

OPUS2

Scottish Covid-19 Inquiry

Day 56

November 5, 2024

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1 Tuesday, 5 November 2024
 2 (10.00 am)
 3 (Delay in proceedings)
 4 (10.10 am)
 5 Opening Remarks by THE CHAIR
 6 THE CHAIR: I'm very sorry for that little hiccup, whatever
 7 caused it.
 8 Good morning, and welcome to this session of the
 9 Scottish COVID-19 Inquiry's substantive evidential
 10 hearings. Again, can I just repeat that apology.
 11 I should say that we tested everything not 10 minutes
 12 ago, and it seemed to be working fine so I have no idea
 13 what caused that hiccup, but as Ms van der Westhuizen
 14 said, we should be able to catch up time.
 15 So this part of the substantive evidential hearings
 16 will focus on the impacts of the pandemic on education
 17 and certification. Before we begin, I would like to
 18 thank all those who have shared information with us,
 19 whether that has been by means of a witness statement, a
 20 Rule 8 statement, a Rule 8 response, attending a round
 21 table meeting, providing documentation or by engaging
 22 with Let's Be Heard, the Inquiry's public participation
 23 project.
 24 I want to reassure you all that the Inquiry team
 25 will consider all of the information in addition to that

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1 which we will hear during the course of these oral
 2 hearings. All this documentation and information is
 3 helping to inform the Inquiry's investigations,
 4 including into the decisions taken by Scotland's
 5 leaders, which we will turn to at a later date.
 6 I'm particularly grateful to the more than 10,000
 7 people who have engaged with the Inquiry through
 8 Let's Be Heard. They have provided us with a wealth of
 9 information and kept at the forefront of our minds the
 10 real impacts on individuals, both of the pandemic itself
 11 and of Scotland's response to it. Let's Be Heard will
 12 continue to gather experiences until 29 November of this
 13 year, and I would encourage anyone who has not yet
 14 participated to check the Let's Be Heard website for
 15 details about how to do this.
 16 We have shared witness statements and documentary
 17 bundles with core participants, who have an interest in
 18 education and certification and who have been granted
 19 leave to appear. These will be published on the
 20 Inquiry's website, where we will also publish
 21 transcripts of our hearings.
 22 Any directions or orders, including restriction
 23 orders, that I have made, or will make in the future,
 24 will also be published on the Inquiry website. If
 25 I make any specific restriction orders, I will notify

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1 those at the hearing on the day. We may choose to
 2 protect third party information for reasons of
 3 confidentiality by redacting statements or stopping the
 4 hearing if third parties are named.
 5 Finally, may I remind you that the Inquiry
 6 proceedings are broadcast live on the Inquiry's YouTube
 7 channel and recorded to be watched later. Video cameras
 8 are located at the rear and sides of the hearing room
 9 and face those speaking. You should be aware that
 10 members of the public attending our hearings may be
 11 captured occasionally on wide angle or room overview
 12 camera shots. I'll now hand back to Ms van der
 13 Westhuizen KC who will provide more details on how we
 14 intend to conduct these hearings.
 15 Ms van der Westhuizen.
 16 Opening Statement by MS VAN DER WESTHUIZEN
 17 MS VAN DER WESTHUIZEN: Thank you, my Lord.
 18 My Lord, I appear today with my learned juniors Mary
 19 Ellen Stewart, Advocate, and Chris Stephen, Advocate,
 20 who will be assisting me in presenting evidence at these
 21 impact hearings.
 22 We also are joined this morning by representatives
 23 of some of the core participants who have been granted
 24 leave to appear at these hearings. As I mentioned
 25 at the preliminary hearing, a total of 19 organisations

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1 and groups are currently designated as core participants
 2 in relation to the Inquiry's terms of reference (k),
 3 which covers the delivery of education and
 4 certification.
 5 Of those, 14 have been granted leave to appear at
 6 these hearings and just as a reminder, they are the City
 7 of Edinburgh Council, College of Paramedics, Convention
 8 of Scottish Local Authorities, Long Covid Kids Scotland,
 9 PAMIS, Public Health Scotland, the Royal College of
 10 Nursing, Scottish Covid Bereaved, Scottish Hazards,
 11 Scottish Qualifications Authority, Scottish Trades Union
 12 Congress, the Care Inspectorate, Scottish Women's Rights
 13 Organisation and the Scottish Ministers.
 14 Today is the start of the Inquiry's public impact
 15 hearings for one of its four main investigative
 16 portfolios, namely portfolio 4, which covers its terms
 17 of reference 2(k), which, as I have already said, my
 18 Lord, covers the delivery of education and
 19 certification.
 20 The hearings will run for approximately two and
 21 a half weeks and will conclude on 20 November 2024.
 22 We will be sitting for three days this week from Tuesday
 23 to Thursday, for four days next week from Tuesday to
 24 Friday, and for two and a half days the following week
 25 from Monday to Wednesday.

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1 In setting the scene for what's to follow at the
 2 hearings, I will be repeating some of what I covered
 3 at the preliminary hearing, simply as a reminder for the
 4 rationale for the approach being taken. In doing so,
 5 my Lord, I propose first to make a few observations
 6 about the background to the Inquiry and its approach to
 7 impact evidence generally.

8 Secondly, to address a number of matters relevant to
 9 the investigation and gathering of impact evidence,
 10 relating specifically to the delivery of education and
 11 certification. These will include providing an outline
 12 of the scope of portfolio 4, a reminder of the
 13 engagement undertaken and impact evidence already
 14 gathered by the portfolio 4 legal team, and an overview
 15 and update of the continuing work of the Inquiry's
 16 listening project Let's Be Heard.

17 Thirdly, I propose to outline the approach that will
 18 be taken to the presentation of evidence at these impact
 19 hearings and in particular provide an overview of the
 20 organisations from whom we will be hearing.

21 Turning first, my Lord, to the Inquiry's background
 22 and general approach. I will again refer to relevant
 23 parts of the Inquiry's terms of reference, and also
 24 outline the Inquiry's general approach to impact
 25 hearings, in order to provide context for the approach

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1 that is being taken to the presentation of impact
 2 evidence at these hearings.

3 In relation to the terms of reference, the aim of
 4 the Inquiry is set out in paragraph 1, and is to
 5 establish the facts of and to learn lessons from the
 6 strategic response to the COVID-19 pandemic in Scotland.
 7 Its scope is set out in paragraph 2 and that is to
 8 investigate the strategic elements of the handling of
 9 the pandemic relating to 12 areas, one of which is the
 10 delivery of education and certification.

11 With the exception of pandemic planning,
 12 the Inquiry's investigations are required to cover the
 13 period between 1 January 2020 and 31 December 2022.
 14 However, it is recognised that some of the impacts of
 15 the decisions to lock down and apply other restrictions
 16 continue to be felt today, and we will be hearing about
 17 some of those during the course of these hearings.

18 Paragraph 5 of the Inquiry's terms of reference
 19 requires it to demonstrate how a human rights based
 20 approach has contributed to its findings and
 21 recommendations. Where your Lordship deems it
 22 appropriate and necessary, paragraph 7 requires
 23 the Inquiry to consider the impacts of the strategic
 24 elements of the handling of the pandemic on the exercise
 25 of Convention rights and any disparities in the

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1 strategic elements of the handling of the pandemic,
 2 including unequal impacts on people, and again, my Lord,
 3 we'll be hearing about disproportionate impacts during
 4 the course of these hearings.

5 In terms of the general approach to impact hearings,
 6 the Inquiry has adopted a thematic approach and is
 7 considering evidence about the impacts of the strategic
 8 response to the COVID-19 pandemic in Scotland under
 9 a number of themes. Impact hearings relating to health
 10 and social care ran from October 2023 to June 2024,
 11 during which time your Lordship heard oral evidence from
 12 numerous individuals and organisations.

13 Starting its investigations by focusing on the
 14 impacts of the COVID-19 pandemic and the strategic
 15 response is consistent with the commitment to
 16 the Inquiry taking a person-centred human rights based
 17 approach. It also enables the Inquiry to have a better
 18 understanding of the nature and extent of those impacts
 19 and where and by whom they were most intensely felt, to
 20 allow the ongoing investigations into implementation and
 21 decision-making to be focused appropriately.

22 As regards impacts relating to the delivery of
 23 education and certification, the portfolio team has
 24 engaged largely with organisations, although there has
 25 also been, my Lord, direct engagement with individuals.

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1 In the time available during the upcoming hearings,
 2 we will be hearing oral evidence from organisations
 3 rather than from individuals, for whom the main vehicle
 4 for sharing personal experiences is the Inquiry's public
 5 participation project, Let's Be Heard.

6 This includes children and young people.
 7 The Inquiry very much recognises the importance of
 8 engaging directly with children and young people, but
 9 considers that it would be inappropriate for them to be
 10 put under the pressure of appearing at a hearing.
 11 Instead, they have been engaging directly with the
 12 Inquiry through Let's Be Heard, and this has been
 13 facilitated by various specialist organisations with
 14 which the Inquiry has been working.

15 In addition, there has been direct engagement with
 16 the portfolio 4 legal team, including through a round
 17 table discussion with children and young people that was
 18 facilitated by the Children & Young People's
 19 Commissioner of Scotland and A Place In Childhood, and
 20 also through outreach at youth work centres which led to
 21 a number of witness statements being taken.

22 My Lord, as I explained at the preliminary hearing
 23 one of the main reasons for adopting this approach is
 24 because the impacts related to the delivery of education
 25 and certification are ones that were felt particularly

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1 widely across society and affected whole sectors and
 2 communities rather than specific groups.
 3 Organisations are more likely to have a greater
 4 breadth and information about and insight into the
 5 extent to which those impacts were experienced, to be
 6 able to reflect the collective views of their members
 7 and to provide a more comprehensive overview of the
 8 relevant impacts and issues experienced.
 9 My Lord, I will now turn to address the three
 10 matters relevant to the investigation and gathering of
 11 impact evidence, which include the scope of portfolio 4,
 12 the engagement undertaken and impact evidence gathered
 13 by the portfolio team to date, and an overview and
 14 update of the continuing work of the Inquiry's listening
 15 project Let's Be Heard, specifically relevant to the
 16 delivery of education and certification .
 17 In terms of its scope, portfolio 4 covers
 18 paragraph 2(k) of the Inquiry's terms of reference,
 19 which requires the Inquiry to investigate the strategic
 20 handling of the pandemic relating specifically to the
 21 delivery of education and certification .
 22 In this regard, my Lord, the Inquiry has
 23 commissioned a number of academic reports from the
 24 University of Edinburgh's Moray House School of
 25 Education and Sport, which provides reviews of

1 literature and research relevant to impacts relating to
 2 the delivery of education and certification .
 3 These are published on the Inquiry's website and
 4 include firstly a report dated February 2022 that
 5 considers the impact of the pandemic on the delivery of
 6 education and certification for learners at various
 7 stages of education in Scotland, and covers schools,
 8 colleges, universities and youth work.
 9 A subsequent report dated July 2023 that updates the
 10 findings of the earlier 2022 report.
 11 There's also a report dated July 2023 that builds on
 12 the findings of the 2022 report and focuses specifically
 13 on three areas, namely, one, the impact of children and
 14 young people's learning and academic progress in
 15 general; two, the known benefits and disadvantages of
 16 remote or online learning during the pandemic; and
 17 three, the issue of digital poverty and inequality and
 18 the effect on access and outcomes.
 19 There's also a report dated July 2023 that considers
 20 the impact of school closures and changes to support
 21 packages on children and young people with additional
 22 support needs.
 23 Finally, my Lord, there's a report
 24 dated December 2023 that reviews the evidence available
 25 on the impacts of the pandemic and the response to it on

1 the education of children under five in Scotland.
 2 As I said, my Lord, these reports are available on
 3 the Inquiry's website. Importantly, they provide useful
 4 background information and context for the understanding
 5 of some of the impact evidence that we'll be hearing
 6 over the next few weeks, and they've helped to inform
 7 the scope of what is being investigated in relation to
 8 the delivery of education and certification .
 9 In particular, my Lord, they have informed the six
 10 key investigative streams within which education and
 11 certification is being investigated by the Inquiry .
 12 These cover early learning and childcare; primary and
 13 secondary education; additional support for learning;
 14 further and higher education; apprenticeships; and youth
 15 work.
 16 In relation to the portfolio 4 engagement and
 17 evidence, as your Lordship pointed out at the
 18 preliminary hearing, oral evidence from witnesses during
 19 public hearings is only one way in which the Inquiry can
 20 gather evidence. In terms of impact evidence relating
 21 to education and certification, the Inquiry's portfolio
 22 4 team has taken 134 statements and has received 73
 23 responses to requests under Rule 8 of the Inquiries
 24 (Scotland) Rules 2007.
 25 It has also held 26 round table discussions with

1 various organisations and individuals, including several
 2 with children and young people, and has prepared reports
 3 of those meetings summarising the key issues and impacts
 4 as discussed. Some of those will be referred to during
 5 the course of these hearings.
 6 These statements, Rule 8 responses and reports have
 7 been reviewed and will form the basis of a narrative
 8 record of the impact evidence relating to the delivery
 9 of education and certification, which will also include
 10 evidence heard at the hearings. It will highlight the
 11 key impacts and issues that have been identified and is
 12 due to be published during the course of 2025.
 13 My Lord, the portfolio team is grateful for all of
 14 those who have generously given their time to assist
 15 the Inquiry with its investigations to date.
 16 As regards Let's Be Heard, as I emphasised at the
 17 preliminary hearing, although we will be hearing
 18 evidence from organisations rather than from individuals
 19 at these impact hearings, the Inquiry is nevertheless
 20 very interested in hearing about personal experiences of
 21 those impacts. Let's Be Heard was set up in order to
 22 give everyone affected by the strategic response to the
 23 COVID-19 pandemic in Scotland the chance to share their
 24 experiences directly with the Inquiry. Let's Be Heard
 25 has the capacity to gather and collate individual

1 accounts of personal experiences on a scale that the
2 Inquiry could not reasonably be able to do through
3 traditional means, such as oral evidence, witness
4 statements and Rule 8 responses.

5 During its national engagement period, which ran
6 from May to December 2023, Let's Be Heard gathered
7 experiences from more than 5,400 people from every local
8 authority in Scotland, who were able to share their
9 experiences with the Inquiry in a variety of ways. This
10 included a bespoke children and young people's response
11 form to which Let's Be Heard received 382 responses.

12 Let's Be Heard published a preliminary report on the
13 early findings in November 2023. During the course of
14 2024, Let's Be Heard has continued to analyse people's
15 experiences and has adopted a more targeted approach
16 through its focused engagement period, during which it
17 has been working with organisations to hear from more
18 specific groups around particular themes, through
19 a range of activities such as surveys, focus groups and
20 workshops. One of those groups with whom Let's Be Heard
21 has been engaging is children and young people.

22 Let's Be Heard continues to be the primary route
23 through which individuals can engage with the Inquiry
24 about their personal experiences. Its members are part
25 of the wider Inquiry team and have been working closely

1 with the portfolio 4 legal team in relation to
2 engagement with organisations and individuals regarding
3 the impacts relevant to the delivery of education and
4 certification. As I mentioned at the preliminary
5 hearing, my Lord, as part of its focused engagement, on
6 2 December 2024, Let's Be Heard launched three surveys
7 that are directly relevant to the delivery of education
8 and certification, which were prepared with input from
9 the portfolio 4 legal team.

10 The children and young people's survey for 8 years
11 and above is designed to understand better what the
12 pandemic was like for younger people in Scotland
13 between January 2020 and December 2022 and includes ten
14 questions, including a number relating specifically to
15 education.

16 To date 1,180 completed responses have been received
17 to that survey.

18 The other two surveys are designed to hear more from
19 education and early learning professionals involved in
20 delivering and supporting education and childcare
21 services in Scotland between 1 January 2020 and
22 31 December 2022. One of those is the early learning
23 and childcare survey, which is aimed at early learning
24 practitioners, managers, support staff and childminders.
25 To date, 448 completed surveys have been received. The

1 other is the school survey, teacher, school management
2 and education support staff, which is aimed at teachers
3 and school staff who are directly involved in children
4 and young people's learning, and in response to which
5 2,984 completed surveys have been received.

6 As your Lordship mentioned, the three surveys are
7 due to close on Friday, 29 November 2024 so I would
8 again encourage any early learning and school education
9 staff who would like to share their experiences with
10 the Inquiry, and as many children and young people as
11 possible who have not yet done so to take part.

12 It has been important for the Inquiry through
13 Let's Be Heard to engage with a range of young people
14 facing different sets of circumstances in order to
15 understand better the unequal impacts felt across
16 different societal groups within this young cohort. In
17 total, my Lord, Let's Be Heard has heard directly from
18 over 2,000 children and young people in Scotland from
19 age five years to 24 years and has also engaged with
20 a small number of children under five and their
21 families.

22 It has gathered experiences from those attending
23 mainstream primary and secondary schools, those
24 attending Gaelic-medium schools, children and young
25 people attending dedicated additional support need

1 schools, young and unpaid carers, young people in
2 residential care and their carers, those who attended
3 hub settings, black and minority ethnic children and
4 young people, those in island communities, young
5 mothers, civically engaged children and young people
6 such as those engaged with the Scottish Youth
7 Parliament, young people impacted or at risk of
8 homelessness and young people living or attending
9 schools in areas affected by multiple deprivation
10 indicators.

11 Their experiences have been gathered through
12 a combination of methods, including response forms
13 received during Let's Be Heard's national and focused
14 engagement phase, in-person information sharing stands
15 at university campuses, and contact with 14 student
16 unions, collaborations with the Scottish Youth
17 Parliament, and workshops and experience-gathering
18 sessions with children and young people.

19 Let's Be Heard has also heard indirectly about the
20 experiences of children and young people through its
21 engagement with 3,600 education early years and
22 childcare professionals, parents, carers and guardians,
23 and that has also been through a combination of
24 workshops, discussion groups and online surveys; and
25 they have spoken about the impacts of the pandemic on

1 children and young people they support.
 2 Let's Be Heard, my Lord, will be publishing in due
 3 course a series of reports based on key findings which
 4 will support the Inquiry's ongoing investigations and
 5 inform its reports and recommendations.
 6 My Lord, I will now outline the approach being taken
 7 to the presentation of evidence at these impact
 8 hearings, and will provide an overview of the
 9 organisations from whom we will be hearing.
 10 In terms of the presentation of evidence itself ,
 11 between us, Ms Stewart, Mr Stephen and I will be leading
 12 a variety of witnesses who have been selected with
 13 a view to ensuring that these hearings cover evidence on
 14 a range of key impacts and issues. There will be
 15 a combination of single witnesses and panel sessions of
 16 between two and five witnesses. The various hearing
 17 slots are scheduled to last between 45 minutes and
 18 two hours. As things have worked out, in order to
 19 accommodate breaks for the stenographer, there will be
 20 a 15-minute break between each witness slot.
 21 If we finish a particular witness a bit earlier , that
 22 break might be slightly longer.
 23 Witnesses will be lead on the basis of witness
 24 statements, Rule 8 responses and/or round table reports
 25 which have already been disclosed to core participants .

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1 Witness statements will be published on the Inquiry's
 2 website on the morning on the day on which a witness is
 3 due to give evidence, and any other documents referred
 4 to at the hearing will be published later that day.
 5 In the relatively short time available , witnesses
 6 will not be able to speak to everything covered in their
 7 witness statements or Rule 8 responses, so their oral
 8 evidence will focus on issues of particular relevance to
 9 each witness or those they represent with a view to
 10 avoiding repetition .
 11 My Lord, the hearings will highlight and provide an
 12 overview of some of the key issues and impacts
 13 experienced by children and young people, parents,
 14 carers, adult learners , workers and organisations
 15 involved in the delivery of education and certification
 16 as a consequence of decisions to lock down and impose
 17 other restrictions across all sectors covered by the six
 18 investigative streams that I have mentioned earlier.
 19 The majority of the impact evidence held by
 20 the Inquiry in relation to education and certification
 21 in the form of witness statements, Rule 8 responses and
 22 round table reports that cannot be covered at the
 23 hearings will be reflected in the narrative report that
 24 I mentioned earlier that is due to be published next
 25 year.

