2014 to 2015 and March to April 2020, they still undertook 15 minutes a day less unpaid childcare than women. Furthermore, individuals living with children spent 35% longer on average providing childcare during lockdown than five years ago, which included helping out with homework. For a child under the age of 8 in the household, women spent 4 hours and 5 minutes caring for a child, compared to 2 hours 50 minutes for men.</p> <p>UK level findings<sup>59</sup> (including Scottish participants) suggest that many parents are struggling to balance the needs of work and childcare, and this is reflected in a</p>

<sup>56</sup> <https://www.ifs.org.uk/publications/14788>

<sup>57</sup> <https://www.gov.scot/publications/centre-time-use-research-time-use-survey-2014-15-results-scotland/pages/6/>

<sup>58</sup> <https://www.ons.gov.uk/economy/nationalaccounts/satelliteaccounts/bulletins/coronavirusandhowpeoplespenttheirtimeunderrestrictions/28marchto26april2020>

<sup>59</sup> <https://www.ifs.org.uk/uploads/The-mental-health-effects-of-the-first-two-months-of-lockdown-and-social-distancing-during-the-Covid-19-pandemic-in-the-UK.pdf>

marked increase in adult mental health problems during lockdown, especially for women and parents with young children. Although most families are enjoying spending more time together, Scottish evidence<sup>60</sup> reports that women in households with children had substantially worse mental wellbeing outcomes across all measures than men and were twice as likely to feel lonely. Given the wider evidence on the impact of COVID-19 on low income and single parent households, single mothers may be a particularly vulnerable group during this pandemic. Those with very young children (aged 0-4) saw a significantly larger increase in overall mental health problems (but not severe problems), and this effect is twice as high for women compared to men – perhaps reflecting the uneven distribution of childcare under lockdown. Those with school-age children (aged 5-15) also saw a larger increase in mental health problems (but the effect is not as strong as the younger child group).

Research<sup>61</sup> indicates that lone parents were less able to access the informal childcare they previously relied on to attend workplaces. Among lone mother households (the group for whom the most reliable data on working patterns exists), around two thirds regularly work outside of core hours on evenings, nights, and weekends (this share is closer to one half for non-key worker lone mums). This group will have benefitted from renewed access to both formal and informal childcare.

Research in England<sup>62</sup> found that nearly half of mothers combine paid work with childcare activities (47% compared to 30% of fathers) and are more likely to spend more time on household responsibilities than fathers. The division of childcare and housework is not equally shared – mothers who are still working (where the father is not) share childcare and housework equally. Despite doing less childcare than mothers, fathers have nearly doubled the time they spend on childcare during lockdown. Women are also more likely to multitask during work time than men. Mothers are being interrupted during 57% more of their paid work hours than fathers. This was not the case before the crisis.

### **Gender reassignment**

We do not consider there to be aspects of these decisions that could disproportionately impact parents or families with this protected characteristic.

### **Pregnancy and maternity**

The impact of COVID-19 on expectant mothers and unborn children is inconclusive at this stage. Some expectant mothers or those with young babies may choose to shield. This may affect their decision to send older children back to childcare settings, particularly for those dependent on public transport.

<sup>60</sup> Scottish Government commissioned adult survey on wellbeing and COVID-19 (27 April – 3 May) – pending publication

<sup>61</sup> <https://www.ifs.org.uk/publications/14788>

<sup>62</sup> <https://mk0nuffieldfounpg9ee.kinstacdn.com/wp-content/uploads/2020/04/BN290-Mothers-and-fathers-balancing-work-and-life-under-lockdown.pdf>

## Race

The data on deaths during this period (occurring on or after 12 March 2020 and registered by 14 June 2020) shows that deaths amongst people in the South Asian ethnic group were almost twice as likely to involve COVID-19 as deaths in the White ethnic group, after accounting for age group, sex, area-level deprivation and urban rural classification.<sup>63</sup>

There is emerging evidence in England<sup>64</sup> and the USA that COVID-19 impacts disproportionately on minority ethnic groups.

Reopening could therefore disproportionately impact on the parents and carers of children from some minority ethnic backgrounds.

For some minority ethnic families, particularly newer migrant families, language barriers may impact on the parent/carers ability to engage with services from home. Reopening could therefore have a particularly positive impact on families for whom English is not their first language as more face-to-face interaction with childcare settings could improve their ability to engage with services as opposed to during the closure period when there was more reliance on online/printed resources and guidance.