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1 In terms, my Lord, of the order of witnesses and the
 2 evidence we propose to lead, we will be leading
 3 witnesses who will speak to issues and impacts relevant
 4 to various ages and stages in line with the six
 5 investigative streams. So we'll be starting with early
 6 learning and childcare, followed by primary and
 7 secondary education, then additional support needs,
 8 further and higher education, apprenticeships and youth
 9 work in that order.
 10 However, in order to accommodate witness
 11 availability , we will need to interpose a panel of
 12 former National Union of Students presidents between the
 13 early learning and childcare and the primary and
 14 secondary education witnesses, rather than call them
 15 with the further and higher education witnesses.
 16 We will be hearing from a number of primary and
 17 secondary education and further and higher education
 18 worker union representatives together, and that will be
 19 over a two-day period after hearing from the other
 20 witnesses for further and higher education.
 21 In terms of the evidence itself , my Lord, this will
 22 cover some of the main issues and impacts that have been
 23 raised in relation to each and across all of the six
 24 investigative streams. These include, for example,
 25 impacts on the development of preschool children under

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1 the age of five ; experiences of remote teaching and
 2 learning and remote youth work; issues related to
 3 digital inclusion ; access to hub schools and settings
 4 operating over national lockdowns; impacts on learning,
 5 development and attainment of learners of all ages and
 6 stages; referrals and access to services ; challenges
 7 related to guidance and its implementation; impacts on
 8 physical and mental health and well-being; impacts on
 9 personal and social development and behaviour;
 10 disproportionate impacts and exacerbation of existing
 11 inequalities ; impacts on transitions such as between
 12 different ages, education stages or into employment; and
 13 financial impacts.
 14 In terms of witnesses themselves, my Lord,
 15 in relation to early learning and childcare we'll be
 16 calling four witnesses. The first will be from
 17 Play Scotland, which is an organisation that promotes
 18 and develops play in Scotland. Its work is underpinned
 19 by the United Nations Convention on the Rights of the
 20 Child, and its aim is to make children's right to play
 21 a reality .
 22 We'll also be hearing from Early Years Scotland,
 23 which is a specialist Scottish charity supporting
 24 children from prebirth to the age of 5. It was formerly
 25 known as Scottish Preschool Play Association. It is

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1 both a membership and service delivery organisation, and
2 has over 800 members from private, voluntary and
3 independent early years settings.

4 Further in relation to early learning and childcare,
5 my Lord, we will be hearing evidence from a panel of
6 Early Years Scotland members who are — who work in the
7 sector as practitioners. Finally in relation to early
8 learning and childcare, we will be hearing from the
9 Scottish Childminding Association, which is a charity
10 and membership organisation supporting childminders in
11 Scotland and approximately 82% of childminders in
12 Scotland are members.

13 My Lord, I would emphasise that we have obtained
14 Rule 8 responses and witness statements from a number of
15 other organisations involved in relation to early
16 learning and childcare, which again, as I mentioned,
17 will be factored in, but those are ones that highlight
18 some of the key issues that have been expressed across
19 the board.

20 In relation to primary and secondary education,
21 we'll be calling witnesses from School Leaders Scotland,
22 which is a trade union for those involved in leadership
23 roles in Scotland's schools. The current membership is
24 over 1,000 headteachers, deputy headteachers, principal
25 teachers, faculty heads and business managers. We'll

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1 also be hearing from e—Sgoil, which is Scotland's
2 national digital education provider, which offers
3 e—learning to pupils across the country and also
4 provides online study classes.

5 We'll further be hearing from Connect, which is
6 a Scottish charity and membership organisation that was
7 previously known as the Scottish Parent and Teacher
8 Council. Its purpose is to advance parental and family
9 engagement in their children's education, and it does
10 this through promoting home and school partnerships.

11 Finally in relation to primary and secondary
12 education, we will be hearing from A Place In Childhood,
13 which is a Scottish community interest company whose aim
14 is to improve the lives and situations of children and
15 young people through advocating for them and helping
16 them advocate for themselves. It aims to assist
17 children and young people in making the changes they
18 want to see in communities.

19 My Lord, I will come on to address the unions.
20 There are a few additional witnesses relevant to primary
21 and secondary education, but I will cover them
22 in relation to the unions. As regards witnesses
23 relevant to additional support for learning, we will be
24 calling a panel made up of Linking Education and
25 Disability Scotland or LEAD Scotland, which is

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1 a national charity that supports disabled parents and
2 carers to overcome barriers in accessing education.
3 They'll be joined by the Association for Real Change, or
4 ARC Scotland, which is a charity that advances
5 knowledge, practice and policy in health and social care
6 for the benefit of people with learning disabilities or
7 other support needs.

8 Further, in relation to additional supports for
9 learning, we'll be hearing from Carers Trust Scotland,
10 which is a charity that works to transform the lives of
11 unpaid carers and which partners with a network of local
12 care organisations to ensure that unpaid carers in
13 Scotland have access to support, advice and resources to
14 enable them to live fulfilled lives. We'll also be
15 hearing from the Royal College of Speech and Language
16 Therapy, which is the professional body for speech and
17 language therapists in the UK, speech and language
18 therapy being — the aim of which is to better the lives
19 of people with communication and swallowing needs.

20 We'll in addition be hearing from the Scottish
21 Sensory Centre, which is based at Moray House School of
22 Education at the University of Edinburgh. It organises
23 and delivers professional learning events and courses
24 for teachers, professionals and parents involved in the
25 lives of children who are deaf, have visual impairment,

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1 or a combination of both.

2 Finally in relation to additional support needs, we
3 will be hearing from PAMIS, or Promoting a More
4 Inclusive Society. This is a charity and the only
5 organisation in Scotland solely supporting children,
6 young people and adults with profound learning and
7 multiple disabilities and their families to
8 lead healthy, valued and inclusive lives.

9 As regards further and higher education, my Lord,
10 we will be holding panel sessions with, firstly, four of
11 Scotland's colleges. Those are Ayrshire College,
12 Glasgow Clyde College, University of Highlands and
13 Islands Hebrides, and South Lanarkshire College.

14 We will be holding a panel with three universities,
15 University of Glasgow, Glasgow School of Art and
16 Aberdeen University.

17 We will also be having a panel session with three
18 former presidents of the National Union of Students who
19 were in post throughout the period covered by
20 the Inquiry's terms of reference. My Lord, National
21 Union of Students Scotland is a department within the
22 legal organisation of the National Union of Students of
23 the United Kingdom. It's a membership—based
24 organisation made up of students and associations, and
25 representing post 16—year—old students who are in

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1 further and higher education as well as in
 2 apprenticeships.
 3 In relation to workers involved in early learning
 4 and childcare, primary and secondary education and
 5 further and higher education, we'll be hearing from
 6 a range of unions.
 7 Firstly, we will be hearing from UNITE Scotland,
 8 which represents 152,000 working people in Scotland,
 9 across a range of industries including local government.
 10 Their membership within the education sector includes
 11 support and professional services staff, technicians,
 12 cleaners and all staff working within facilities.
 13 We'll be hearing from UNISON Scotland, which is
 14 Scotland's biggest public service trade union,
 15 representing workers delivering public and related
 16 services across Scotland. It has approximately 162,000
 17 members working across all of Scotland's public services
 18 and education sectors, including cleaners working in
 19 academic buildings and residences, IT and security
 20 staff, and a range of other professional roles
 21 supporting teaching and learning.
 22 We'll also be hearing, my Lord, from the national
 23 union of — and my Lord, I apologise, I've forgotten the
 24 full name. It's NASUWT. I understand in the title is
 25 the women's teaching union. It's a teaching union

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1 affiliated with both the TUC and STUC. Its members are
 2 teachers and headteachers working in early years
 3 settings, schools and further and higher education
 4 institutions.
 5 We'll also be hearing from the Educational Institute
 6 of Scotland, which is the country's largest teaching
 7 trade union, which has over 65,000 members, mainly
 8 teachers, college and university lecturers and
 9 associated professionals, such as chartered librarians,
 10 educational psychologists and academic related staff.
 11 We will also be hearing from the Secondary Teachers
 12 Association, which is the only specialist union for
 13 secondary teachers. It has approximately 6,000 members
 14 with around 150 to 200 in advisory roles in local
 15 authorities, and approximately 700 working in
 16 independent schools.
 17 Finally in relation to unions, my Lord, we'll be
 18 hearing from the University and College Union Scotland,
 19 which is a federation of Scotland-based branches and
 20 local associations of the UK-wide University and College
 21 Union. It has around 1,000 members — 9,000 members
 22 during the pandemic and it is the largest trade union in
 23 the higher education sector in Scotland, and it covers
 24 academic staff, academic support staff and professional
 25 support staff in universities and higher education

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1 institutions in Scotland.
 2 In relation to apprentices, my Lord, we will be
 3 hearing from — evidence about impacts on apprentices
 4 during the college and panel session, but later in the
 5 hearings, we'll also be hearing from Skills Development
 6 Scotland, which is the national skills agency for
 7 Scotland, which offered grants and ran programmes to
 8 support apprentices who had been furloughed or had
 9 suspended their apprenticeships due to restriction
 10 measures.
 11 We also will hear from Glasgow Caledonian
 12 University, which offers graduate apprenticeship
 13 training. We will be hearing from HELM Training, which
 14 is a charity and grassroots organisation that for over
 15 40 years has been supporting young people aged 15 to 25
 16 in Dundee and Tayside to gain education and employment.
 17 We will be hearing from the Scottish Apprenticeship
 18 Advisory Board, which is an independent industry-led
 19 body that was established to ensure that industry play
 20 a leading role in developing apprenticeships in
 21 Scotland, and it aims to ensure that apprenticeships are
 22 demand-led, fit for purpose and future orientated.
 23 Finally, my Lord, in relation to youth work we'll be
 24 hearing from three witnesses, firstly — well, three
 25 witness sessions. We'll be hearing from Youth Link

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1 Scotland, which is Scotland's national agency for youth
 2 work. It's a membership organisation with membership
 3 including voluntary and statutory youth work
 4 organisations and intermediaries, including every local
 5 authority.
 6 We'll be hearing a witness from St Paul's Youth
 7 Forum, which is a youth centre based in Glasgow. Its
 8 aim is to help young people aged 0 to 25 by improving
 9 their life conditions, and it works with over 750 people
 10 in Provanmill. Its goal is to deal with many of the
 11 issues that children and young people face by providing
 12 programmes that focus on exercise, eating, education and
 13 empowerment.
 14 Our final witness slot, my Lord, will be a panel of
 15 Youth Link Scotland members who are youth work
 16 practitioners engaged in the delivery of youth work
 17 across Scotland. My Lord, I have one minute left,
 18 I seem to have made up the eight minutes that we lost,
 19 so I won't go into detail. I was going to touch on
 20 three procedural matters, but I won't go over time. I
 21 will just flag them for the benefit of the core
 22 participants.
 23 It was simply to remind them that although there's
 24 no specific restriction order in relation to any of the
 25 witnesses being called, there is a general restriction

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1 order that continues to apply. As I have already
 2 mentioned, the witness statements for each witness will
 3 be put up on the website on the day the witness is
 4 giving evidence, with any documents referred to during
 5 the course of the hearings being put up later that day,
 6 so those are not to be published by core participants
 7 until the Inquiry has published those formally.
 8 I'd remind the core participants about the Rule 9
 9 procedure and the guidance your Lordship has provided
 10 in relation to that, which again is on the Inquiry's
 11 website. Finally, I'd remind everyone that
 12 your Lordship has issued a direction in relation to
 13 closing statements for this set of hearings, in terms of
 14 which core participants with leave to appear, may, if
 15 they so wish, submit a written closing statement to the
 16 Inquiry by no later than 12 noon on 29 January 2025 and
 17 that's to be no longer than 2,500 words, and in that
 18 regard they should have regard to the terms of the
 19 appendix to that direction.
 20 My Lord, I've made it. That is all I have to say at
 21 this stage, unless your Lordship has anything further.
 22 THE CHAIR: No, thank you very much indeed. You've done
 23 very well, given that you lost about five or ten minutes
 24 due to the technical hitch at the beginning.
 25 So we'll take a break now, ladies and gentlemen, and

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1 we'll come back at 11 o'clock. Again we're going to
 2 hear from Ms van der Westhuizen, this time leading
 3 a witness. So 11 o'clock. Thank you very much.
 4 (10.46 am)
 5 (A short break)
 6 (11.00 am)
 7 THE CHAIR: Good morning, Ms van der Westhuizen. If you're
 8 ready, can we have your first witness, please?
 9 LADY MARGUERITE HUNTER BLAIR (called)
 10 Questions by MS VAN DER WESTHUIZEN
 11 MS VAN DER WESTHUIZEN: Thank you, my Lord.
 12 The first witness we have is Lady Marguerite
 13 Hunter Blair from Play Scotland.
 14 Please could you give your full names?
 15 A. Marguerite Catherine Hunter Blair.
 16 Q. And you've provided a witness statement to the Inquiry.
 17 A. I have.
 18 Q. Just for your Lordship's benefit, that is
 19 SCI-WT0279-000001.
 20 Lady Hunter Blair, you are the current
 21 chief executive of Play Scotland; is that correct?
 22 A. Yes.
 23 Q. You've held that role since 2006?
 24 A. I have.
 25 Q. Immediately prior to that, you were the chief executive

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1 of Playboard Northern Ireland for four years?
 2 A. Yes.
 3 Q. Could I ask you to please provide just a brief
 4 description of Play Scotland, including its core aims,
 5 objectives, in promoting children's rights to play in
 6 Scotland?
 7 A. So Play Scotland was formed in 1998, almost 26 years
 8 ago, to make the child's right to play a reality in
 9 Scotland, and it had four main themes that it was
 10 focusing on at that stage. It was a champion of
 11 children's play, and we campaigned for policy change,
 12 and we developed a range of resources and toolkits for
 13 a wide range of parents and practitioners and
 14 professionals to support children's play experiences and
 15 opportunities.
 16 We commissioned and promote research on the benefits
 17 of children's play and how it relates to their
 18 development and optimal health and well-being. We're
 19 very interested in workforce development, the
 20 professional work play — various professions who
 21 actually work with children and young people, and
 22 actually professionals who don't work with children and
 23 young people, but whose strategic decision-making
 24 impacts on children's play opportunities.
 25 Q. I meant to add at the beginning that you've been called

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1 specifically as effectively a scene-setting witness for
 2 early learning and childcare, which we recognise is
 3 fundamentally a play-based pedagogy. So we'll be
 4 hearing all about play from you.
 5 What is the size and composition of Play Scotland's
 6 membership, please?
 7 A. The membership of Play Scotland, we have about just over
 8 3,000 members at the moment that we send out regular
 9 newsletters to. That's drawn from a wide range of
 10 backgrounds, people and organisations, politicians, both
 11 in Scotland and beyond Scotland.
 12 We have a significant Facebook, I think 30,000
 13 following on there, so a huge social media reach, and
 14 our website, I suppose, is the biggest resource.
 15 We have, I think, on average, 800 page downloads every
 16 single day of the year, and we do a play well podcast
 17 series, and I think the average there is about 200
 18 listens per month. Sometimes it's up, sometimes it's
 19 down. So we have lots of different ways that we try to
 20 reach out and engage with people who are interested in
 21 play, whether they're parents, practitioners,
 22 professionals, students or people interested in setting
 23 up similar organisations in other countries.
 24 Q. You've already touched on — in paragraph 11 of your
 25 statement, you set out a number of ways in which

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1 Play Scotland realises its aims. One of those is by
 2 promoting research on the benefits of play and the
 3 essential contribution of play to improve children's
 4 outcomes. Could you please expand a bit upon that?
 5 What role does Play Scotland undertake in promoting
 6 research on the benefits of play and its contribution to
 7 improving children's outcomes?
 8 A. The key thing about research is that we can't formulate
 9 a proper argument without it. It's quite one thing to
 10 be a parent and maybe think intuitively that you
 11 actually know about play and the benefits, but in order
 12 to change policy and compete for resources, we have to
 13 know what we're talking about. So it's not taken
 14 lightly.
 15 One of the things that we've done in Play Scotland
 16 over the years is we've commissioned our own research,
 17 but we've also been very keen to bring together
 18 literature reviews, so that we see a wide range of
 19 opinions. We brought together a literature review in
 20 2012, called the power of play. We've just completed
 21 another one, which underpins the revision of the play
 22 strategy, which is a literature review about what
 23 children's voices say about play.
 24 I think it's so important, and we need to pay
 25 attention to what's happening, so I'm just thinking,

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1 I'll pick one out of thin air, the 2017 millennium
 2 cohort is being followed, and they're able to say that I
 3 think that by the time children were aged 7, they were
 4 spending half their day sitting down. What's that to do
 5 with play? That's got everything to do with play. It's
 6 got everything to do with what people might think school
 7 ready means as well. So it's things like that, we need
 8 to have a big picture about what's happening out there
 9 in the research world, and we need to discern what it
 10 means to children's play opportunities.
 11 Q. Thank you.
 12 A. Sorry, I've just remembered the correct name of that.
 13 It was the millennium Gateshead study, and it's about to
 14 report again, I think.
 15 Q. I am going to go on to ask you to explain the key ways
 16 in which play is essential for development, but before I
 17 do so, you mentioned the play strategy. Could you
 18 please elaborate a little about what that is, and what
 19 Play Scotland's involvement is in that?
 20 A. Yes. In 2007 Play Scotland set up a play commission and
 21 the findings were launched in the Scottish Parliament in
 22 2008, and one of the things that we were calling for on
 23 behalf of the sector and children and young people was
 24 the strategic approach to play in Scotland. In 2013,
 25 we were successful in realising that ambition. Scotland

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1 has a play strategy at the moment. It has four key
 2 domains: play at home; play in early learning childcare
 3 and schools; play in the community; and positive actions
 4 for play.

5 The main aim of the play strategy is that every
 6 child experiences life—enhancing everyday play
 7 opportunities. That play strategy has now been under
 8 review subsequent to — pre—COVID and to COVID and it is
 9 with our minister at the moment. We're hoping that the
 10 refresh of that will be launched either at the end of
 11 this year or early in the New Year.

12 Q. Thank you. Then following on from the explanation there
 13 of the engagement in relation to research, can I ask you
 14 to go on and explain the key ways in which play is
 15 essential for the healthy development and well—being of
 16 preschool children, both immediately and in the long run
 17 and why it's essential to maintain that?

18 A. So play, as I often say, is a very serious business.
 19 It's lovely and quite delightful to see children play,
 20 but there's a very serious business going on.

21 Q. If I could ask you to pause just briefly, Lady
 22 Hunter Blair. I think we might have lost his Lordship.
 23 (Pause).

24 THE CHAIR: Lady Hunter Blair was just going on to talk
 25 a little bit about play strategy, which was the question

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1 put to her then. She froze, I'm afraid.
 2 MS VAN DER WESTHUIZEN: Sorry, I didn't notice, my Lord, so
 3 you might have missed a little bit of the answer. It is
 4 in the transcript.
 5 THE CHAIR: I did miss a little bit. If you could ask it
 6 again, I'd be grateful.
 7 MS VAN DER WESTHUIZEN: If you wouldn't mind, Lady Hunter
 8 Blair.
 9 A. So Play Scotland had called for a play strategy back in
 10 2008, and in 2013 Scotland's play strategy vision and
 11 action plan was launched. It covers four key domains.
 12 It is founded in the child's right to play; it's
 13 informed by General Comment 17 on Article 31. The four
 14 domains are play at home; play in early learning
 15 childcare and school; play in the community; and
 16 positive actions for play. And the main ambition
 17 is that every child, and that's not 80% or 96%, that's
 18 100% of children in Scotland, get to experience
 19 life—enhancing play opportunities every day.
 20 MS VAN DER WESTHUIZEN: Lady Hunter Blair, I then moved on
 21 to ask you to please explain the key ways in which —
 22 based on the evidence base that you described and your
 23 engagement and involvement in research, just explain
 24 from what you know, the key ways in which play is
 25 essential for the healthy development and well—being of

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1 preschool children both immediately and in the long term
2 and why it's essential to maintain.
3 A. Okay, thank you. Sorry, I might just go back to my
4 previous question. I think you might have missed me
5 saying, my Lord, that the play strategy has been
6 refreshed and we're hoping that it will — it's with our
7 minister at the moment and we're hoping that it will be
8 launched at the end of this year, or the beginning of
9 next year, and it's completely founded and based on
10 children's voices.

11 So why is play important? There's a very simple
12 acronym that we use, just to focus people, when I get
13 asked a question like that, so I'll give the simple
14 answer and then I'll unpick it a wee bit if that's okay.
15 But we think about SPICE when we think about why play is
16 important for children and young people's development.
17 SPICE, the acronym stands for social, their social
18 interactions; their physical development, their physical
19 literacy; their intellectual, as in cognitive brain
20 development; creativity and curiosity is C; and E for
21 emotional development.

22 So all these things crucially happen during
23 children's play opportunities and play experiences, and
24 they then support children to develop resilience,
25 self-regulation, managing themselves, managing all the

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1 different emotions that can be quite overwhelming, their
2 social skills, taking turns, sharing, things that are
3 very difficult even when you're an adult. And a lot of
4 this early learning — all this foundation for learning
5 happens through play and all the different types of play
6 that children engage in.

7 Q. Thank you.

8 A. I might add to that if that's okay.

9 Q. Yes, please.

10 A. The early educators, and I'm thinking Malaguzzi, the
11 Reggio Emilia approach, Freebold, Montessori, a lot of
12 people have heard of some of these early educators and
13 they were very keen to point out the importance of play,
14 and not just play but the environment, and the fact that
15 there's general agreement that there's three educators
16 of children and one is the adult, the adults around
17 them, other children, and the environment.

18 So obviously, during COVID, children lost two of
19 these great pillars of their learning when they lost
20 access to the environment and other children.

21 Q. Thank you very much. You mention specifically in
22 paragraph 27, the importance of play in their daily
23 lives and healthy development has become increasingly
24 accepted in recent years. You refer to the ever-growing
25 body of evidence. You mention the most important

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1 sensitive period of their brain development is defined
2 by the United Nations as being zero to eight years.
3 I think we'll probably be coming on to hear more about
4 that from other witnesses as well, but do you have any
5 additional comments to make in relation to that?

6 A. I think it's interesting, I'm not wanting to go down
7 a rabbit hole here, but there is a big campaign in
8 Scotland to raise the age of children going to school.
9 In other countries in the world, we see that children go
10 to school a bit later, and there's a real focus on this
11 play-based learning, for want of a better expression,
12 the pedagogy at play in these early years where children
13 learn through play.

14 When we look at the Reggio Emilia approach, what
15 they talk about is children are born competent. They're
16 competent beings. When you look at the natural posture
17 a child has until the age of eight, the physical
18 literacy that comes very naturally with them, so this
19 early years stage is so important because children are
20 naturally curious. The whole purpose of play-based
21 learning at this early stage is about fostering that
22 curiosity and trying to encourage it and provide
23 opportunities to expand that knowledge. That's in the
24 environment, but it is in the world around them, and
25 it's how they make sense of the world around them and

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1 how they fit into that world, so it's incredibly
2 important.

3 The brain is developing at a rapid, you know, rate
4 of knots. It never stops developing, the brain. But at
5 that stage, as my father once said about his
6 grandchildren, you can almost feel the brain working,
7 you can almost hear it ticking, and even just being on
8 a nature walk and stopping when the child looks right
9 down to find an invisible bug to our eye, and watches it
10 for such a long time, you know, and so many make-believe
11 things that they do and provocations that stimulate
12 language. Obviously language is really important in
13 children's development. It stimulates the imagination.
14 It stimulates creativity. These are essential for their
15 own personal development. It is also very important for
16 us in terms of what employment opportunities these
17 children will have, and the life chances that they will
18 experience.

19 Q. You explain in paragraph 26 or you describe, I think,
20 that there are five fundamental types of human play.
21 You say:

22 "These are commonly referred to as: physical play;
23 play with objects; symbolic play; pretence or
24 socio-dramatic play; and games with rules. Each
25 supports a range of cognitive and emotional

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1 developments, and a good balance of play experience is
 2 regarded as a healthy diet for children."
 3 I'll come on when we're discussing impacts to ask
 4 you to draw on those to explain the impacts with
 5 reference to the loss of play or the absence of play or
 6 deficiencies of play at the time, but if I can ask you
 7 to explain a bit more about — in paragraph 17 you refer
 8 to a play types toolkit that Play Scotland developed.
 9 What is that and how is that used?
 10 A. So the play types toolkit draws on someone called Bob
 11 Hughes' taxonomy of play types. He identified 16
 12 different types of play. The different versions of play
 13 that you've just outlined derive from Professor David
 14 Whitebread, sadly no longer with us, and Bob Hughes the
 15 same. It was quite interesting when the two gentlemen
 16 met at a conference in Scotland where they compared
 17 their notes as to how they had derived the different
 18 types of play, and they agreed that actually they were
 19 both in agreement with what had happened and how they
 20 had described them.
 21 So the purpose of Play Scotland getting involved in
 22 this was to — I think sometimes when you talk about
 23 children, we talk about a monolith, but of course
 24 there's communities of children we're really thinking
 25 about, and the same about play. We don't just think of

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1 play — some people do just talk about: oh, they're out
 2 to play, or the kids need to play. We actually saw this
 3 during lockdown, you know, when some local authorities
 4 I noticed in England in press releases, not anything
 5 against England by the way, that would say: the
 6 playground has to shut for X reason, I know it's good
 7 for children to run off, let off steam. That just so
 8 doesn't get why play is so important for children and
 9 young people. So the play types toolkit was pulled
 10 together with teachers in mind, but a wider audience as
 11 well for communities.
 12 What we're saying is it's really important that
 13 children get opportunities to experience the broadest
 14 range of play opportunities, not just outdoor play,
 15 whatever that might be, or indoor play, but to try and
 16 go through the different types of play and the impact
 17 that has on their development.
 18 We mapped it against something called GIRFEC,
 19 Getting it Right for Every Child, and the Shanarri
 20 well-being indicators. Really at the heart of all of
 21 it is what the Scottish Government is very keen on is
 22 the best start for every child, and we were mapping all
 23 these different play types and experiences and
 24 opportunities, and what they might look like in the
 25 school day and how you might be able to provide that.

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1 We mapped that then against the curriculum for
 2 excellence. So that made it easier for teachers who
 3 have a lot to get through in terms of delivering
 4 curriculum for excellence, to see how these different
 5 types of play fitted in to what they had to get through
 6 in the school day, and how play contributed to their
 7 delivery of the curriculum. It is the biggest download
 8 we still have. Every six months I do a report to
 9 government, I go through the analytics that people pull
 10 together, and there's easily 2,500 downloads of this
 11 document on a six-monthly basis, not just in Scotland
 12 but around the world.
 13 Q. Thank you. The Inquiry has commissioned a number of
 14 academic reports, and one of them is on the impact of
 15 the pandemic on the delivery of education to children
 16 under 5, and that paper referred to the fact that young
 17 children's learning is fundamentally play based, and
 18 shaped by the environment, relationships, physical
 19 movements and spaces for sensorial stimulations as
 20 you've described as well. That report also noted that
 21 the closure of early learning and childcare settings
 22 during the pandemic impacted especially on the ways in
 23 which children in the early years learn by restricting
 24 their access to high quality play environments and
 25 opportunities.

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1 Just bearing in mind the seven types of play and the
 2 play toolkit, could I ask you what types of play spaces
 3 and settings in Scotland offer the best opportunities
 4 for high quality play?
 5 A. In Scotland, over the past few decades, we've seen
 6 a huge improvement in the offer for children's play in
 7 early learning and early years, and with childminders
 8 and nursery provision. I think there's a much greater
 9 understanding of the importance of outdoor play. So
 10 while a lot of provision now has outdoor play, which is
 11 really important because I think it's one in three
 12 families in Scotland live in flats, and some of those
 13 families may well have access to private gardens, but a
 14 lot of them don't, it's really important to get this
 15 opportunity to play outdoors.
 16 I just checked with colleagues yesterday. I think
 17 there's 48 registered outdoor play providers now in
 18 Scotland, where it's a completely outdoor play offer.
 19 So we've come a long way. So outdoor play is something
 20 that's really important. It's so important that
 21 children get brought together in settings when they're
 22 young. Playing with each other is very important. That
 23 social interaction is huge. Playing slightly outside of
 24 your age range as well is good. It helps to bring
 25 children on. It maybe gives them confidence. As you

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1 know, we don't go on to work in our age range, so it's
 2 very important that we understand how to socialise and
 3 get on with other people.
 4 But what's really important is when you see children
 5 coming into an early years provision, and they'll all
 6 come in at different stages of development, but there
 7 can be up to five months, perhaps more, difference in
 8 development, and that can be in language development, it
 9 can be in independent mobility, it could be in going to
 10 toilet training.
 11 So there can be a gap immediately on entry to these
 12 places, and the fact that there is so much rich
 13 stimulation across — whether it's to do with fine motor
 14 skills, whether it's to do with gross motor skills,
 15 whether it's sensory stimulation, physical literacy, so
 16 many different ways to stimulate the curiosity and
 17 encourage the child to learn through their own learning
 18 and their own play. It's very hard to get that in any
 19 household, never mind households who maybe haven't got
 20 access to resources that they can spend on play. So
 21 it's really important that this wide range is offered.
 22 Obviously we have a very skilled workforce at play
 23 as well, and parents aren't that skilled workforce, you
 24 know, instinctively parents can do their best, maybe
 25 grandparents do a bit better because they have more

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1 time. But actually it's a very skilled workforce that
 2 we have, and they're very good at encouraging children
 3 to learn for themselves by themselves and to cooperate
 4 and collaborate with each other. And I think that's
 5 something that they do need a lot of stimulation to
 6 achieve, and I would suggest that it's very difficult in
 7 any home environment to have that, but it's particularly
 8 important for children from more vulnerable backgrounds,
 9 and those that General Comment 17 tells us that we need
 10 to pay particular attention to.
 11 Q. Just in relation to those settings, you mentioned
 12 specifically outdoor, some of what you touched on there
 13 obviously not only outdoor, but would you be able to
 14 comment on formal and informal types of settings as
 15 well, because we — obviously in Scotland have Bookbugs,
 16 we have various sensory organisations with sensory play.
 17 Are you able to elaborate and just link it back to the
 18 types of play that were mentioned and what —
 19 A. Yes. A lot of play can be make-believe, it can be
 20 pretend. We saw a lot during COVID children — and
 21 I saw this in Northern Ireland when I was working there
 22 in areas of conflict, where children play out what's
 23 going on around them to try and make sense of it. So
 24 when Professor Helen Dodd and others had called for
 25 parents to tell them about how children's play had

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1 varied during COVID, you would see children covering up
 2 their dollies or their teddy bears' mouths with
 3 sellotape to replicate the masks. You heard of games
 4 where if there was coloured balls, the red ball would be
 5 the COVID virus, and it was to try and splat it. You
 6 know, so children are playing to make sense of the
 7 environment around them.
 8 They realise more than — adults always realise that
 9 what's going on, and they play out what's happening and
 10 even things like they understood some of the rules that
 11 were being applied. They would invite ten teddies to
 12 their birthday party, and then say: sorry, two of you
 13 can't come because only six allowed now; if you don't
 14 take this medicine, you will die. Children are very
 15 matter of fact and black and white. It can actually be
 16 quite alarming for parents to see sometimes, but they do
 17 play out and they do understand.
 18 So in the early years settings, you will have
 19 dressing up, lots of different dressing up
 20 opportunities, yes, you'll have sensory stimulation,
 21 you'll have lots of opportunities to go outside in all
 22 weathers. There will be different — you know, the
 23 weather gear to go outside. There will be that
 24 experience of nature and the elements in nature, which
 25 are very important, and children need to learn to be

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1 cautious about high winds, about strong rain, about the
 2 cold, so there are lots of these experiences that go on
 3 in the nursery setting, and a wealth of opportunities of
 4 things to play with.
 5 And there could be wooden toys, there might be
 6 plastic toys, and just such a range, and obviously there
 7 will be the standard pots and pans and wooden spoons,
 8 the go-to that every child loves to play with. A lot of
 9 these things, like playground equipment, are played for
 10 for the purposes for which they're designed, for a short
 11 space of time, but anyone watching children play realise
 12 that doesn't happen for very long, and then they very
 13 quickly modify what's there to fit in with the games
 14 that they want to create and the rules that they want to
 15 make about how they're going to play.
 16 Q. You've already touched on children who might benefit.
 17 Are there any particular groups of children in addition
 18 to the ones you've mentioned who might benefit from
 19 this?
 20 A. I think there is. We have a lot of children in
 21 different communities in Scotland. I'm thinking of
 22 asylum seekers' children, I'm thinking of disabled
 23 children, I'm thinking migrants, ethnic minority
 24 children. A lot of families, particularly during COVID
 25 it was very obvious didn't have the support networks

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1 that we assume are in place. And also because some
 2 families nowadays don't stay — a lot of families don't
 3 stay in the same communities for the rest of their life .
 4 So these support networks are very important. I know
 5 from being a parent myself, and my daughter being
 6 a parent, that very quickly the parents of your
 7 children's friends at nursery and school become your
 8 friendship group as well.
 9 So these things are really important, and I know
 10 other colleagues in projects, I'm thinking of
 11 Licketyspit, which is a drama-led organisation, were
 12 able to reach out to these communities that aren't well
 13 connected in the community to start off with, and were
 14 able to offer them a lot of drama play opportunities
 15 online.
 16 For a lot of communities that they were working
 17 with, they would have said: they had no other connection
 18 to the outside world, they didn't understand a lot of
 19 what was going on; so that was an opportunity then to
 20 ask the drama play teachers really what was going on,
 21 what was happening and what this meant for them.
 22 So I feel that the play sector played an
 23 inordinately important role at this stage to help
 24 connect communities, but I'm also thinking speech
 25 developments for boys can sometimes be more delayed, I'm

1 not saying only for boys, play — girls' play, I think
 2 a report came out only in October there suggesting that
 3 by the time girls are two, they play out less often than
 4 boys.
 5 So a lot of these things — yes, the research
 6 catches up with some of the things that we feel we know
 7 intuitively, but these opportunities that children get
 8 to play in formal settings are very important, and they
 9 get informal play opportunities in these settings, and
 10 then in the after-school experience, there's what we
 11 call the informal unregulated sector where some of the
 12 staff there might have not formal early years
 13 qualifications, they will have play work qualifications
 14 and they might have specific skills like circus skills,
 15 drama, as I've mentioned.
 16 So it won't just be the more curriculum-based
 17 qualification that you might see in early years.
 18 Q. Thank you. I think I'll come back to Play Scotland's
 19 role during the pandemic because you've already touched
 20 on the review of the Play Scotland — Play Scotland's
 21 review of the Scotland play strategy, and you touch on
 22 in your witness statement a number of projects delivered
 23 by Play Scotland, in particular the Get Into Summer
 24 programme, so if we have time, I'll move on to discuss
 25 some of the impacts and then come back to touch on that

1 if we can.
 2 But there are two that I just wanted to ask you
 3 about before we look at impacts. You mentioned in
 4 paragraphs 47 to 48 the playful schools project and the
 5 involvement of loose parts play to promote mental health
 6 and well-being and also the feedback that you had on
 7 that project. Would you mind elaborating a little bit
 8 about — was that part of the other initiatives or was
 9 that a stand-alone?
 10 A. This was a stand-alone project that we secured the
 11 Scottish Government's well-being fund to deliver. We
 12 worked with delivery partners, ScrapAntics, in Dundee.
 13 That's interesting because they're a scrap store,
 14 they've got lots of skills, they're not formally
 15 qualified in early years, for example, or play work, but
 16 a very dynamic organisation. We worked with them and
 17 they went into various — at that stage it was hubs that
 18 were being provided for essential workers, and children
 19 had to go to these hubs.
 20 What was happening was really born out of ignorance
 21 that we all had at the start, was a lot of children went
 22 along and they sat indoors and they weren't even given
 23 anything to play with because that could be dangerous:
 24 how would you clean it, if you touched it somebody else
 25 might touch it. So a lot of us really didn't understand

1 what was going on and what was possible and wasn't
 2 possible. So the default was: nothing was possible.
 3 So we set up the loose parts project in Dundee, and
 4 because ScrapAntics have this massive scrap store, they
 5 just brought along lots of loose parts, and they
 6 developed a pilot project and children were brought
 7 outside to play, and helped to build various play
 8 structures and take part in various activities. And the
 9 one quote that I think will stay with me for the rest of
 10 my life was — that came out of the evaluation of this
 11 is one child said: play gives you a sense of freedom
 12 when you have none.
 13 To my mind in all my career, I'd never heard a child
 14 talk about their freedom at all or their loss of it.
 15 I don't think it was something that had ever — maybe
 16 any consultations we'd done with them and others had
 17 done, they'd never mentioned that. And it was just such
 18 a heart-wrenching comment to make, and the amazing
 19 imagination and things that were done. Obviously with
 20 loose parts play, a lot of it is scrap, so some of it
 21 can be scrapped, it doesn't need to be reused, but there
 22 were lots of different models created and lots of
 23 fantastic learning that came out of that, that allowed
 24 loose parts play to be enjoyed, not just in Scotland but
 25 around the world after that.

1 Q. You mentioned that there was an evaluation report, and
 2 100% of survey participants said that children who
 3 attended the sessions felt better in terms of better
 4 sleep, appetite and well-being, and were encouraged to
 5 get out more and benefited from the opportunity to play
 6 outside; and over 90% of respondents said loose parts
 7 play helps children to learn and negotiate with others.
 8 Do you do evaluations of all the projects you do?
 9 A. We do, we do. We build it in at the start to most of
 10 them. A lot of our projects are based on public
 11 funding. Occasionally we draw down funding from other
 12 organisations, but you can't take public funding lightly
 13 in my view. I've always thought about it sometimes when
 14 I'm championing children's play: okay, I'm competing for
 15 money here, I'm probably up against hip replacements,
 16 knee replacements, you know, essential things that make
 17 quality of life difference to people in the community.
 18 So I'm not saying that I compete with money in that same
 19 cohort. But you're always thinking what — and I think
 20 that's why the research and evidence base is so
 21 important. We evaluate everything we do, and some
 22 things are fantastic and some things we know very early
 23 on are just not working, and that gives you a chance to
 24 start to modify.
 25 I think the biggest disappointment I have, and this

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1 isn't just confined to projects that we did during
 2 COVID, is when you put a lot of money into a pilot and
 3 an evaluation, and you know it works, the fact it
 4 doesn't then get scaled up across the country can be
 5 very disappointing. But for example, in Dundee we had
 6 a fantastic project there, which was really focusing on
 7 the transition from early years into P1.
 8 Q. I was just about to ask you. We will be hearing a fair
 9 bit about the importance of transition, so I was going
 10 to ask you to elaborate on that. That was the play well
 11 project, is that correct?
 12 A. It was. That was Dundee City Council and ourselves
 13 working there and —
 14 Q. If I could ask you — sorry, if you could elaborate
 15 a little bit about the importance of transitions and the
 16 rationale for having this project.
 17 A. Yes. I'm just going to go back to the point I wanted to
 18 make because I might forget it when I go on to this.
 19 This particular project was carried out across nine
 20 primary schools in Dundee, and it was so successful and
 21 independently evaluated by a PhD student they had
 22 working with them, that they then rolled it out to all
 23 the primary schools in Dundee. So I just — it's sad
 24 sometimes when that cannot be scaled up and rolled out
 25 further.