## Religion or belief

The ELC census does not measure uptake based on a child's religion or belief. In order to reduce the burden of the ELC census on ELC settings and local authorities who collect and process the data, we seek to limit the amount of data we collect from families and keep it similar to the data which the settings will already hold. Although information on other protected characteristics such as religion/belief would be useful, asking questions around some protected characteristics can be deemed sensitive and parents might not be willing to provide this data. We have no plans for the ELC census to collect data on this protected characteristic.

Evidence from a 2008 report from The Young Foundation, 'Valuing Family, Valuing Work: British Muslim Women and the Labour Market'<sup>65</sup>, suggests that Pakistani and Bangladeshi mothers (who make up 75% of British Muslim women) are less likely than Indian, White, or Black mothers to be in employment before having a baby or during their child's early years. Among these mothers, there was a strong preference to take time out of work to care for their children rather than use formal ELC. This report recommends that increasing awareness among British Muslim women of the benefits of ELC for their children could improve their engagement with formal ELC.

<sup>63</sup> <https://www.nrscotland.gov.uk/files//statistics/covid19/ethnicity-deceased-covid-19-june20.pdf>

<sup>64</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/892376/COVID\\_stakeholder\\_engagement\\_synthesis\\_beyond\\_the\\_data.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892376/COVID_stakeholder_engagement_synthesis_beyond_the_data.pdf)

<sup>65</sup> <https://www.youngfoundation.org/publications/valuing-family-valuing-work-british-muslim-women-and-the-labour-market/>

Evidence published by the Joseph Rowntree Foundation in 2014<sup>66</sup> <sup>67</sup> states some families of Pakistani and Somali background in England reported the importance of religious values (in this case Islam) within ELC. Others reported fears of racism and Islamophobia as factors that reduced their likelihood of accessing mainstream ELC.

**Sexual orientation**

We do not consider there to be aspects of these decisions that could disproportionately impact parents or families with this protected characteristic.

**Marriage & civil partnership**

We do not consider there to be aspects of these decisions that could disproportionately impact parents or families with this protected characteristic.

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<sup>66</sup> Khan, O., Ahmet, A. and Watkins, J. (2014a) Caring and earning among low –income Caribbean, Pakistani and Somali people. York: Joseph Rowntree Foundation

<sup>67</sup> Khan, O., Ahmet, A., Victor, C. 2014. 'Poverty and ethnicity: balancing caring and earning for British Caribbean, Pakistani and Somali people'. Joseph Rowntree Foundation.

## Chapter 3

How those living in island communities have been affected

### Island communities

The nature of ELC and childcare provision in island communities (and other remote and rural communities) varies from provision in more populous areas. Settings are typically smaller and face higher operating costs due to smaller numbers of children. For ELC, childminding, third sector and local authority-run provision tend to be more prevalent than private settings. The sustainability challenges facing the private, third and childminding sectors across Scotland as they begin to reopen are therefore likely to be particularly acute in an island setting.

ELC and childcare services operating at this time may have periods where staff numbers are reduced (e.g. due to advice from a GP for themselves or a family member to continue to shield, or if self-isolating as part of Scotland's Test and Protect strategy). In an island context with a small population and where settings typically rely on a smaller workforce, this could have a very significant impact on the capacity that can be offered, in turn affecting economic recovery in the area. It will be important to consider the potential variation in workforce impacts across Scotland when modelling capacity.

The extent to which local authorities are able to flex the re-opening framework to respond to individual circumstances is likely to be a key concern for island communities. Public health measures that are appropriate in larger settings and more populous areas may be less practicable or relevant in smaller, more isolated communities.

Now that the ELC and childcare sector guidance is in place, we will continue to work across local and national government, Education Scotland, the Care Inspectorate and Public Health Scotland to ensure that it remains relevant for settings in island and remote rural communities.

### Gaelic medium education

Gaelic medium education (GME) is a distinct sector within Scottish education and aspires to provide a 3-18 education. For the youngest age group, before attendance at school, this will be delivered through access to early learning and childcare (ELC).

The nature of GME is clearly described in the [Statutory Guidance on Gaelic Education](#).

In 2019 there were 4,631 children in the GME sector. In the same year there were 541 children with Gaelic (Scots) as their main home language <sup>23</sup>.

Therefore we can assume that a majority of GME learners do not speak Gaelic at home, and consequently childcare closures will have had a negative impact on the language development of these children.