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1 So this project was really about — to support
 2 this — a lot of transitions in school between
 3 early years into primary school, and then from primary
 4 school into big school as I call it, these are really
 5 important and children — if you're not in the school
 6 system, you probably don't realise, but children don't
 7 just finish on day X and go into the big school on day Y
 8 or go to the next school. There's a lot of preparation
 9 done by the professionals around the children and by the
 10 families, and there is various things that they go
 11 through. So they are going through a transition
 12 process, even if they don't realise it themselves, and
 13 that reduces the anxiety and helps them settle in in the
 14 new environment.
 15 We were very aware that a lot of early years
 16 children hadn't gone through that transition and ended
 17 up in P1, and then they hadn't even had a proper P1, and
 18 they were suddenly in P2, and that was very difficult,
 19 and it was very difficult also for the professionals
 20 around them, so we were really keen and we came up with
 21 these cards that looked at different aspects of
 22 children's development and well-being, and different
 23 play — and we had a resource bag that went with it, and
 24 we had a teddy with a wee red heart. We had some
 25 meditation that children could do and they could lie

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1 down and put the red heart — this is — one of the
 2 teachers came up with this idea, over the beating heart
 3 of the child to help them to calm down when they felt
 4 overwhelmed by emotions.
 5 The whole purpose of this was to try and engage
 6 parents and families with children's learning at home,
 7 and when teachers were then doing online learning with
 8 children in the home, they knew that they had these toys
 9 around them, these provocations around them, that they
 10 could play with, and it just was such a good experience.
 11 I think it really helped parents — parents were
 12 feeling very overwhelmed, and a lot of people were
 13 learning how to work from home that had never worked
 14 from home. They were probably struggling with internet
 15 connections, the stress of joining a meeting and being
 16 kicked out of it. There was so much going on. It is so
 17 easy to forget how stressful it was, particularly if you
 18 lived in a rural area like myself.
 19 These things were very challenging, and then so —
 20 and children are at home maybe with their parents,
 21 thinking: oh, this is lovely, we're all together; but,
 22 no, parents are trying to work. So everything was very
 23 difficult, and then there was obviously, you know, an
 24 expectation that parents would get involved in
 25 children's education, and for some parents, I'm sure

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1 they loved that and were really good at it. For others
 2 it just didn't come naturally, but they recognised the
 3 benefit of this for children.
 4 And alongside other packs and things that we'd
 5 managed to get out to children at school and into
 6 families and into homes, I think this really helped make
 7 a difference and make a difference to everybody.
 8 We were obviously very interested in the impact on the
 9 child, but I think it had a very positive impact on the
 10 families and the professions working with the families.
 11 Q. Thank you. In terms of before looking at the impacts
 12 that you list, there was one other aspect of your work
 13 during the pandemic that I'd like to ask you about. You
 14 refer to your work in engaging with the
 15 Scottish Government through a working group on guidance
 16 for the unregulated childcare sector. Are these what
 17 are otherwise known as informal settings?
 18 A. Yes.
 19 Q. So would you please give a few examples of what they
 20 might include, and then elaborate on what that
 21 engagement involved and what concerns you had?
 22 A. So formal provision is regulated, so if you have
 23 a formal out of school setting and preschool setting,
 24 then you're required to register that setting, and the
 25 workers are required to register with what we call the

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1 SSSC, which is the Scottish Social Services Council.
 2 That is what we call the regulated sector.
 3 Then unfortunately, we have something called the
 4 unregulated sector, which is not the wild west that it
 5 might suggest, but it tends to be the informal play
 6 provision where we tend to have people, and they're with
 7 a wide range of backgrounds and skills, and we talked
 8 about ScrapAntics there. We've talked about people that
 9 have drama, circus skills, play workers.
 10 Because a lot of the play work offer is less than
 11 a certain time in the day, then it doesn't have the same
 12 requirement to register. But these providers do abide
 13 by the regulations — they are not required to regulate
 14 but they do abide by some of the ratios and the health
 15 and safety requirements for buildings, the health and
 16 safety requirements if you take children outside. So
 17 it's a bit unfortunate, the name, we've just never come
 18 up with a better name.
 19 But it was really important — so some of their —
 20 there wasn't guidance specifically written for them
 21 because they didn't fall under the formal terms and
 22 structures. These settings were the ones that were
 23 possibly providing the most important play opportunities
 24 for children in terms of outdoor play, and I hesitate to
 25 say most important, but a range of play opportunities.

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1 So it was really important that they could understand,
 2 and that's where the loose parts piloting came in as to:
 3 what is it you can do; what does the hygiene look like
 4 in these settings now; what does loose parts play look
 5 like; what are the loose parts that we're recommending
 6 maybe that you bring in and use; what are the ones we're
 7 maybe not recommending that you use at this point in
 8 time?
 9 So it was a range of, you know, recommendations, and
 10 the sector, to be fair, was crying out for it. When it
 11 sounds like unregulated, you probably think: oh, they
 12 don't want regulated; that's not the case. People
 13 wanted to know what was working, what could they do,
 14 what they couldn't — nobody wanted to do the wrong
 15 thing, but everybody wanted to do the best by children,
 16 and people working with children and young people could
 17 see the distress, the anxiety and the impact that not
 18 being allowed to play was having on children, and it was
 19 impacting then their school work, it was impacting on
 20 family relations at home. So this was something that
 21 people wanted to get right, and it was really important
 22 that Play Scotland then got involved and helped to write
 23 these regulations for the sector.
 24 Q. You mentioned one in paragraph 60 — you highlighted
 25 that children's well-being, including mental health,

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1 would be negatively affected. You said play
 2 opportunities being limited by views on risk and not
 3 balanced by an understanding of the essential benefits
 4 of play.
 5 Is that where you stepped in to assist with the
 6 regulations?
 7 A. Yes. One of the things that was very helpful during
 8 COVID, I think for a lot of organisations, was the
 9 networks that were already plugged into. So
 10 Play Scotland was plugged into children in Scotland's
 11 strategic policy forum. Play Scotland is also plugged
 12 into the play safety forum, the UK play safety forum and
 13 the UK children's play policy forum, and the boards that
 14 we've had, over the years, the governance boards for
 15 Play Scotland, has had a lot of researchers and
 16 academics on those boards. That creates its own network
 17 that you have.
 18 So we were liaising with all our networks and with
 19 all our researchers, and the play safety forum,
 20 Professor David Ball, who is professor of risk
 21 management at Middlesex University, with others had
 22 written a paper — a number of papers for the play
 23 safety forum. And we were really concerned that — we
 24 talk about risk benefit or benefit risk, where you kind
 25 of assess what are the benefits of allowing children to

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1 play in playgrounds, for example, against what are the
 2 risks that are happening to them.
 3 So these papers were being published. Professor
 4 Helen Dodd and others had published a paper that talked
 5 about the impact of social isolation on children and
 6 young people, and their conclusion that I found very
 7 interesting was that it wasn't the severity of the
 8 social isolation that was the big issue, it was the
 9 duration.
 10 So we were feeding this research and evidence back
 11 up through the networks we had and through the
 12 government networks that we had to get to the people who
 13 were making these strategic decisions, and we were
 14 concerned that — particularly the families that we
 15 talked about, and I said one in three families living in
 16 flats, a lot of families, particularly in poorer areas,
 17 didn't have access either to a garden or a quality green
 18 space, and we felt that that should have been — a read
 19 across priority that people maybe in flats would have
 20 direct access to that.
 21 But the other thing I think that motivated a lot of
 22 our energy at one stage, particularly got me very worked
 23 up and exercised, was the media relentlessly going on
 24 about how important it was to re-open the pubs. And my
 25 view was that there wasn't a right to go to the pub but

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1 there was a child's right to play, and by not exercising
 2 that right for children and young people, it was having
 3 a significant impact on them.
 4 So we made our case and we managed to put forward
 5 the evidence that we had at the time. It was well
 6 received in government and one of our officials, I felt
 7 very astutely came back, and said: this is very
 8 interesting, are there other papers out there we should
 9 know about, is there one space for all these to sit
 10 where everybody was doing different bits of research?
 11 And of course there wasn't. It was just about trying to
 12 identify where this evidence was, bring it together and
 13 then try and get it to the right people who were making
 14 the decisions.
 15 And in Scotland we were very pleased that we were
 16 the first of the nations to re-open our playgrounds, and
 17 that children under 12 didn't have the restrictions
 18 placed on them that previously they'd had, they were
 19 allowed to play freely, and there was a recognition in
 20 statements by the First Minister that children's play
 21 was important.
 22 So we felt we had stepped up to the mark and done
 23 our job, rather than wringing our hands and complaining
 24 which is very easy to do, but I think it proved to us
 25 how important these networks were in terms of bringing

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1 together evidence, research and making sure that it gets
 2 to the people that were making strategic decisions that
 3 impact on children's opportunities for play.
 4 Q. Thank you. The other thing that we will be hearing more
 5 about during the Inquiry is about — a concern about
 6 a lack of children's voices being heard, and you
 7 mentioned specifically that you in this context were
 8 concerned by the lack — Play Scotland was concerned by
 9 the lack of children's voices and visibility in the
 10 crisis. Would you care to elaborate a little on that,
 11 please?
 12 A. Yes. I think when we were evaluating — the loose parts
 13 play one was a good example that I gave. Children were
 14 so articulate and understanding, you know, and I think
 15 it was difficult enough for some of the adults to get
 16 their head round what was going on. But actually,
 17 children were very astute, they were very — obviously
 18 they observe, they pay attention. And no one was really
 19 asking them about how they — what effect it was having
 20 on them, and what they might have thought the solutions
 21 were because children are very solution focused.
 22 In my experience of consulting with them, they're
 23 never asking for anything that adults don't want. They
 24 like clean environments, they don't like dog poo, they
 25 don't like glass in the playground, you know, they're

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1 not — they like light, they like the place tidied up,
 2 they like more green planting.
 3 So it's really important that children's voices,
 4 because obviously Article 12 of the United Nations
 5 Convention on the Rights of the Child says that children
 6 should be engaged with and their voices taken into
 7 consideration appropriate to their stage and range of
 8 development and understanding.
 9 So we had carried out a review of the play strategy
 10 in a COVID context, and the government asked us
 11 actually, and I think might have given a small piece of
 12 money to listen to what children had to say about the
 13 recommendations that adults were coming forward with.
 14 That was fascinating, and we produced a report, and
 15 I know that that was widely circulated in government,
 16 and some of the comments that children were making were
 17 heartbreaking, you know, and they were actually what
 18 a lot of us were feeling but possibly weren't able to
 19 articulate, but they missed fun, friends, family and
 20 freedom.
 21 It was really quite heartbreaking. They really
 22 missed the social clubs that they went to, they missed
 23 going out to play football or hang about, as they liked
 24 to do before. This produced a huge stress and anxiety
 25 in them. There was a lot of gratitude from

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1 children: thank you for what you're doing, thank you for
 2 keeping us safe. It really was very rewarding and
 3 heartwarming to hear how they were observing what was
 4 going on and what they thought about it. But they
 5 really wanted their schools re-opened and they really
 6 wanted their clubs re-opened, and they really wanted to
 7 be able to go and visit their friends again, and they
 8 really missed their family.

9 I think that was fantastic, but it also made us
 10 realise that for children — didn't have big families or
 11 wider connected families, that it was really important
 12 that we tried to get the social networks re-opened for
 13 them, and where possible provide them, and if that was
 14 by outside, then we had to provide them outside.

15 Q. Thank you for that. I think we'll try and have a look
 16 at some of the impacts that you discuss in your
 17 statement. Just before we do that, I understand that
 18 Play Scotland didn't undertake any specific surveys
 19 in relation to impacts or understanding the impacts on
 20 children. How did you ascertain what these impacts
 21 were? Was this through engagement with your members,
 22 through feedback on your projects? A combination —

23 A. Yes.

24 Q. — of those or something else completely?

25 A. A range of opportunities that we have to engage with the

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1 sector. So we convened something called the
 2 Play Council in Scotland, which is of the play sector.
 3 We had convened meetings of the Play Council. Things
 4 got a bit easier to convene meetings online anyway. We
 5 had a Play Council strategy group and we were consulting
 6 with them on the review of the play strategy, we were
 7 consulting with them on a manifesto that we were putting
 8 together for the upcoming elections at that time.
 9 I think that might have been 2021.

10 A lot of the projects that we had run out, of Get
 11 Into Summer, we rolled out with a wide range of
 12 stakeholders, including Early Years Scotland with their
 13 stay and play project in Glasgow and Dumfries. Staff
 14 that I now have in Play Scotland worked directly in the
 15 sector at that time. So it didn't take long for us all
 16 to understand what the impacts were and what — so what
 17 the impacts were on children and young people and on
 18 their families. It was really important that we try to
 19 bring that together and we had pulled together
 20 a manifesto for play from the ten key national
 21 children's organisations in Scotland, and it was really
 22 important when we looked at making recommendations to
 23 government in the review of the play strategy going
 24 forward that it was things that made a difference to
 25 children and young people's lives, so it wasn't just

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1 about infrastructure or things like that. Children
 2 wanted to have a say in things going forward.

3 I think they said so many times: we want more play
 4 and better play. And I think when some of them had
 5 started to look around, and a lot of the parents started
 6 to look around what the play offer was in their area,
 7 some people might have been quietly impressed. I think
 8 a lot of people weren't, and they started to realise
 9 that this was not fit for purpose and that children's
 10 play had to improve, and that they had to have more say
 11 in how that was done.

12 This was sitting alongside a piece of legislation
 13 that had happened in 2019, where Play Scotland had led
 14 a campaign to have play sufficiency and children's
 15 participation duties in the Planning Act, and there was
 16 consultation going on around that and something called
 17 national planning framework 4, which is a bit of
 18 a mouthful, but we had to unpick that and explain it to
 19 the children's sector, and then ask children to have
 20 a view on it.

21 So there was a lot of consulting going on with
 22 children and young people at that stage, and I think it
 23 came from a very informed position. I think it was over
 24 1,000 children and young people responded to some of
 25 these consultations, which were record highs, because

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1 they had seen what happened when their play was taken
 2 away, and they had lots of very good ideas of what they
 3 thought should happen going forward and if it ever
 4 should happen again. So I think we captured a lot of
 5 that learning and we discerned a lot of the impact then
 6 from that.

7 Q. Thank you. You cover a number of impacts and I'm not
 8 sure we'll have time to cover them all. You cover the
 9 impact on play generally, social and emotional
 10 development, language and communication, impacts on
 11 personal skills, motor skills and disproportionately
 12 impacted children. I'd just like to touch on a few of
 13 those. If I can perhaps ask you just to elaborate a bit
 14 on the impact on the — or the specific impact that the
 15 COVID-19 pandemic and associated restrictions had on
 16 children's ability to play and engage in social
 17 interactions within early learning and childcare
 18 settings. You discuss that starting at paragraph 69,
 19 and you talk about, in your statement, children shifting
 20 toward more solitary play, delaying their progression.
 21 You talk about restrictions to small isolated bubbles
 22 within hubs later, when they return to settings.

23 So if I could ask you to elaborate a bit on that
 24 impact on the ability to play, please, in a general
 25 sense.

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1 A. Yes. I think this happened during COVID and I think it
 2 was hard to break down after COVID. I think the whole
 3 direction of travel in nurseries had changed.
 4 Obviously, there was a preoccupation, necessarily so,
 5 with hygiene and cleanliness and what could be played
 6 with and what couldn't be played with, and bubbles and
 7 how many should be in a bubble and who could be in a
 8 bubble, and that had led to children playing in more
 9 solitary groups.
 10 I think there's a very high level of anxiety among
 11 children and young people and I think there was a clear
 12 indication, slightly related to this, that language
 13 development was slow as well. So when children can't
 14 communicate, it's very difficult, and when they're
 15 playing in quite managed situations, that's quite
 16 difficult as well because children usually run about and
 17 do lots of different things. The people that they're
 18 playing with changes very quickly. If you think about
 19 it, you know, they may be playing with two or three
 20 people doing something, the attention span goes or they
 21 see something brighter and bigger or the door opens and
 22 they're out.
 23 So there's a lot of that that goes on at nursery and
 24 that's a level that they're at. Suddenly, they're in a
 25 very confined, constrained, managed environment and that

1 was at odds with what some of them had been used to.
 2 For some children that's what they came into and got
 3 very used to and found very hard to undo.
 4 I think a lot of staff who, quite rightly, took, you
 5 know, the health and safety and the sanitising and
 6 everything very seriously, still had a big preoccupation
 7 with cleanliness even afterwards and not getting dirty.
 8 So these are things that children need to do without
 9 even thinking about it: getting dirty, getting wet,
 10 playing with something and passing it on to somebody
 11 else and all the things that children do with play. So
 12 I think there was lots of different things happened and
 13 I think it did have an impact, particularly on children
 14 who knew something different, and then for the children
 15 who came in and this is what they knew, it was very hard
 16 to undo that after the event was over.
 17 Q. Thank you. You mentioned language and communication and
 18 you've got something on that at paragraph 65. You note
 19 that staff observed significant delays in the
 20 development of children's language and communication
 21 skills due to reduced opportunities for socialisation
 22 and interaction. Are you able to elaborate a bit on
 23 that, please?
 24 A. Just to say that even before COVID, I think a lot of us
 25 knew anecdotally that there was concerns about — there

1 was a lot of things happening pre-COVID. You know, in
 2 Scotland we had children who — Professor John
 3 McKendrick had carried out a study for us in 2017 for
 4 the Four Nations for Play Day, called "A Transformation
 5 of Play" and he had noticed this move away in the last
 6 30 years from outdoor play, informal play, that children
 7 were moving indoors, more sedentary, what he called
 8 opportunities for risk competence were diminishing,
 9 children in Scotland becoming increasingly overweight.
 10 We knew a lot about language development. Language
 11 development was very poor. You would have seen a lot of
 12 signs outside schools saying, "Greet your child with
 13 a smile, not a mobile". So there was lots of discussion
 14 and thought going into — and research going into why
 15 children's language development was being delayed. Was
 16 it they weren't being spoken to directly? Was it
 17 because there was more screen time by the adult as well
 18 as the child? So a lot of things — we were thinking
 19 about a lot of things at that stage. So then moving
 20 forward into the COVID environment then this language
 21 delay became even more pronounced, speech and language
 22 delay, and increased anxiety, which we'd already seen,
 23 mental health concerns, I think we were thinking back in
 24 2017, 2018, 2019, I think maybe 10% of children and
 25 young people were being identified with mental health

1 issues at that stage.
 2 During COVID we could start to see this all
 3 increasing, so those in the sector talking, different
 4 forums, meeting up occasionally, and so anecdotally and
 5 experientially people were saying, "This is actually
 6 getting worse". And I think Public Health Scotland has
 7 just brought out a report in October there, suggesting
 8 that this differential is increasing and that COVID has
 9 played — so it was there before, COVID has played
 10 a role, but it still seems to be increasing. So I think
 11 it's something to be very concerned about.
 12 Q. Thank you. Related to that, or partially related to
 13 that, you talk in paragraph 66 about the impact on
 14 personal skills and you note that staff observed that
 15 the pandemic restrictions affected the development of
 16 essential personal skills and hygiene practices in
 17 preschool children, which are typically acquired through
 18 playful learning. Could you please elaborate a bit on
 19 how these skills are usually acquired and how this was
 20 affected?
 21 A. I think a lot of skills and behaviours that are taught
 22 through different ways — you know, I'm thinking through
 23 nursery rhymes, through repetition, through singing,
 24 through copying what other people are doing, through
 25 slightly competitive behaviours, you know, getting stars

1 for doing this, getting rewards, and collaboration and
 2 cooperation, and children do emulate and copy what other
 3 children are doing.
 4 So if you've got a slightly older cohort, they're
 5 really good at brushing their teeth and we're wanting
 6 the young ones to pay attention and it's really
 7 important to do that. So a lot of things were done in
 8 a very playful way to pick up these skills. I'm
 9 thinking of fine motor skills, where children play with
 10 Play-Doh — I know I've talked on that earlier on — and
 11 other things, and messy play, and just textures and
 12 everything, lots of things that children get to
 13 experience, and the skilled practitioners introduce at
 14 different times and reinforce. A lot of these things
 15 either stopped altogether or didn't happen very much and
 16 so a lot of these learned behaviours, which actually are
 17 essential going forward, haven't been established and
 18 have been very quick — a bit like I was saying, for the
 19 children that maybe knew some of that before they might
 20 be able to pick it up quite easily. But for children
 21 who didn't know that before, sometimes it's quite hard
 22 because this growth period that we talk about in the
 23 brain between nought and eight is massive.
 24 By the time they get to school — and remember some
 25 children come out of early learning straight into P2,

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1 they didn't go into P1, through the door and into the
 2 next door. They didn't get a lot of this and the
 3 teachers had enough to be worrying about in some ways,
 4 I would suggest, in terms of trying to teach cohorts
 5 that hadn't come through the normal transition phases
 6 who'd missed out on key elements of their blocks of
 7 learning and their play opportunities more than anything
 8 else.
 9 It was very challenging then. So some of these
 10 things can't then be done. I'm not saying they're not
 11 expected to happen in the school day, but I don't know
 12 how a teacher would fit that in as well. So in a way,
 13 you know, being school ready traditionally would have
 14 been being able to sit down, tie your shoelaces, it
 15 probably would have meant going to the toilet and
 16 brushing your teeth and other things as well, but a lot
 17 of these practices, as it says here, couldn't happen as
 18 much as they did have, so that embedded learning didn't
 19 happen.
 20 Q. You touched on there motor skills, and in paragraphs 67
 21 to 68 you explain that limitations on outdoor space and
 22 playtime significantly impacted on children's growth and
 23 fine motor skills development. Could you please provide
 24 a little bit more detail on the ways in which their
 25 physical development was affected and why? And I think