## Chapter 4

How socio-economic disadvantage has impacted on people's experiences.

### Fairer Scotland Duty Assessment

We know from our work on the drivers of child poverty that there are clear risk factors associated with poverty in Scotland. We have identified 'priority families' as: those headed by a lone parent, families with a disabled adult or child, young mothers, minority ethnic families, families with a child under one year old, and larger families (with three or more children)<sup>68</sup>.

Evidence from both UK and international studies of early learning and childcare programmes<sup>69</sup>, including our own Growing Up in Scotland Study<sup>70</sup>, supports the fact that all children, and especially those from disadvantaged backgrounds, can benefit in terms of social, emotional and educational outcomes from attending high quality early learning and childcare.

Increased access to high quality childcare in the early years offers opportunities to support young children to develop and learn, to build social skills and networks, and in turn to help reduce the poverty related attainment gap.

Access to critical childcare will have provided access to funded childcare for some low paid key workers for the first time.

The Scottish Household Survey<sup>71</sup> shows those from more deprived backgrounds are less likely to have internet access, so disadvantaged parents may struggle to access online learning support for their children.

During the closure period, families with children may have been guided towards online resources for advice and support.

Reopening could have a particularly positive impact on families who face socio-economic disadvantage. During the closure period, there was more reliance on online resources and guidance that was required during the closure period. With reopening, families will be able to seek or receive wider support through their child's attendance at childcare settings.

We know that for families affected by poverty and disadvantage, access to food during a childcare session (free meals at ELC, breakfast clubs and snacks included with afterschool clubs) is a vital support. While access to nutritious food has been part of the response during the COVID-19 pandemic, a return to settings will benefit these families.

<sup>68</sup> <https://www.gov.scot/publications/child-chance-tackling-child-poverty-delivery-plan-2018-22/pages/2/>

<sup>69</sup> <http://www.healthscotland.scot/media/1613/rapid-evidence-review-childcare-quality-and-childrens-outcomes.pdf>

<sup>70</sup> <https://www.gov.scot/publications/growing-up-scotland-impact-childrens-early-activities-cognitive-development/>

<sup>71</sup> <https://www.gov.scot/publications/scotlands-people-annual-report-results-2018-scottish-household-survey/>

With opening up of all regulated childcare services, local authorities will be able to meet their statutory duty to provide funded ELC and will increasingly be working towards the expansion to 1140 hours. Parents in low-income households with young children will therefore benefit from increased access to funded childcare

Low-income households are more likely to be in jobs that cannot transfer to home-working.

Parents in low-income households with young children can benefit from increased access to childcare in terms of the hours they can work out of the home.

The opening of private ELC settings will likely impact working families positively, who will benefit from accessing specific hours of provision. Similarly low income families will benefit from the re-opening of local authority settings as this is the provision they access predominantly.<sup>72</sup>

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<sup>72</sup> <https://www2.gov.scot/Topics/Statistics/16002/PublicationAnnual>

## Chapter 5

### Mitigating Actions

#### **Guidance and sharing good practice**

A suite of guidance has been published covering all aspects of registered childcare (ELC, school age childcare, childminders and fully outdoor settings). This was updated on 30 July, taking effect from 10 August<sup>73</sup>. This aims to mitigate differential health impacts. Further updates and operational and practice guidance will be provided as required.

The guidance is based on a set of principles for all services across Scotland that recognises that safeguarding the health and wellbeing of the child, and adults who work with them, must be central to any plans to reopen and deliver services.

It is not appropriate for young children to maintain physical distancing, either practically or in terms of child development. It is important for children to feel secure and receive warmth and physical contact that is appropriate to their needs, in particular when they are receiving personal care, need comforting or reassurance. The guidance for the sector therefore puts in place age appropriate public health measures.

The Scottish Government and ADES will also gather good practice examples of successful workforce deployment and workforce support models adopted during delivery of critical childcare and share this learning widely across the sector.

The Scottish Government continues to work with experts from a range of fields, including our new Ethnicity Expert Reference Group, to develop actions to help mitigate any disproportionate effects on minority ethnic communities.

Guidance documents for the sector highlight that individual requests for additional protections should be supported wherever possible. Responding to requests for additional protections may include offering access to support from occupational health services and the provision of individual risk assessments. All minority ethnic staff from South Asian backgrounds with underlying health conditions and disabilities, who are over 55, or who are pregnant, should be individually risk assessed, and appropriate reasonable adjustments should be made following risk assessment.