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1 you've mentioned Play-Doh already, but if you could
 2 elaborate a little bit on the play types that would
 3 develop motor skills.
 4 A. Yes, and I think just to add to what you're saying
 5 there, I think even when schools went back, quite often
 6 children weren't allowed out to play. So it wasn't just
 7 that this happened in early years, it continued on into
 8 the school environment. Some of the things we talk
 9 about are rough and tumble play, local motor play,
 10 children hanging out of trees, standing on one leg,
 11 working out their balance, deliberately letting
 12 themselves fall over. Do you know, if we didn't let
 13 children fall over, they would never learn to walk.
 14 So children need to be able to balance, throw
 15 themselves about, they manage their own body, and this
 16 happens in the environment where they're running about
 17 using soft play, and you'll see children playing a game
 18 and deliberately letting themselves fall or throw
 19 themselves on the ground. So all these things happen in
 20 a very playful environment.
 21 I mentioned earlier, children have a very natural
 22 posture, they've got very good physical literacy, but
 23 it's really important that they get a chance to develop
 24 that, upper body strength, big muscle groups. I was
 25 just thinking even this year at the Paris Olympics

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1 there's not an elite athlete who gets there that didn't
 2 start just by there playing, you know, in the street,
 3 playing in the nursery, playing in the home.
 4 So all these fine-honed skills in terms of physical
 5 literacy, hand/eye coordination, ball skills, everything
 6 starts in these ways of children playing and just
 7 engaging with the world around them. And that's why
 8 this exposure to the outdoor environment was really —
 9 is really important and it didn't happen as much as it
 10 could have.
 11 I think where it could — and I think now that
 12 we have these outdoor provisions in Scotland, it's
 13 fantastic to see. So we have really good practice and
 14 I think a lot of learning has happened. I know this
 15 might not happen the same way round, but I think it's
 16 really important that we hang on to the evidence and the
 17 evaluations that we have and we build on that going
 18 forward, not just in a pandemic but just for children's
 19 health development generally.
 20 Q. Thank you. Just on impacts, you also note in your
 21 statement in a couple of places the disproportionate
 22 impact of the restrictions on children from marginalised
 23 and disadvantaged groups was a key concern. You mention
 24 that Public Health Scotland in their COVID-19
 25 early years resilience and impact survey showed that

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1 infection control measures, including those to restrict
 2 outdoor play opportunities, disproportionately affected
 3 children from marginalised and disadvantaged groups.
 4 You've already touched on this to certain extent,
 5 but how and why did factors such as poverty, lack of
 6 digital access and limited access to outdoor space
 7 contribute to those disparities ?
 8 A. It contributes enormously. Just to pick one area in
 9 Scotland, if you think of Govanhill, in one square mile
 10 I think there's over 57 languages spoken. It's home to
 11 two Roma communities living side by side, migrant
 12 families, asylum-seeking families, ethnic minority
 13 groups, a wide range of — it's the communities that
 14 reflect all of us in Scotland. Very intense living
 15 in that area, very high levels of poverty and
 16 deprivation. So it's really hard to talk about
 17 disadvantaged communities as a monolith. There's no
 18 such thing. We really need to unpick the communities
 19 that build Scotland and the composition of what Scotland
 20 is and we've all these communities, and when we think of
 21 the communities that are most disproportionately
 22 affected, this is them.
 23 If you then look at General Comment 17 where they
 24 say we need to pay particular attention to disabled
 25 children, to play for girls and other groups, then we

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1 realise that these groups, who maybe had less play
 2 opportunities to begin with, were obviously going to be
 3 even more adversely impacted going through a crisis like
 4 this.
 5 So it was really important that loads of us in the
 6 sector try to do what we could, whether that was
 7 providing play online or outdoor play opportunities.
 8 For some of the people, that was trying to get tablets
 9 to them, you know, electronic devices, because that was
 10 their connection to the world and that was how they made
 11 sense of what was going on round about them.
 12 There was such deep social isolation for families,
 13 never mind children and young people, and I think
 14 sometimes that's what we forget. You know, it was the
 15 families and the communities were so massively impacted
 16 and the fact that people could be so isolated and maybe
 17 in an overcrowded flat in Govanhill — so much more
 18 different from maybe an experience somebody else might
 19 have with a private garden or in a less well-off area
 20 but with access to quality green spaces on their
 21 doorstep. So there was just such a wide variety.
 22 There was also a great — there was a very poor
 23 attitude in the public realm to children being out
 24 playing and communities being out playing. I hope he
 25 doesn't mind, but I'll use the example of my current

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1 chair of Play Scotland, who took his daughter with
 2 her skateboard to an empty car park, a great place for
 3 the skateboard, and got chased. There was nobody in the
 4 car park, it was empty, so why not let children in there
 5 to play. You know, a great play space.
 6 So I think there was a lack of smart thinking about
 7 where children could go and play, and it's spaces that
 8 we should have brought into use straightaway. I'm
 9 thinking of cul-de-sacs, I'm thinking of pavements.
 10 There were pop-up cycling lanes everywhere, millions
 11 were spent on pop-up cycling lanes. I'm not complaining
 12 about that, I'm complaining that millions didn't get
 13 spent on pop-up play where they needed to be. And
 14 I think if there was some learning, I would like to see
 15 that as some learning. There was great response from
 16 the government in the Summer of Play, don't get me
 17 wrong, and it was fantastic to see that, a great
 18 response, but there's others whose lobbying skills
 19 I think we need to learn from.
 20 Q. You mentioned there the Summer of Play, that was
 21 something we had to skip over earlier to get on to
 22 impacts, so perhaps we can just go back and have a quick
 23 discussion about that. Firstly, just the review of
 24 Scotland's play strategy. That was one of the things
 25 you undertook during the pandemic. What was the

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1 reasoning behind Play Scotland conducting a review of
 2 that strategy at the time?
 3 A. So the play strategy had been launched in 2013 and the
 4 Scottish Government had worked with us and given us some
 5 funding to review the play strategy in 2019. We were
 6 getting ready to launch that version of it in 2020. The
 7 government had a new fund they were going to announce
 8 and Play Scotland had been working on a new five-year
 9 strategy for ourselves. Then came the pandemic in March
 10 and that was all put on hold.
 11 Some of the recommendations that we were wanting to
 12 make from the review of the play strategy and actually
 13 some of the learning of what had — what was really
 14 important in that review was we had been looking at what
 15 had really worked and what had improved in the previous
 16 six years, seven years. So we turned to that to see
 17 what was working, what could we build on, and then
 18 we were asked to conduct a review under the COVID — we
 19 decided to conduct a review then under a COVID-19 lens
 20 to build on that learning and then the government asked
 21 us to take our findings to children and young people to
 22 see what they thought about that.
 23 Q. And that was the consultation you mentioned earlier?
 24 A. That was the consultation where children clearly told us
 25 that they clearly missed their freedom, their fun, their

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1 families and their friends. And while they were full of
 2 gratitude for what we did, they were really asking to be
 3 able to be allowed to go out and play again.

4 Q. Then we're almost at the end of our time, but I will ask
 5 you briefly just to provide — you touch on it in your
 6 statement — but just a brief overview of the projects
 7 and initiatives that Play Scotland developed and
 8 delivered as part of the Scottish Government's Get Into
 9 Summer programme and what it was aiming to achieve and
 10 then I'll ask you after that what some of the key
 11 learnings or successes from those projects were that you
 12 think could be applied more broadly to support
 13 children's play in the future.

14 A. Okay, so the Get Into Summer project, what we tried to
 15 do was create new things, pilot new things, use it as an
 16 opportunity for innovation, and we spread it across all
 17 the domains of the play strategy. So we had some
 18 projects where we support families and we had the Play
 19 Well Outdoors packs and we worked with Save the Children
 20 and the Beano and others on those and rolled them out
 21 with families and into schools as well. I think we had
 22 80,000 distributed through schools and 40,000
 23 distributed through other partners, Home Start and
 24 others. So that was families. Then we looked at early
 25 learning and childcare and we worked with

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1 Early Years Scotland on stay and play in Glasgow, and
 2 that had a food offer as well.

3 We had an inter-generational story telling project
 4 with early years and out of schools, working with old
 5 people, senior citizens in homes, and that was story
 6 telling to try and reduce the isolation of older people
 7 in the community as much as — and increase their health
 8 and well-being as much as children and young people's.
 9 That was a great success.

10 Then we had our loose parts play in schools, I can't
 11 just remember them all now off by heart, and then we had
 12 play in the community. So we did have pop-up play and
 13 we had publications came out of that as to what pop-up
 14 play might look like in our streets and communities and
 15 what had worked and what hadn't worked. A lot of that
 16 was piloted up in Dundee and Aberdeen. So we tried to
 17 cover the whole of Scotland. We had things going on —
 18 I think we had pop-up plays going on in Shetland as
 19 well, so we tried to look at Borders, Highlands and
 20 Islands, all of Scotland, and then the full age range as
 21 well.

22 Q. Just in terms of the lessons learned from that and
 23 taking them forward, were there any positive lessons,
 24 the key learnings and successes that you think could be
 25 applied in future?

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1 A. I think we learned a lot of about what works, I think we
 2 learned a lot about how important inter-generational
 3 approaches to play are, and I think we did a lot of
 4 piloting, a lot of evaluating. I think a lot of those
 5 things could have been scaled up, still should be scaled
 6 up across Scotland, and I think what was really
 7 important for us was the importance of partnership.
 8 I think we worked with between 42 and 60 partners
 9 directly to deliver a lot of these things.

10 I think it's recognising and looking round to see
 11 who has the skills — we can't all be good at
 12 everything — but know what's out there. So the
 13 partnerships and networks, the circles of influence,
 14 became incredibly important, and I suspect, going
 15 forward, are going to be more important, and that we all
 16 have a role to play, and particular professionals who —
 17 play possibly has nothing to do with their day job,
 18 their strategic decision-making can have a huge impact
 19 on children's experiences and opportunities for play and
 20 it's really important that we are able to reach out and
 21 touch them.

22 I think a lot of things that worked could have been
 23 rolled out and benefited children across Scotland.
 24 I know a lot of what we did benefited children around
 25 the world, which was good. And some people didn't wait

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1 for local authorities to introduce things, community
 2 groups did it for themselves. So we were also —
 3 I think we won an award for one of the projects with the
 4 International Play Association as well and we were
 5 allowed to present around the world on that project.

6 So a lot of good was able to be done, we couldn't
 7 have done it alone and we certainly couldn't have done
 8 it without the voice of children and young people
 9 telling us what it was they wanted and without the
 10 researchers and the evidence keeping us right about what
 11 the impact was, what they could see happening on the
 12 ground, what needed to change and how we needed to
 13 change it, and we were fortunate that the government was
 14 receptive to that and that they recognised the value of
 15 play, particularly for under 12s, and allowed the
 16 restrictions on that to be lifted very early on.

17 Q. Thank you. Then before we leave, just based on your
 18 experience of the pandemic, are there any — you've
 19 touched on a few already in your evidence — but any
 20 other key lessons that you or Play Scotland think should
 21 be applied to ensure children's play is prioritised in
 22 the recovery efforts and in any future crisis response?

23 A. Yes. I think, hopefully, there's a greater learning
 24 that children's play isn't just about running around to
 25 let steam off, that there's an incredible impact on

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1 their emotional well-being, their mental health, their
2 physical literacy and abilities to do things, their
3 social skills, and in a way that we do understand that
4 social isolation — isolation isn't good for a lot of us
5 because we're a very social animal, it's really
6 important to understand this early phase of children's
7 development, the nought to eight is incredibly
8 important, and we really do need to pay particular
9 attention to that and the play opportunities that they
10 can have.

11 Then we need to look at the 8 to 12 year-olds.
12 That's a huge part of their life where they're about to
13 transition then, after that, into secondary schools.
14 And I didn't talk about the transitioning into secondary
15 schools, but Falkirk Council and Learning Through
16 Landscapes had worked with us. Every secondary school
17 in Falkirk, except one, including the additional support
18 needs school, worked with us because there was a
19 recognition there that the P7 children then moved into
20 S1 and into S2 and that actually children's play should
21 extend into secondary school, it can't just stop in P7,
22 and so greater recognition of that in Scotland.

23 So a lot of that learning has now been brought
24 forward into the new play strategy that I talked about
25 earlier. This is only a draft, so don't quote me on it,

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1 but at the moment the primary drivers in the new play
2 strategy look like parents, practitioners and place.
3 And we're really pleased about that because those are
4 the three key areas where we can make a big difference
5 to children's opportunities and where we've actually
6 gained a lot of learning and insight over the pandemic
7 through a lot of the projects that were piloted.
8 MS VAN DER WESTHUIZEN: Lady Hunter Blair, thank you very
9 much. I have no further questions for you. Unless
10 your Lordship does, that's the end.

11 THE CHAIR: No, I've got no questions and again I extend my
12 thanks as well, Lady Hunter Blair. We're very grateful.

13 We will now break for lunch and we will come back at
14 1.30.

15 (12.13 pm)

(The Short Adjournment)

16 (1.30 pm)

17 MS STEWART: Good afternoon, Lord Brailsford.

18 THE CHAIR: Good afternoon, Ms Stewart. Now, you have a
19 witness for us, please?

20 MS STEWART: I do, my Lord. Giving evidence this afternoon
21 is Ms Kettles, who is the policy and engagement manager
22 at Early Years Scotland or EYS.

23 THE CHAIR: Thank you very much. When you're ready,
24 Ms Stewart.
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1 MS LORNA KETTLES (called)
2 Questions by MS STEWART

3 MS STEWART: Thank you. Good afternoon, Ms Kettles.

4 Can you please confirm your full name for the Inquiry?

5 A. Yes, it's Lorna Anne Kettles.

6 Q. You have provided a witness statement to the Inquiry?

7 A. Correct.

8 Q. And for your Lordship's benefit, that is at reference
9 number WT0642.

10 Now, Ms Kettles, you're the policy and engagement
11 manager at EYS. That is a role you have held
12 since November 2022?

13 A. Yes, that's right.

14 Q. During the pandemic you were with the same organisation
15 as a policy officer?

16 A. Yes, that's right.

17 Q. How long did you hold that role for?

18 A. I started in August 2019, so about three years.

19 Q. In terms of your role with EYS during the pandemic, can
20 you tell us a bit about what that involved?

21 A. Yes. So I have done policy for a number of years. It
22 follows a very similar pattern. Normally, I would be
23 sort of doing consultation responses and calls to
24 evidence and things, but obviously during the pandemic,
25 that changed quite significantly because of the policy

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1 landscape and because of the fact that policy was sort
2 of held — on hold for that time.

3 So most of my role was concerned around supporting
4 our members and our children and families through making
5 sure that the information that was being provided by the
6 Scottish government, by the UK government, by anyone and
7 everyone, was accessible, that they could understand it
8 and that we could kind of support them to deal with any
9 questions or anything that might have arisen from that.

10 There was also a couple of opportunities as the
11 pandemic went on to provide evidence to various kind of
12 calls for evidence, committees within the Parliament and
13 things like that, so I dealt with the preparation of
14 that, and I also — my role is half policy, half
15 engagement now and the engagement side of things really
16 came out during the pandemic where, because of my
17 background, I was kind of able to provide support to
18 families in terms of applications for sort of benefits,
19 housing, college and university jobs, that sort of
20 thing. So out in sessions in communities, working daily
21 with children and families as well.

22 Q. That's really helpful. You've answered my next
23 question, your current role. In terms of your role
24 during the pandemic, you mentioned information coming
25 from the government. Is that the guidance —

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1 A. Predominantly, yes.
 2 Q. The restrictions. Thank you. You're here to give
 3 evidence on behalf of EYS. I wonder if you can tell us
 4 a bit about that organisation in terms of its purpose,
 5 its aims, its membership.
 6 A. Absolutely. Pleasure. We are the leading national
 7 organisation for pre-birth to five-year-olds in
 8 Scotland. We are based in Glasgow but we are
 9 nationwide. There are four strands to the work that we
 10 do. So there is direct provision of services where we
 11 work within communities and prisons in Scotland, working
 12 directly with children and families predominantly in
 13 areas of socio-economic disadvantage, with our trademark
 14 Stay Play and Learn sessions, where children and
 15 families are encouraged to learn together, in an
 16 environment that's known to them.
 17 We also have our membership which is another
 18 significant part of the work that EYS does. We have --
 19 we represent at present about a third of the early
 20 learning childcare sector in Scotland, and we provide
 21 guidance, we provide policies, we support members to do
 22 inspections. We act as a conduit between the membership
 23 and policy and decision-makers.
 24 There's also professional learning so we look at
 25 supporting the sector to be able to continue the

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1 professional learning journeys, providing professional
 2 learning opportunities.
 3 Then my part of the organisation predominantly,
 4 which is policy and advocacy, which is kind of tying
 5 that all up into a neat little bow, back to policy and
 6 decision-makers.
 7 Q. That's really helpful. Thank you. Before we go on,
 8 I just want to remind you to slow down a wee bit.
 9 We have stenographers taking a note of the proceedings
 10 today.
 11 You have set out helpfully and you have done in
 12 paragraph 12 of your statement, the four workstreams of
 13 EYS, and in the evidence today I want to focus on two of
 14 those, principally the work you do directly with
 15 children and families, and then a small part of what
 16 I ask you will be about the membership and support for
 17 the settings.
 18 A. Okay.
 19 Q. In terms of working directly with young children and
 20 families then, you have set out at paragraph 34, and
 21 I think you should have your statement in front of you,
 22 although you don't need to refer to it, but it is there
 23 for you if you want, you have spoken about engagement
 24 with parents and carers. Why is it that families are so
 25 important, or engagement with families is so important

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1 to early years delivery?
 2 A. Well, parents/carers, the family environment is a very
 3 important learning environment for children, and as we
 4 all know, parenting doesn't come with a manual. You
 5 don't get an instruction booklet when you take your baby
 6 home from the hospital. There are families out there
 7 who benefit greatly from additional support and a bit of
 8 information and guidance as to how to support their
 9 child's learning and development. It's not just about
 10 learning. That's a very niche thing about early
 11 learning and childcare. It is learning and caring, and
 12 the two are completely inextricably linked. But it is
 13 very important, and as an organisation, we have a very
 14 strong family-based ethos.
 15 Now, that's not to say that nursery -- the nursery
 16 traditional environment or a childminder isn't great for
 17 children because it is, but we have to recognise that
 18 there are families for whom the traditional drop and go
 19 model doesn't work. So they should have the ability to
 20 be supported in their child's early learning and
 21 childcare, so that's really where we come in and the
 22 first 1,000 days of a child's life is so important that
 23 it's really remiss not to provide parents with the level
 24 of support that they need.
 25 Q. That's one thing I wanted to ask you about. We heard

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1 a little from a witness earlier this morning
 2 representing Play Scotland about the importance of play.
 3 A. Yes.
 4 Q. I wonder if you want to add anything there. You
 5 mentioned the first 1,000 days and the importance of
 6 that.
 7 A. Yes. Play is so important. You'll have heard that this
 8 morning. I don't need to wax lyrical about that again.
 9 Babies develop from the off, and they're developing
 10 every single day. So it's really, really important, and
 11 a lot of people maybe think that there's no point in
 12 playing with a baby because they don't understand, they
 13 can't talk, they can't communicate. But everything
 14 that is done in an interaction with a child is helping
 15 to support their development.
 16 So it's really, really important that those who are
 17 primary caregivers, parents and children and primary
 18 educators, have the tools to be able to do that, because
 19 it is that first 1,000 days, from the moment that baby
 20 is born, they are ready to take on knowledge and
 21 information to be able to develop, so it's really,
 22 really important that they have the opportunity to learn
 23 through play from that early stage and beyond.
 24 Q. That leads me on to asking about the informal learning
 25 settings that you speak about in your statement. You

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1 mentioned Stay Play and Learn, a short while ago, and
 2 your statement makes mention of Bookbug. Can you tell
 3 us a little bit about the delivery of these informal
 4 settings?
 5 A. Yes. So an informal setting is generally a child's
 6 first kind of interaction with early learning and
 7 childcare, most commonly in the likes of parent and
 8 toddler groups, play groups, our sort of community-based
 9 sessions, the likes of your Bookbug, within your local
 10 libraries and other activities, baby sensory, baby
 11 massage and that kind of thing. It's really important
 12 that children have the opportunity to socialise in very
 13 broad terms with other children, because they learn from
 14 other babies as well, and also that parents have that
 15 kind of level of peer support. That's where
 16 Early Years Scotland — I would say we really thrive
 17 in the work that we do within communities, because we
 18 build — our practitioners build really strong
 19 relationships with the families, but also allow the
 20 families to build that for themselves, so it is really
 21 about empowering, and those informal settings, you know,
 22 sometimes a lot of the times as well, those sorts of
 23 things can be quite expensive, so the likes of Bookbug
 24 which is available in the library or the Early Years
 25 Scotland sessions which you don't pay for, provide that

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1 really important first sort of exposure to other
 2 children, to other parents and carers, and to the notion
 3 of early learning and childcare itself.
 4 Q. Thank you. One aspect of EYS's work I want to focus on
 5 with you is the work that's done in prison settings.
 6 A. Okay.
 7 Q. You mention at paragraph 18, I think it is, about the
 8 family visitor centre at Low Moss. You also set out
 9 a bit later on about a service level agreement with
 10 Stirling and with other prisons. Does that fall under
 11 the banner of informal learning, or is that formal?
 12 A. No, it's not formal. What I mean by formal is anything
 13 that is Care Inspectorate registered and is inspected by
 14 the Care Inspectorate and Education Scotland, so that is
 15 a nursery, childminder, that sort of thing. But what we
 16 provide within the prisons, and I must say we are
 17 immensely proud of the work that we do within prisons in
 18 Scotland, it genuinely is life-changing, and you
 19 mentioned the visitors centre, very briefly, we run the
 20 visitors centre at Low Moss. All families who are
 21 visiting a loved one who is in prison there will have
 22 access to a family engagement practitioner and a family
 23 support worker prior to going to a visit. It's a really
 24 trauma-informed space where all children, because it's
 25 not just early years in that setting, are welcomed and

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1 are made to feel nice and calm and supported prior to
 2 going in to visit their loved one, because obviously it
 3 can be quite a daunting experience.

4 But the work that we do within the other prisons,
 5 for example, here in Edinburgh, we do it in HMP
 6 Barlinnie, we mentioned Stirling, we also have Greenock
 7 and we're about to start in HMP Perth as well. That's
 8 working very much directly with the imprisoned parent to
 9 continue that level of bond with their child. So we run
 10 what we call the fathers' programme and the mothers'
 11 programme in Stirling, which is a 12-week — not
 12 parenting programme, because that sounds very
 13 prescriptive, but it's a programme to support parents.
 14 They learn baby massage on the baby massage dolls. They
 15 learn about child development. They learn about play,
 16 the importance of play, and then are given the
 17 opportunity to put those into practice during a family
 18 visit.

19 So it's really about making sure that families who
 20 are affected by imprisonment still have that attachment
 21 if they want it at that very early stage, because
 22 obviously children grow really, really quickly. So it's
 23 really important for those who are in prison. It also
 24 gives them that bit of support, and we don't — we work
 25 with some parents who maybe don't even have access to

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1 their children, but still it allows them to understand
 2 how their child is developing and that sort of thing, so
 3 it's really about empowering that parent while they're
 4 in the situation that they're in to keep that bond and
 5 to understand how their child is developing.

6 Q. That's really helpful to us, thank you. In connection
 7 with the closure of ELC settings, you mention a bit
 8 about your membership. Does that cover childminders,
 9 nurseries?

10 A. Yes. Early learning and childcare is an exceptionally
 11 complicated landscape. I will admit to that and I'm
 12 still working my way through it nearly six years on, but
 13 our membership covers the sort of regulated formal
 14 nurseries, child minders, but nurseries, there's lots of
 15 different aspects there. You've got your local
 16 authority nurseries, and then private voluntary and
 17 independent, or as we call PVI nurseries. Our
 18 membership is predominantly made up of PVI settings.
 19 We have some childminders, but obviously there is an
 20 organisation specifically for childminders, but we do
 21 work very closely with SCMA.

22 We also have unregulated members, so your parent and
 23 toddler groups, your play groups, that kind of thing,
 24 and students who are perhaps studying early learning and
 25 childcare, or just those who have an interest in the

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1 topic, can become members of Early Years Scotland, but,
 2 yeah, predominantly it's your nurseries and mostly PVI
 3 nurseries we represent.

4 Q. In terms of looking at the impacts of closure of the ELC
 5 settings, I want again to focus on the prison-based
 6 settings that you spoke about there and you explained
 7 about a trauma-informed environment. Can you explain
 8 a little to us about the impact of the cessation of
 9 these in-person sessions?

10 A. Absolutely. It really did have an impact. So as I've
 11 alluded to previously, children grow quite quickly, so
 12 visiting is a really important way of keeping children
 13 and their imprisoned parent engaged. When those
 14 stopped, it had an impact both on the child and on the
 15 parent. Obviously we have a close relationship with the
 16 parents that we work with who are imprisoned, and just
 17 found it obviously very difficult not to be able to see
 18 their children, concerned about the fact that there was
 19 something going on in the outside world which they were
 20 a little bit sheltered from, albeit that the virus did
 21 come into prisons, but they were sort of sheltered from
 22 the impact. So they were really, really focused on the
 23 fact that they were unable to see their families which
 24 made it very difficult, and obviously, children, a huge
 25 impact. You know — a child will always know who

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1 someone is if they're kept in their life, but if you
 2 don't see someone for a while, it can be very jarring.

3 There was virtual visits, which were a really great
 4 initiative and they continue on to this day, where
 5 imprisoned parents have access to a set-up much like
 6 this, and they can see into their family home, and it's
 7 monitored at both ends and they can interact with their
 8 family there, but that's very difficult. Have you ever
 9 tried to keep a young child in front of a screen for
 10 more than two minutes? It's impossible, regardless of
 11 the fact that it's a parent on the screen. It's really
 12 hard for them to keep engaged.

13 So we did quite a lot of work, created our virtual
 14 visit boxes and supported the parents to read stories to
 15 their children and puppets and there were thematics, so
 16 to try and keep that engagement going, but it was very
 17 difficult.

18 What was actually really interesting was in prison,
 19 parents said it was really hard to see the home
 20 environment because they were away from it, by virtue of
 21 the fact of where they are. It's not something they
 22 would see. So they're watching life carry on as normal
 23 in their own home, so they found that very, very
 24 difficult as well. So it really did have quite
 25 a significant impact and it meant that when things

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1 opened back up again and when parents were allowed to
 2 see their children again, it was quite difficult because
 3 the kids had perhaps forgotten what it was like to be
 4 in that environment. It's quite a daunting environment
 5 if you've not been in it before.

6 Also, the parents had to wear masks, so it was
 7 difficult for the child to interact fully with their
 8 parent because they were wearing a mask so they couldn't
 9 see their face, they couldn't communicate in the way
 10 that they had been over the screen. So it just made it
 11 really, really quite difficult and it really did have an
 12 impact on the little ones, and it took a long while.
 13 You know, we have built up really good relationships
 14 between the families all together, and it really did
 15 take a good bit of work to be able to kind of try and
 16 pull that back together again.

17 Q. You have mentioned about restrictions other than what we
 18 call lockdown. That's something I want to come to a bit
 19 later on. Sticking first of all with the cessation of
 20 these in-person visits and the ELC settings within
 21 prisons, you talked about a trauma-informed approach
 22 being possible because of the environment. Was it
 23 possible to recreate that on screen?

24 A. Very difficult. Very, very difficult. The whole point
 25 of a trauma-informed environment that we create in the

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1 sessions, in our settings that we hold there is that
 2 it's calm and there's soft lighting, there's fidget toys
 3 for the children to play with. The colours are selected
 4 very specifically.

5 So if it's virtually, then it's a home to something
 6 else environment, so it makes it very difficult to keep
 7 that kind of trauma-informed — I mean, you know, we can
 8 provide the tools to the parents, both the imprisoned
 9 parents and the families at home, but, yes, it really
 10 was very difficult to keep that going, and again, that's
 11 something we worked really hard with the parents to
 12 create, so they knew the visits weren't going to be
 13 stressful or anything like that for their children, so,
 14 yes, really difficult to keep that going.

15 Q. I'm being reminded again to ask you to slow down
 16 a little bit. It's difficult but if you can try to slow
 17 down. We want to make sure we capture all that you're
 18 saying.

19 You mentioned a bit about working within
 20 restrictions and obviously ELC settings and other
 21 education settings were open as hubs during the
 22 pandemic. Can you explain a little to us about how ELC
 23 settings in the main operated as hubs? Were they
 24 aligned with primaries, or were they alone as they would
 25 otherwise be?

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1 A. Yes. So we didn't have a huge amount to do with the hub
 2 settings. Predominantly because we were trying to
 3 support our members, there was a lot of financial
 4 concerns, there was the concerns of the development of
 5 children. So in terms of what we know was that --- they
 6 were central, they were facilitated by the local
 7 authority. Often it would be a case that a hub setting
 8 would encompass early learning and childcare and
 9 primary, sometimes secondary school, depending on the
 10 environment. They were predominantly staffed by local
 11 authority staff, but that's really all that I can kind
 12 of give you about that, as I say, because we really
 13 didn't have much to do with it.

14 Q. You mentioned about the local authorities operating the
 15 hubs. Was that --- were they operating them in terms of
 16 eligibility as well?

17 A. Yes, so there was criteria, it was key workers. So
 18 initially it was very much sort of healthcare workers,
 19 you know, front line services, and then that got widened
 20 more to include early learning and childcare workforce,
 21 people working in shops, those providing essential
 22 services. So there was a criteria. So families would
 23 apply to --- for their child to be at a hub setting, and
 24 then it would be decided through the criteria whether
 25 they were eligible or not.

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1 Q. Is the same true for the eligibility for vulnerability?
 2 A. For the eligible ...

3 Q. Vulnerable children.

4 A. Yes. But that's very difficult because again it was
 5 a self-referral, an application, and the family is not
 6 going to want to admit in the main that that's the
 7 situation that they're in. So there were probably a lot
 8 of vulnerable children, not a word that we use in EYS,
 9 vulnerable children who were eligible but did not take
 10 up spaces for a variety of reasons.

11 Q. Was it possible, you mentioned there self-referral, was
 12 it possible for the settings who knew the children and
 13 the families to make that referral for them?

14 A. Yes. I think so. Probably. Again, I couldn't say ---
 15 definitely yes or no, but the onus did seem to be ---
 16 because not all settings were open. So it is very
 17 difficult, and the settings were, you know, trying to
 18 keep their families going and making sure they were
 19 okay. So I couldn't definitely say whether that was
 20 the case or not.

21 Q. That's really helpful. Thank you. One more question on
 22 hubs before we move on. You mentioned at paragraph 89
 23 that childminders who you say are a small proportion of
 24 your membership, they didn't operate as hubs.
 25 The Inquiry understands that they did stay open during

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1 the pandemic, so that's perhaps something different, and
 2 they did offer childcare to the children of key workers
 3 and some vulnerable children. Is that your
 4 understanding also?

5 A. Yes. I think in the use of the word hub there, it's
 6 more about a central location, is probably what was
 7 meant by that.

8 Q. That's helpful. That's perhaps something you mentioned
 9 a ---

10 A. Yes, without a doubt, SCMA will have much more
 11 information on that. They only work with childminders,
 12 so they will be able to give you significantly more ---

13 Q. For your Lordship's benefit, SCMA is the Scottish
 14 Childminding Association, an organisation from which
 15 we will hear in evidence.

16 I want to speak to you now, Ms Kettles, about
 17 re-opening and operating with restrictions. At
 18 paragraph 115, you make reference to Getting it Right
 19 for Every Child, or GIRFEC as it's commonly referred to,
 20 and that, for your Lordship's benefit, is the
 21 Scottish Government's policy commitment and their
 22 framework to promote, support and safeguard the
 23 well-being of children and young people.

24 In mentioning that framework, Ms Kettles, you
 25 expressed at paragraph 115 that there were challenges in

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1 realising children's rights due to the restrictions.
 2 I wonder if you can expand on that for us.

3 A. Of course. So GIRFEC is based on UNCRC, which is the
 4 United Nations Convention on the Rights of the Child.
 5 And that sets out very clearly and very definitively
 6 rights of children which should be realised, and
 7 GIRFEC's always been modelled on that. We're very proud
 8 of that in Scotland and rightfully so.

9 It was very difficult for young children to be able
 10 to have their rights realised, predominantly because of
 11 the pressures, I think I would say, on the staff within
 12 settings, so guidance was long, there were big meaty
 13 documents. Early learning and childcare is an
 14 exceptionally guidance-led sector as it is. There's
 15 a lot we have to take into consideration. There was
 16 a lot more we had to take into consideration with the
 17 re-opening guidance.

18 So something really basic like the right to play, so
 19 yes, children were back in a setting, so in theory they
 20 were able to play. However, those rights weren't being
 21 fully realised, because they weren't allowed to sing,
 22 and they were only allowed to be with certain groups of
 23 children. That's very difficult. That was so, so
 24 challenging for settings. So hard to keep children away
 25 from other children in a bubble or a group or whatever.

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1 So there's like rights of association, which they
 2 technically weren't getting. Little things like the
 3 GIRFEC and the Shanarri indicators that go with that.
 4 Safe is something around about that. Children weren't
 5 allowed to take their comforters, their little bears or
 6 their little blankets or whatever to nursery, because
 7 obviously concerns around cross-contamination, but
 8 again, that's just taking that something away from
 9 a child that forms part of that GIRFEC framework.
 10 Now, don't get me wrong, settings worked their
 11 absolute hardest to realise children's rights as much as
 12 they could, by trying to provide a normal environment
 13 for them after everything that they'd been through from
 14 being in lockdown to coming back to nursery or maybe
 15 coming into nursery for the first time.
 16 So, yes, we were just really concerned as an
 17 organisation that although they were still back in with
 18 their peers, so they were still associating and they
 19 were still playing, that they weren't being able to do
 20 that to the fullest degree because of the pressures
 21 faced by the staff who were looking after them.
 22 Q. You mentioned there the guidance — the pressures in
 23 connection with the guidance.
 24 A. Yes. So infection prevention and control, which is
 25 something that we've already been — always been very

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1 strict on in ELC was further manifested. Things like
 2 parent and carer drop-off. So a parent could no longer
 3 go into their child's setting and have a chat with their
 4 key worker: oh, she's had a bad night or he's had a bad
 5 night or they've slept well or whatever. It was
 6 a drop-off at the door and then off they went, and then
 7 a pick-up at the door again.
 8 So you're losing that little bit of kind of
 9 interaction that you have with the person that's looking
 10 after your child. You're also not seeing the
 11 environment your child is learning in and developing in,
 12 which for a parent is difficult, because you want to see
 13 what they're doing and their art on the walls, and, you
 14 know, just the space that they're in, especially if it's
 15 a new environment, if it's a child who's not been in
 16 a setting before, who's — this is their first time.
 17 There were restrictions on blended placements. So when
 18 the expansion of early learning and childcare came
 19 about, the 1140 as I'll call it, because that's what we
 20 call it, blended placements was a really big focus
 21 because we wanted families to have the choice of where
 22 their children went.
 23 So they might take a day with a childminder and
 24 a couple of days with a nursery or, you know, they could
 25 use their funding however they saw fit as a family, and

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1 it kind of really solidified that element of choice.
 2 But blended placements were discouraged during the
 3 pandemic, again, which we can understand, worried about
 4 cross-contamination, but kind of flew in the face of
 5 something that we'd been working towards as a sector, to
 6 support a family in the round who were then told: no,
 7 actually, you can't do that. So they were having to
 8 make a choice: you can send your child to this setting
 9 or this setting, we'd rather that you didn't do both.
 10 That's the local authority that obviously grants the
 11 funding, so they were kind of having (inaudible) on
 12 that.
 13 Children couldn't play with things that they would
 14 normally play with. Sand, water, making Play-Doh,
 15 anything — children like being messy and they like
 16 getting their hands into things, whether it's gloop or
 17 whether it's Play-Doh, you know, and we couldn't do that
 18 obviously, and again, for obvious reasons, because
 19 we were worried about the spread of the virus. But it's
 20 just things like that that children were missing out a
 21 little bit on, eating together, you know, you stick to
 22 your own packed lunch. It was really restrictive, and
 23 it's a time for children where everything is a learning
 24 opportunity for a child in an early learning and
 25 childcare setting.

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1 So staff are having to re-think how they provide
 2 those learning opportunities in a way that's not going
 3 to adversely impact a child, because they're always
 4 thinking about the next steps and going to school and
 5 that child growing up. It's about how that first 1,000
 6 days, the first five years of a child's life were —
 7 being able to carry out in a way that would keep them
 8 learning the things they should be learning, and
 9 allowing them to take risks, and we noticed that
 10 massively.
 11 So guidance would — outdoors was great, but there
 12 was a while where kids couldn't go to the park, so
 13 they'd come back to nursery, and there'd be a slide and
 14 they'd be frightened to go down it, or they didn't know
 15 how to go down it, because those kind of opportunities
 16 had been taken away, so there was a lot less risky play,
 17 which is really, really important again for a child's
 18 learning and development.
 19 Q. I want to come on to speak to you in a short while about
 20 the various impacts, some of them that you've touched on
 21 there. Before I move on to that, sticking with the
 22 restrictions just now, and you mentioned a bit about
 23 this in connection with the prisons, you see at
 24 paragraph 126 that there has been an increase in ASN as
 25 a result of mask wearing.

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1 A. Yes.
 2 Q. Can you explain what ASNs in particular has increased
 3 and how it is you know that?
 4 A. Absolutely. So the additional support need that we're
 5 really focusing on in that response is speech and
 6 language. All children were — all children, but there
 7 was — Early Years Scotland has been working with the
 8 Royal College of Speech and Language Therapists. They
 9 kind of reached out to us and said: we're a bit
 10 concerned because we're getting more referrals and is
 11 this something that you've seen? And we said: well,
 12 yes, we've noticed that. So from working with that
 13 organisation, it became quite clear that there were
 14 quite significant gaps in children's speech and language
 15 therapy, and as with most things, that was more evident
 16 in children from disadvantaged socio-economic
 17 backgrounds.
 18 Children will learn from looking. So sound forming
 19 is something that a very young child will respond to,
 20 but they have to be able to see how someone is making
 21 a sound for them to learn how to do it. It's
 22 a mimicking thing almost. And you can't tell, if
 23 someone's wearing a mask, if you're changing a baby's
 24 nappy, for example, which happens in nurseries every
 25 day, if you can't look at that baby, they can't tell

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1 what kind of experience they're having, they can't tell
 2 if the person doing it is smiling at them, or if the
 3 baby's lying down and going to sleep, there's no — half
 4 the face is obscured so that means that half of the
 5 ability of a very young child to learn is obscured.
 6 So, yes, we were really, really concerned about that
 7 and the kind of impact that that would have going
 8 forward and the number of young children who are now at
 9 primary school, let's face it, with speech and language
 10 developmental delays because of that, because of not
 11 being able to see faces, and also because of not being
 12 able to babble with their peers. That is quite a big
 13 impact as well, but certainly the masks, we were really,
 14 really — fought to have that taken out of the guidance,
 15 so that the key worker, the person within that setting
 16 who was looking after the child could fully look at and
 17 focus on the child, to support their learning and
 18 development.
 19 Q. The Royal College of Speech and Language Therapy is an
 20 organisation we'll be hearing from next week, so we can
 21 pick up on that with them. But for the time being,
 22 you've mentioned more about what you have said at
 23 paragraph 140. You refer in particular to a Times
 24 Educational Supplement article which was written in
 25 conjunction with the Royal College of Speech and

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1 Language Therapy, and in particular that focuses on the
 2 mask-wearing issue, so that's something we can raise
 3 with that witness.
 4 I want to spend a bit of time now with you talking
 5 through the impacts, some of which you have mentioned
 6 there. You set these out at paragraph 128 and
 7 following, and you set out a number of areas which were
 8 impacted by lockdown and by other restrictions. For
 9 example, you speak about impacts on motor skills,
 10 social, emotional and linguistic development, sleep,
 11 play, personal skills and so on. Can I first of all ask
 12 you how you are aware of these impacts? Was it through
 13 a survey, perhaps, or through your engagement with
 14 members?
 15 A. Yes. So Public Health Scotland did an Early Years
 16 Resilience and Impact Survey which we sort of
 17 collaborated on, we shared with our members, we were
 18 involved in the kind of dissemination of to find out how
 19 restrictions had impacted on children, and it found that
 20 that had happened quite negatively but also, yes, very
 21 much so. From our direct service provision in
 22 communities, we could see the impacts and the concerns
 23 that members were coming to us with, about much of what
 24 you had outlined there.
 25 So it was a kind of very much a landscape of the ELC

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1 sector from that survey by Public Health Scotland to our
 2 own work and our own kind of — we'd done a couple of
 3 member surveys as well during the time about the impact
 4 on children and just kind of anecdotally from our
 5 practitioners who were witnessing and observing the
 6 differences in children who had been away and came back
 7 following restrictions.
 8 Q. That's helpful. I'm not sure we'll have time to go
 9 through each of these impacts in today's hearing, but
 10 I want to focus just now for a short time on the impact
 11 on children's social and emotional development. You've
 12 got that at paragraph 128.
 13 I wonder if you can tell us a bit about how
 14 children's social development was impacted.
 15 A. Yes. In a number of ways, to be honest. First of all,
 16 if we think about the socialisation in general in that
 17 they just really weren't able to. So that's very, very
 18 broad and very basic. But if you kind of — you know,
 19 young children are often looked after by another family
 20 member, a grandparent, an aunt, an uncle, who — whilst
 21 parents or carers are at work themselves. So they stop
 22 being able to see those family members. That's
 23 difficult, because it's a change in routine, so a child
 24 wonders where the person's gone, and then again when
 25 that person is reintroduced back into their life, it's

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1 difficult , it takes them a while to catch up on
 2 interacting with them, because whether it was the
 3 initial nine weeks of very, very restrictive lockdowns,
 4 it's a long time in the life of anyone under three.
 5 So that was really impacted. Obviously, very sadly,
 6 some children had family members pass during the time,
 7 so they went from maybe spending time with this
 8 grandparent or whoever, and then they just were not
 9 there any more. That was very difficult . So we had to
 10 kind of look at how children would deal with bereavement
 11 and grief because that was something that was — it
 12 wasn't new but it was very different , you know,
 13 circumstances.
 14 I think probably most fundamentally was the
 15 interaction with their peers. Children don't
 16 necessarily play with each other. They'll play beside
 17 each other, depending on age and stage. They will get
 18 to that stage where they are playing together, but in
 19 the main, they're kind of just aware of another child,
 20 and then they're aware of another child playing beside
 21 them, and that's how they learn to do things like share,
 22 because, you know, there's two children and one set of
 23 blocks, so they've got to share the blocks. That
 24 opportunity didn't present itself so that became quite
 25 difficult .