#### **Support for workforce to address children's needs – during and after lockdown**

During the closure period, Education Scotland provided support for the workforce to help them to support children learning at home – including newsletters, webinars to support educators to use digital platforms, links to new and existing support materials, and events for head teachers.

<sup>73</sup> <https://www.gov.scot/publications/coronavirus-covid-19-phase-3-guidance-on-reopening-early-learning-and-childcare-s-services/>

Education Scotland's practice guidance for early level, 'Realising the Ambition: Being Me'<sup>74</sup> has specific content to help staff to support children transition back into settings, including the recognition that they may have experienced/be experiencing trauma of varying degrees from the experience of lockdown.

The Scottish Government has also funded the Virtual Nature School to help ELC workforce to work virtually with families and support outdoor learning.

### **Support for workforce wellbeing and practice**

The Scottish Government is working with partners from across the childcare sector to develop a directory of existing mental health, wellbeing and professional learning support for early learning and childcare, and out of school care, practitioners and childminders. This is updated and shared across the education and childcare sector at regular intervals.

In addition, Scottish Government has worked with Early Years Scotland to develop a new Team ELC Wellbeing Hub, a website which sets out vital information for the sector on maintaining their wellbeing at this difficult time, and creates opportunities for staff to connect with each other.

It is also important that professionals from across the early learning and childcare sector are provided with safe and supportive spaces to connect with colleagues from across Scotland in a virtual environment, to allow for professional dialogue and peer support to take place during this challenging period. The Scottish Government will work with Education Scotland to create such opportunities, for example via further instances of the successful #BeingMeBlethers professional learning events, which have enabled practitioners from across the ELC and childcare sector to engage in shared learning via Twitter.

### **Support for parents – during and after lockdown**

The Scottish Government has been supporting parents and carers who were unable to access childcare through their successful 'Here for You' campaign – to help parents understand that they are not alone, and to direct them to [Parent Club](#), which has a specific coronavirus hub of information, support and resources across a range of issues that parents, carers and children face e.g. learning at home, balancing childcare/ learning and working from home, child and adult mental health, activities and play, positive parenting, financial information and keeping children safe online. The hub also acts to keep parents informed with the latest information about the coronavirus restrictions. In addition, Education Scotland has a regular newsletter for parents to support learning at home at all levels.

[Parent Club](#) has also launched a new campaign to support parents and carers with the return to school and ELC. This will include a TV advert, social media posts, and new content on the website. As part of the campaign, there will be videos from experts about subjects such as play, learning and anxiety. Parent Club already includes information about the new guidelines as well as advice and

<sup>74</sup> <https://education.gov.scot/improvement/learning-resources/realising-the-ambition/>

support about settling in, managing mental health, and information about funded ELC and changes to the 1140 commitment.

### **Funding for free school meals**

The flexibility afforded to local authorities to put in place provisions to continue free school meals, throughout the lockdown period had supported around 175,000 families at the end of June. Free school meal provision will continue for all eligible families when schools reopen.

A report by the Child Poverty Action Group (CPAG) has found that<sup>75</sup>:

- Families have appreciated support with food costs from their schools and local authorities in alarming and difficult times.
- Families had positive experiences of all methods of free school meal provision, but by far the highest levels of satisfaction were with direct payments to people's bank accounts. 81% of families receiving payments say this works extremely or very well.

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<sup>75</sup> <https://cpag.org.uk/sites/default/files/files/The-cost-of-learning-in-lockdown-Scotland-FINAL.pdf>

## **Conclusion**

We know that, alongside schools, childcare provides rich experiences and opportunities, support and safety for Scotland's children and young people.

While it is widely accepted that closures have been necessary for the safety of all members of society at this challenging time, there has been a negative impact on many children and young people, their families and the childcare workforce.

With this in mind, we can conclude that reopening childcare will be having a positive impact on these people.

The impacts of COVID-19 will be felt for some time, and our children and young people will require ongoing support to help them adapt to the return to settings.

We welcome your views and evidence. If you are in regular contact with policy makers in the Scottish Government please feel free to use your normal routes of engagement to provide further evidence or comments.

If you are not in regular contact with policy makers in the Scottish Government or have any more general comments on both the assessment and mitigation activities please send them to [CERG@gov.scot](mailto:CERG@gov.scot).



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