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1 They didn't — you know, there was babies who had
 2 never seen another baby, which is just , when you think
 3 about it, is really crazy but they didn't. They
 4 never — you know, other than themselves, maybe in
 5 a mirror or on FaceTime, they'd never seen another baby.
 6 So that very natural interaction that happens at
 7 a parent and toddler group or a Stay Play and Learn
 8 session where they're kind of on the floor together,
 9 aware of that other little person or those other little
 10 people, that was taken away as well. So they didn't
 11 have that same level of social development. And things
 12 like maybe parents going to — as happens a lot of time
 13 with parents that come to our groups, they'll then go
 14 out all together for a coffee or they'll go for a play
 15 date. So relationships that would organically be formed
 16 in those circumstances weren't able to be formed because
 17 they weren't having any interaction with each other.
 18 Q. In terms of their emotional development, how was it that
 19 was impacted?
 20 A. So I think in terms of emotionally, again, regulation,
 21 emotional regulation was a big one because again,
 22 children learn by looking at and observing others. So
 23 because they weren't always faced with opportunities in
 24 which they would have to regulate their emotions, they
 25 didn't. So they didn't learn to do it. A lot of the

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1 time, a lot of our families , parents were working from
 2 home and it was super, super, challenging, especially if
 3 you had a child under three, which I had myself at the
 4 time, a child of that age, who needed your attention but
 5 you also had to work.
 6 So there's that really horrible rub between: I'm
 7 just going to give in to you so you don't get upset. So
 8 they didn't have the same opportunities to be told: no,
 9 you can't do this; or you're upset because of this, but
 10 let's work through it; or you're happy because of this.
 11 You know, those kind of joyful moments in terms of
 12 emotions that come out, in terms of, you know, like
 13 flowers blooming and all those kind of things. They
 14 didn't have the opportunity for that because they were
 15 really , really quite stuck in.
 16 That then has an impact on a child's mental health.
 17 Early Years Scotland, I think about two years ago, we
 18 were commissioned by the government as part of the
 19 mental health joint delivery board to do a piece of work
 20 around young children's mental health, well-being and
 21 happiness. We worked with early years practitioners, we
 22 worked with families of children in early years
 23 settings, and also who had just left and also with —
 24 the workforce, I said that.
 25 One of the things we found were that children — it

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1 was cuddles, so if a child is upset, they want a cuddle.
 2 So we weren't allowed to — their parents could cuddle
 3 them, but that was all. So it's things like that which
 4 were very natural reactions to a child , if they were
 5 having emotional distress or whatever, that weren't able
 6 to be demonstrated in the same way. So that was again
 7 something else that had to be caught up on at the time.
 8 Q. You mentioned a little bit before about parental
 9 engagement and parental contact at drop-off, and you
 10 mention at paragraph 163 that there was an impact on the
 11 loss of that parental engagement. Can you explain
 12 a little bit to us about the importance of that
 13 engagement?
 14 A. Yes, absolutely. So as a parent, you hand your child
 15 over, if you're putting your child into a nursery or
 16 a childminder, whatever setting it might be, and you
 17 hand your child over, entrusting the most precious thing
 18 that you have in your life . The person who is receiving
 19 that child , whether it is a childminder or a key worker
 20 or whoever works in the setting, knows your child, but
 21 needs to know how your child's been. Children aren't
 22 necessarily in a setting five days a week. They might
 23 only be in for a couple of days. Also, there was a
 24 global pandemic. There was a lot going on in homes that
 25 we didn't — that might not have been — children might

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1 not have been exposed to previously.
 2 So not to be able — to leave your child at a door
 3 and just wave without saying: can I have two minutes
 4 with you because actually she's really not been
 5 sleeping, and I'm really worried, and I would like your
 6 expert advice as a practitioner as to how I can support
 7 this. They didn't have that opportunity.

8 And, yes, you could email or you could phone up, but
 9 there's something about that human interaction of just
 10 being able to talk, and I think we see it generally with
 11 the kind of rise in meetings online and that sort of
 12 thing, that you can never fully tell how a person is if
 13 you're looking at them through a screen or talking to
 14 them. Whereas if you just have that couple of minutes
 15 at the start of the day, or, you know, imagine a parent
 16 going to pick their child up and their child being
 17 handed over and there's a note that said: he took his
 18 first steps today. Not: come in, this is where he did
 19 it, he walked — you know, just those really basic
 20 things.

21 That was really sad, but also I think it's really
 22 important to be aware of how important a relationship
 23 between parents and carers and early years setting is.
 24 Early years practitioners, or whatever they're called,
 25 because they've got a couple of different names, have

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1 got really trusted relationships, and families build up
 2 really trusted relationships with them, and staff,
 3 certainly our staff within Early Years Scotland, we have
 4 family engagement practitioners, we have had disclosures
 5 of domestic abuse. We have had families come in and
 6 saying: this has happened and we don't know what to do
 7 and we don't know where to turn.

8 So that crisis level was also being missed somewhat,
 9 because you're not going to phone somebody up or email
 10 them and say: by the way, I think I'm experiencing
 11 domestic abuse. But the relationships that get built up
 12 within ELC settings, a worker can look at a mum and a
 13 dad and go: something not right with you, what's wrong;
 14 have that conversation and then support them from there.
 15 So that was something that was really lost as well.

16 Q. Thank you. There's just one other aspect of these
 17 impacts you raise that I want to bring out just now, and
 18 that's the impact on transitions. I'm thinking of
 19 transition to early learning settings, and I'm thinking
 20 now of formal settings and transitions. You mentioned
 21 blended learning between the settings, and then on to
 22 primary school. Can you tell us a bit about how that
 23 was impacted?

24 A. Yes, absolutely. So to be perfectly honest, transitions
 25 aren't always handled best. Possibly I'm talking more

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1 moving to school. It's different when a child is
 2 starting a setting, they're given the opportunity to
 3 settle and then that kind of thing. So what would
 4 normally happen is a parent or carer would — right,
 5 this is where my child is going, so they would go to the
 6 nursery or the childminder or wherever it was, for an
 7 hour with their child. They would either sit in the
 8 room with their child, or they would sit in another room
 9 but the child would be there. There would be a phase —
 10 you know, that would be phased. So the parent felt
 11 comfortable to leave their child in a setting while they
 12 went to work, and they knew the child would be safe and
 13 happy and whatever.

14 Didn't have that. So it was literally, you're
 15 dropping your child off at a door and hoping that
 16 they're okay, not knowing. So obviously, parental
 17 mental health was kind of through the roof at that
 18 point, because people were so worried about whether
 19 their children were getting on okay, whether they
 20 weren't getting on okay. Just — you get a feel for
 21 something. It's like anything. You only get a feel for
 22 something if you go into it. So, you know, parents
 23 often will go into a nursery or whatever and go:
 24 actually, I don't think this is for me; for whatever
 25 reason. So they didn't have that option.

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1 School transitions were really hard. School
 2 transitions are hard anyway. You expect these little
 3 tiny people who have got all this freedom and are able
 4 to do, you know, whatever they want within a nursery
 5 setting to then go to this building which they may never
 6 have been to in their life before, and go in there and
 7 sit and do as they're told and — you know. It's a
 8 very different environment. I mean, some schools really
 9 do take a play-based learning approach and that's great.
 10 But they don't all.

11 So it's a huge thing anyway, and when you've got
 12 a setting, like I said previously, PVI settings, the
 13 kind of private voluntary independent, where people are
 14 fee paying mostly, and families come from everywhere, so
 15 it's not as if that kind of traditional model of
 16 25 years ago where all the children would go to the
 17 nursery that was attached to the school, and they would
 18 all go to the school from there.

19 So it's quite difficult to manage anyway. If you
 20 add a situation into that where visitors can't come in,
 21 so what's quite common is that if there's a couple of
 22 children in a setting going to a school, a teacher from
 23 that school would come in. Couldn't do that or could,
 24 but, you know, there was — had to do this, that and the
 25 next thing, and it depended on which part of the

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1 pandemic we were in. So that was really stilted .
 2 So then again it's --- you've got your child
 3 through --- I mean, I use the word trauma to describe
 4 COVID, and I think it is relevant. Because everybody
 5 went through --- it was a trauma for everyone in one way
 6 or another. So you have these little people, these
 7 resilient little people who despite everything, are
 8 getting on, and they've got all their challenges but
 9 they've got through that kind of nursery --- they've not
 10 been able to have a graduation, and I know a lot of
 11 people laugh at graduation, but they shouldn't because
 12 it's a really important transition. It's showing a
 13 child that they are now at a stage where they are, you
 14 know, moving up to school, that kind of thing.
 15 So that was taken away. It's just --- it's ---
 16 it's --- there was perhaps short-sightedness on how
 17 it would impact on the child by not allowing that to
 18 happen, versus the policy that had to be adhered to.
 19 Q. Did that impact information sharing between settings,
 20 between ELC and primary, for example?
 21 A. Not formally, because the nursery would send a learning
 22 journal or information to the school and vice versa, but
 23 it was more again about that face-to-face contact, or
 24 the child being able to visit the school that they were
 25 going to go to, more than once. Because there would

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1 maybe be one invitation where they could go one time and
 2 that was it, but I think in terms of information
 3 sharing, that was probably okay because most of that is
 4 done kind of digitally .
 5 Q. Again, thinking about disproportionate impacts, did the
 6 absence of these transitions impact some cohorts of
 7 children more than others?
 8 A. Yes, absolutely. I think the children who are now ---
 9 goodness, it just seems like such a long time ago. But
 10 the children who are now sort of primary 2, primary 3,
 11 no, actually, I'd say a bit older than that, who didn't
 12 have those leaving nursery traditions, and who weren't
 13 seeing their families and who weren't allowed to go to
 14 the park, and you know, that --- the ones who went to
 15 school right in the thick of it at the very start, so
 16 the 2020 starters, for them it was normal, but now that
 17 things are back to normal and the school day looks ---
 18 you know, everyone's falling back to the way things
 19 were, that's different for those children. Also bearing
 20 in mind that the ones coming after them have got those
 21 speech and language concerns and the delays.
 22 So it's impacting on the schools as well, because
 23 they've had to deal with children who for all intents
 24 and purposes because of their age were school ready, but
 25 who didn't get the opportunity to properly finish their

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1 early learning experience and have that preparedness
 2 within themselves.
 3 Q. Thank you. Staying just now with disproportionate
 4 impacts, you mention in your statement at paragraph 117
 5 about intersecting inequalities, and you talk about
 6 parents who are hard to reach. Can you tell me what
 7 sort of circumstances may make a parent hard to reach
 8 and the impact of that?
 9 A. Yes. So, hard to reach families, again, a phrase that
 10 we don't tend to use because it's quite stigmatising,
 11 I prefer to call them easy to ignore from a policy
 12 perspective. We are talking about perhaps families who
 13 are new to Scotland, for whom English isn't a first
 14 language. You're talking about really any family who is
 15 suffering socio-economic disadvantage. Families with
 16 imprisoned parents. Families who are perhaps
 17 experiencing domestic abuse. There's certain parts of
 18 the country where we have big sort of gypsy traveller
 19 communities, who traditionally don't engage.
 20 But from our perspective, very much
 21 Early Years Scotland, we work with families who are ---
 22 would be considered often hard to reach, and literally
 23 without us going to their doors to drop off play packs
 24 or food packs, they wouldn't have had any engagement
 25 because they don't know --- they're not engaging with

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1 other services. Often, when a family who would be hard
 2 to reach --- will be brought into a community because
 3 there will be a community centre, and there will perhaps
 4 be an English as a second language class or a wee
 5 exercise class or a baby group. But if that is all
 6 taken away because you're not allowed to mix and
 7 interact with others, then that keeps families away.
 8 We have services where most of our families for whom
 9 English is a second language and the benefit that they
 10 get from attending is --- you know, you can see it on
 11 a daily basis, and their interaction with the community
 12 and their use of community spaces. If you take that
 13 away, then it becomes even more difficult for them to
 14 engage and be engaged, and the real concern is there
 15 that their children, there's things that aren't getting
 16 picked up on with their children, in terms of health, in
 17 terms of perhaps additional support needs, but also the
 18 isolation faced by parents who would be considered hard
 19 to reach, and how difficult, you know, and a lot of the
 20 time those kind of families are living in flats or
 21 temporary accommodation. They don't have a garden, they
 22 don't have that outdoor space, sometimes they don't even
 23 have another room to go into.
 24 So taking away something which will allow them to
 25 explore a peer network and their local community, and

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1 get more involved and have their children integrated,
 2 and themselves be able to integrate, was taken away and
 3 that really did have an impact.

4 Q. I want to ask you now a little bit about the impacts on
 5 the workforce working within ELC, and you dedicate
 6 a section of your statement to this at paragraph 203 and
 7 following. At 208, in particular, you speak about the
 8 impact on the development and training of the staff.
 9 Can you tell us a bit about the impact that lack of
 10 training has had on the profession?

11 A. Yes, so what's very interesting, which to be honest
 12 I don't think we fully appreciated until we were coming
 13 out of the pandemic a little bit, because we were so
 14 busy doing what we were doing, but in order to obtain an
 15 early learning and childcare qualification, you have to
 16 do practical work. You have to have a placement,
 17 you have to go out to an early learning and childcare
 18 setting, and you have to interact with children and
 19 families. It's part of the assessment process and all
 20 that kind of thing.

21 That didn't happen because of the pandemic. So what
 22 we're seeing is there are a lot of staff who are in
 23 theory qualified and who are theoretically brilliant at
 24 their jobs, but who have never sat down in a group and
 25 tried to lead a singsong with children or made Play-Doh

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1 with them or spoken to a family about challenging
 2 behaviours or anything like that. So that's something
 3 that — and our sector and our workforce — our sector
 4 is a mess. That's another story for another day
 5 generally. But we're really struggling to recruit and
 6 retain staff in early learning and childcare at the
 7 moment.

8 So where we do have staff, we don't want them to go,
 9 we want to be able to support them, to train them and to
 10 develop them. But those kind of barriers are there,
 11 that, you know, perhaps they've not had the practical
 12 experience. That's maybe easing off a little bit now
 13 that things are back to normal, but at the time that was
 14 quite difficult, because you can teach theory, but you
 15 can't always teach interaction, so that was something.

16 Just the kind of — I mean, early learning and
 17 childcare sector is massively undervalued. We're
 18 undervalued in terms of — societal terms and in
 19 financial terms. And it's not a particularly attractive
 20 job prospect for a lot of people. It's not seen as very
 21 professional. We're seen as people who make macaroni
 22 pictures and change nappies. So, so much more than that
 23 but the low pay and low skilled kind of myth, stigma,
 24 round about early learning childcare means that it's not
 25 very attractive. So it's hard enough to attract people

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1 into the sector, never mind trying — and keep the ones
 2 that we have there, because, you know, settings were
 3 closing because of COVID, so people were losing their
 4 jobs, and the expansion of early learning and childcare
 5 put a lot of pressure on a lot of settings, so more
 6 staff went and they've left the sector completely.

7 So training and development is a really, really
 8 important part of any role, but certainly early learning
 9 and childcare because things come up all the time,
 10 especially now where we are seeing more children with
 11 additional support needs, and we don't have the same
 12 levels of support particularly in the PVI sector,
 13 they're not — there's not a lot of them in local
 14 authority nurseries either, but those kind of support
 15 members and support staff who we don't have any longer,
 16 and again, a lot of that is because of the undervaluing
 17 of the workforce.

18 So it's very difficult to then access training
 19 because there's not enough staff, so the people that
 20 would maybe be on the training can't go to do the
 21 training because they've got to be on the floor.
 22 You have nursery managers who are behind on paperwork
 23 and things, because they're keeping in ratio by being on
 24 the floor. So if they can't get time to do their
 25 Care Inspectorate returns of a week, how are they going

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1 to get time to do any kind of course or any kind of
 2 development and training?

3 So that's a big issue because any workforce should
 4 be consistently learning, because there's always
 5 something new, but it's becoming more and more difficult
 6 within our sector because of a lot of external pressures
 7 that are on, which were not created by the pandemic, but
 8 which were very, very much exacerbated by it.

9 Q. Sticking with the workforce for the time being, you
 10 mentioned there that the ELC workforce, in terms of
 11 formal and informal, is predominantly female. How was
 12 it that that led to them being disproportionately
 13 impacted, as you set out at 215?

14 A. So we know that early learning and childcare is
 15 a massively female-dominated sector. It's again another
 16 disproportionate impact — sorry, could you put that
 17 down a wee bit? Yes. So we're talking about a female
 18 workforce. We're always told that we need to get more
 19 men into childcare, which would be wonderful, but don't
 20 raise the wages of the women because we want more men
 21 in, just raise the wages of the women that do the job
 22 anyway, and that's part of the problem. It's low paid,
 23 it's low skilled. So we are not valued and nobody — no
 24 early learning childcare worker got the £500 social care
 25 payment that was announced by the First Minister back

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1 in, I can't remember whether it was November 2021,
2 maybe, but social care staff got that payment, early
3 learning and childcare staff didn't get that payment.

4 The disparities in our sector as it is, regardless
5 of the fact that it's predominantly female, mean that
6 the PVI sector are subject to lower pay, they are much
7 less likely to be trade unionised, and their terms and
8 conditions aren't generally as good as those within
9 local authorities. So what you have is staff who are
10 working in PVI at the moment who see the same role in
11 local authority for a significantly larger wage, so
12 they'll move to local authority. So there's no staff
13 left in PVI.

14 So PVI will bring in younger women because they're
15 cheap, because they need people, because it's a really
16 important part of the sector, and what it means is that
17 it's just — sorry. I get myself so upset thinking
18 about this because it's so unjust. It's all women, they
19 don't get paid very well, they don't get valued very
20 well, so actually does it matter if they're working in a
21 nursery, or does it matter if they're working in Aldi.
22 Because actually, if they go and work in a supermarket,
23 they're going to get paid the same, but they're not
24 going to have the same hassle, so we'll leave the
25 sector.

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1 So what that leaves is a massive gulf in terms of
2 expertise. You know, there's women who have worked in
3 our sector for years who following the pandemic have
4 gone: I can't do this anymore. So you're losing
5 expertise, you're losing knowledge, and ultimately,
6 that's impacting on the children because —
7 Q. What was it about the pandemic that made them make that
8 decision? Was it purely financial?
9 A. No, it was just — I think a lot of it was the
10 undervaluing, was that nobody clapped on a Thursday
11 night for early learning childcare workers. We're
12 always seen as a bit of a Cinderella service generally.
13 We do all — we're in the background burrowing away, but
14 we don't always get the recognition. I think it was
15 a culmination of things. The pandemic was really
16 difficult; again with the disparities between local
17 authority and PVI, local authority settings don't have
18 to worry about paying their rent or paying their
19 electricity bills or that kind of thing, because that's
20 covered by the local authority.

21 So PVI sector are having to deal with the — all of
22 those things and are receiving less of a funded rate per
23 child than the local authorities are, so they've got
24 less money. Yes, they are private businesses, but
25 they are working under the same guidance and documents.

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1 Everyone works under the same guidance and documents
2 in the early learning and childcare sector. So there's
3 really strict things that they have to adhere to, but as
4 they have less and less money, they either have to
5 charge their parents more, which nobody wants to have to
6 do, or they have to really look at their staff's wages,
7 and everything's predominated on being paid the real
8 living wage. So those who provide early learning and
9 childcare, eligible early learning and childcare must be
10 paid at least a living wage. So what that is doing is
11 creating a race to the bottom because it's saying that
12 that's all that they're worth and they go: do you know
13 what, I could get more money working somewhere else, so
14 that's what I'm going to go and do. So I think it was
15 just kind of a culmination of things.

16 Q. Business and welfare is one of the themes that
17 the Inquiry is looking at, so in terms of the private
18 settings you have mentioned there, that's something that
19 we can pick up on.

20 I want just in the last sort of 10 or 15 minutes to
21 speak to you about your support for your members, and
22 you've outlined today and you do so at paragraph 73,
23 about the interpreting and re-presenting of government
24 guidance and that was an important part of your role.
25 You mention at 73 there that there was confusion about

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1 the published guidance. Can you explain a bit for us
2 about the nature of that confusion?

3 A. Yes. So every time — there were about 12 iterations of
4 the re-opening guidance for early learning and childcare
5 settings, and there were two separate sets of guidance
6 so there was — for formal settings, regulated settings,
7 and then for informal. But both sets, every time a new
8 set of guidance came out, it looked the same, there
9 wasn't enough definition as to where the changes had
10 been. There was no quick way of a second going: can
11 I still do this or do I still need to do that; because
12 it all kind of fed through each other.

13 So they were having to really essentially read
14 another 52-page document a couple of weeks later.
15 Sometimes it was really only minor changes, so I think
16 talking about the confusion, it wasn't necessarily
17 confused about what they had to do because of the
18 guidance. There was frustration because of what had to
19 be done because of the guidance, and there was concern
20 as to how it was all going to be able to be done, but
21 the confusion would come when something new would come
22 out, and it would just look the same. That's why
23 Early Years Scotland decided to create a kind of easy
24 read version for our members.

25 So what I did with that was sort of condense it, so

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1 rather than it being 52 pages, we would pull out the
 2 relevant information and make it maybe half the size of
 3 that, and then highlight anything that was taken out or
 4 added in. So all settings had to do was look for the
 5 bit of blue highlight, and they could see that it was
 6 either something new that they had to do, or something
 7 that they no longer had to do. It just made it a bit
 8 easier because we were so aware, they were getting
 9 bombarded with information left, right and centre, you
 10 know, trying to keep themselves going, so there was
 11 a lot of stuff around kind of the furlough and all that
 12 stuff, there was everything about child protection and
 13 all that, and then there was this more guidance of how
 14 to re—open their settings. So, yes, we just wanted to
 15 make it as easy as possible to make people aware that
 16 this was what was changed, or put back to what you were
 17 used to, so they weren't having to read big lengthy
 18 documents basically.

19 Q. Thank you. The other aspect of membership and support
 20 I want to speak to you about is regulation and
 21 inspection. You've mentioned already that the settings
 22 required to be registered with the Care Inspectorate.
 23 You set out at paragraph 218 that following the
 24 nature — the nature of the Care Inspectorate's
 25 inspections changed, and you set out that the

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1 inspections became in your view tougher.

2 A. Mm—hm.

3 Q. I wonder if you can explain a bit to us about first of
 4 all how the inspections changed —

5 A. Of course. So inspections, the Care Inspectorate
 6 resumed inspections fairly quickly compared to
 7 Education Scotland, in terms of their inspection of both
 8 early learning and childcare and schools —

9 Q. Did they cease completely in March 2020?

10 A. They ceased completely, uh—huh, so they stopped
 11 completely, obviously, purely because people couldn't go
 12 in and out of settings. But when the guidance was
 13 restricted somewhat, the Care Inspectorate would kind
 14 of — went back out a lot earlier. So what you had
 15 was — and this is all coming from members, this is all
 16 coming from what members have told us. They were trying
 17 to get back on their feet, trying to — that's part of
 18 where the confusion around the guidance comes from,
 19 because members were really worried that if there was an
 20 aspect of the guidance that they weren't adhering to,
 21 because it was so big, so things could be missed, then
 22 that would have an impact on their Care Inspectorate
 23 grades. They'd be marked down. Obviously in order to
 24 receive funded entitlement as a setting, you have to
 25 meet the specific Care Inspectorate grade. So that's

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1 really important as well.

2 But it was just felt that the Care Inspectorate came
 3 back out quite quickly and were harsh, and every member
 4 that we spoke to about this, because we did go out and
 5 specifically ask, until about now, none of the people
 6 that we spoke to in the settings were getting higher
 7 grades. They were generally getting marked down.

8 So there was just this kind of really horrible
 9 uncertainty that everything was just kind of getting
 10 back on its feet, settings were trying to support their
 11 children and make sure that their best interests were
 12 catered for, and adhere to the guidance that was there
 13 and deal with staff absences as well, because obviously
 14 during that time, there were still the restrictions
 15 around whether you could go to your work or not, so you
 16 know, settings were staff down, they were having to
 17 close rooms.

18 Can you imagine the level of stress if somebody from
 19 the Care Inspectorate walks in and goes: I'm here to
 20 inspect you; and you're down three members of staff
 21 because they've tested positive for COVID, and, you
 22 know, you're trying to keep your infection prevention
 23 and control on the go, and somebody's brought in a teddy
 24 and is the fact that someone's brought in a teddy going
 25 to give you a lower grade. It was just a really, really

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1 uncertain time.

2 I think it's not about being inspected per se,
 3 because any ELC setting will tell you that it's really
 4 important to have a level of scrutiny, you know, and
 5 nobody is denying that, and it is really important to
 6 have a level of scrutiny. But it's just the way it was
 7 done. It wasn't felt to be very supportive. It wasn't
 8 felt to be very: is there anything we can do to help
 9 you, given this massive thing that's happened. It was
 10 very much: right, well, your window was shut there so
 11 we're going to have to mark that down; or, you know, the
 12 room wasn't — that room didn't have enough staff in it
 13 so you had to bring someone in from this other room.
 14 But actually that was because you had other staff off
 15 who were ill or whatever.

16 Q. You mentioned about grading. Is a grade given to each
 17 setting at the point of inspection?

18 A. Yes, so members — Care Inspectorate. It's quite
 19 confusing. There's — Care Inspectorate and
 20 Education Scotland have two separate grading systems,
 21 although they are moving to a shared inspection
 22 framework. But at present, Care Inspectorate goes from
 23 1 to 6, so — obviously with 6 being the top end and 1
 24 being the lower end. So there's aspects of each setting
 25 that will be graded which will then create an overall

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1 grading. So it's environment and staff and, you know,
 2 children's kind of learning and care. There's criteria
 3 to be followed. So each aspect will be graded to create
 4 an overall grade.

5 Q. Which aspect of that grading was it that led to there
 6 being what you mentioned a short while ago,
 7 a downgrading?

8 A. It just depended. It depended on the inspector, it
 9 depended on — probably a lot of the time it was staff
 10 because, you know, staff weren't necessarily there
 11 because they were off ill but it very much — although
 12 it's a framework, very much depends on the inspector as
 13 to how they perceive something happening on the day, and
 14 the other thing about a Care Inspectorate inspection is
 15 it's one day, it sometimes goes into two, but
 16 generally — so it's a very, very tight snapshot of
 17 what's happening on a day-to-day basis in a setting, so
 18 if one thing goes wrong, as it invariably does
 19 sometimes, you can guarantee that's the day that it
 20 happens. So it just — it really just depends on the
 21 setting, the day and the inspector that was there.

22 Q. What could have been done to maintain the scrutiny you
 23 say is so important, and to provide the support?

24 A. Just support, just coming at it from a — maybe not
 25 resuming inspections quite as quickly, or giving

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1 settings a bit of notice about it because Care
 2 Inspectorate will just pop up. There's no — they
 3 don't — you know. It used to be that they would give
 4 a pre-inspection questionnaire so that the setting would
 5 know there was an inspection coming up. That's not the
 6 case. Just a little bit of preparation to be able to
 7 say: we're coming out next week; and for the setting to
 8 say: well, actually, we've had to close our baby room
 9 because we've got three members of staff who have tested
 10 positive for COVID, so that's just to make you aware of
 11 that. So it's almost as if the settings weren't given
 12 the opportunity to explain themselves.

13 I'm not saying that if there was something that they
 14 shouldn't have been doing that that shouldn't have been
 15 picked up on in terms of the fundamental aspects of the
 16 Care Inspectorate framework; but just a bit more notice
 17 and a bit more support and a bit more awareness because
 18 that's something that, you know, obviously the
 19 inspectors have a job to do and again, like we say,
 20 scrutiny is important, but support is really important
 21 as well. So often it is just about the approach that
 22 you take. So I think members would have just —
 23 settings would have felt a lot better if they had a bit
 24 of awareness that it was coming up the tracks and the
 25 opportunity to sort of explain themselves a bit more,

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1 and you can challenge grades, but if you've just gone
 2 through a stressful inspection that happened when you
 3 didn't know it was going to happen, and everyone is
 4 really stressed out, sometimes it's easier to just go:
 5 right, we'll go again; and take it from there.

6 So it's just that kind of — just the support and
 7 awareness just could have been a bit more sensitive,
 8 maybe might be the right word.

9 Q. I just have one more question for you. You set out in
 10 the final paragraphs at 241, you say it is only now EYS
 11 is really seeing the real impact of the pandemic.
 12 I want to give you the chance just now to speak about
 13 any key lessons you think should be applied to make sure
 14 these impacts — we've spoken about the impacts on the
 15 settings, the children, the workforce, and there
 16 you have spoken about impacts in connection with
 17 regulation of that. Is there anything you think should
 18 be applied to try and address these impacts and mitigate
 19 them?

20 A. Yes. I think certainly very basic things like —
 21 talking about speech and language, and I mentioned
 22 previously that — very unlikely to get speech and
 23 language support in the early years as a par for the
 24 course situation. So Early Years Scotland would
 25 certainly suggest that an increase — because we know

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1 some settings who are members of ours who have speech
 2 and language therapy regularly, which makes a world of
 3 difference to the children. So that is really important
 4 about recognising that that was a big impact on
 5 everyone. So there needs to be a bit more provision for
 6 that.

7 There needs to be more provision in terms of
 8 training and development for early years staff, about
 9 specific things. So additional support needs is a very
 10 broad term, but we are finding within the sector that
 11 more and more children are presenting with some form of
 12 additional support need, and unfortunately that's not
 13 necessarily something that's covered in depth as part of
 14 training for becoming an early years practitioner, or
 15 whatever you're calling it.

16 So just that kind of more appropriate training for
 17 that. More age-appropriate materials as well. This is
 18 something that we hear a lot, that there's a lot of
 19 really, really great resources out there to support
 20 young children's mental health, or to support children
 21 with additional support needs, but a lot of the time
 22 it's for five and up. Children who are zero to five are
 23 a very different demographic, so we need to make sure
 24 that — I suppose it comes back to really just
 25 recognising the importance of the early years. But

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1 being aware that if you can get into those things early,
 2 you know, it can go some way to mitigate. It's not
 3 going to solve everything, but it'll certainly go some
 4 way to mitigate.

5 I think as well in terms of transitions, I think we
 6 learned Early Years Scotland has always called for
 7 better and enhanced transitions between ELC settings and
 8 schools, and how difficult that was during COVID has
 9 really only kind of shown how important that is.

10 I mean, you know, we have advocated in the past for the
 11 likes of an early years worker in schools, not somebody
 12 from the school nursery, but a specific early years
 13 practitioner. So we do — Early Years Scotland runs
 14 primary 1 Stay Play and Learn, where we'll go in to
 15 schools, they'll ask us to go in, we'll go in, and the
 16 children and their parents will come in and we'll hold
 17 Stay Play and Learn sessions. So it's about that kind
 18 of play-based learning.

19 It's recognising that it's very difficult to expect
 20 a young child to go from an environment where they've
 21 got freedom and they're allowed to do a lot more and
 22 then in six weeks set them down. I remember my son
 23 saying: I don't like the trousers because they dig in;
 24 because all he'd ever worn was tracksuit bottoms. So
 25 it's little things like that that you recognise that's

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1 obviously an issue for children. So it's about —
 2 transitions is a really important one, and I think —
 3 it's always been difficult but I think COVID really
 4 showed us that we could do that better, and I think the
 5 children now who went through that are okay and they're
 6 settled in school in the main.

7 But it's a learning that that could have been better
 8 anyway, because if that was better anyway, then it
 9 wouldn't have been as bad during the pandemic, if that
 10 makes sense. I just also think that, you know, touch
 11 wood it never happens again, but if we did have to go
 12 through something similar, where there was a raft of
 13 documents that had to be created, guidance documents,
 14 that they're just made simpler, that somebody like me
 15 shouldn't have to pick them apart and, you know, make
 16 them accessible and easy to read. That should be done
 17 already and, yeah, just so it helps the staff because
 18 fundamentally at the heart and the bottom and the middle
 19 of all this is the children, and it's about ensuring
 20 that they have that best start in life.

21 Scotland are really committed to it as a country,
 22 and we've got some really wonderful policies around it,
 23 but we just sometimes need to think a bit better, so
 24 making sure that staff have time to do what they need to
 25 do, so they can invest time in the children and that

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1 play is really important and recognised, and that it's
 2 really important to allow families to come together,
 3 particularly in socio-economic disadvantaged
 4 backgrounds, come together and create those networks and
 5 meet those peers, so they can have that support going
 6 forward, to really just guarantee that kind of best
 7 start for the little ones.

8 MS STEWART: Thank you very much, Ms Kettles. I don't have
 9 any more questions for you.

10 My Lord, I have no further questions unless there's
 11 anything that your Lordship wishes to add.

12 THE CHAIR: Thank you very much indeed. Thank you,
 13 Ms Kettles. I'm very grateful for your evidence. We'll
 14 now take a break until 3 o'clock.
 15 (2.41 pm)

16 (A short break)

17 (3.00 pm)

18 THE CHAIR: Good afternoon, Ms van der Westhuizen.

19 MS VAN DER WESTHUIZEN: Good afternoon, my Lord. We are
 20 this afternoon going to hear evidence from a panel of
 21 three witnesses, Ms Rhona Black, Ms Karen Flynn and
 22 Mr Ross Keenan, who are all operators of private
 23 voluntary independent nurseries and members of Early
 24 Years Scotland, from whom we've just heard evidence.
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1 MS RHONA BLACK (called)

2 MS KAREN FLYNN (called)

3 MR ROSS KEENAN (called)

4 Questions by MS VAN DER WESTHUIZEN

5 THE CHAIR: Good afternoon to you all.

6 Ms van der Westhuizen, when you're ready.

7 MS VAN DER WESTHUIZEN: Thank you, my Lord.

8 Good afternoon, everyone. I'm going to ask you in
 9 a moment to introduce yourselves, but I am just going to
 10 confirm that you previously attended a round table with
 11 the Inquiry. Is that correct?

12 THE PANEL: Yes, we did.

13 Q. And a round table report was prepared of that meeting,
 14 and have you had sight of that round table report?

15 THE PANEL: Yes, we have.

16 Q. Thank you.

17 My Lord, the number for that is SCI-WT0171-000001.

18 I'll just ask that to be put up on the screen
 19 because essentially what we are doing this afternoon,
 20 my Lord, is we'll be running through the agenda items
 21 that were run through at that round table, and just get
 22 evidence in relation to each of those headings. If
 23 I can ask for that to be scrolled to the end, so we can
 24 have the agenda items up on the screen in front of
 25 everyone.

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1 Before we start, could I please ask you all to
2 introduce yourselves by giving your full names, the name
3 of your setting and an indication of the size of your
4 setting or settings, and how many — the number of
5 settings and if I could start perhaps first with
6 Mr Keenan.

7 ROSS KEENAN: Hi, my name is Ross Keenan. I'm director of
8 Cosmic Coppers Childcare in Glasgow.

9 At the time pre-pandemic, we operated three
10 different services, two children's nurseries running off
11 of three locations and one after school care, totalling
12 around 250 children per day, we could take into our care
13 across all three settings.

14 Q. If I could ask Ms Flynn to come in, followed by
15 Ms Black.

16 KAREN FLYNN: My name is Karen Flynn. I'm the director/area
17 manager of Kirrtonholme Childcare. We at present have
18 11 settings, but at the time of the pandemic had 10, and
19 we have also added two forest schools. At the moment,
20 we offer care for over 1,000 children and families.

21 RHONA BLACK: My name is Rhona Black. I'm the head of the
22 nursery and kindergarten at the Glasgow Academy
23 Kelvinbridge site, which is one of three sites in
24 Glasgow, one in Milngavie, one in Newlands and one
25 in the West End, in Kelvinbridge. At Kelvinbridge we

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1 offer a place for 84 children daily.

2 Q. Thank you. If I could ask for the agenda just to be
3 shifted up a little bit so we can get to the first item,
4 which is — well, the first item for us today, which is
5 item 4, discussion of the key issues and impacts
6 experienced by ELC settings and their workforce.

7 Thank you.

8 Just by way of how we will run things today, there
9 are six items on this agenda and I propose to include
10 a seventh one. On my calculations we should be able to
11 make it through all of them. What I'm proposing to add
12 to the end is a discussion on the financial impacts on
13 your settings and your businesses. That's touched on in
14 a couple of the bullet items. So if we can save that
15 discussion until the end, and just have a stand-alone
16 discussion on the financial impacts on your businesses.

17 My Lord, the items I will be covering are the
18 closure of the settings, for those who did not operate
19 closures — who did not operate over closures and
20 lockdowns.

21 The second item is operating critical childcare
22 services or hub settings over closures and lockdowns.

23 The third item is operating with restriction
24 measures throughout the pandemic period.

25 The fourth item is subject-specific impacts on the

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1 workforce.

2 The fifth item is subject-specific impacts on
3 preschool children, and I'm going to be proposing that
4 we include in that discussion impacts on the families as
5 well, the parents and parenting, not just on the
6 preschool children.

7 The sixth item relates to disproportionate impacts
8 on certain groups of preschool children.

9 And then, as I said, I propose to include a final
10 item on financial impacts on the businesses themselves.

11 If I could perhaps start off the discussion by
12 getting an indication, and again, just for the
13 stenographer's benefit, I'll cue you in one by one. But
14 if we could perhaps start again with Mr Keenan, followed
15 by Ms Flynn and then Ms Black, and just get an
16 indication of which of your — which of you closed down
17 over the lockdowns, and which of you remained open, or
18 whether there was a combination of the two.

19 ROSS KEENAN: Initially on the first lockdown, we looked to
20 remain open to offer care for what was classed then as
21 key workers' children. After a short period of time,
22 probably a week, we decided through pressure that was
23 being exerted by our parents and carers to close because
24 of the options of selecting children that were eligible
25 at the time. It became a bit of a minefield for us in

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1 terms of selecting people who were eligible and not. So
2 we chose to close down on the first lockdown after that,
3 and any subsequent lockdowns, we remained open to offer
4 care.

5 Q. Thank you.

6 KAREN FLYNN: We made the decision to close all but two of
7 our settings. The two settings that remained open was
8 our south Ayrshire setting, and that was because South
9 Ayrshire Council had asked us to provide a hub, so we
10 actually provided a hub in Ayr, and our other setting
11 was the Wishaw general hospital setting. We felt
12 morally that we should keep it open. There was —
13 North Lanarkshire Council did provide hubs in
14 north Lanarkshire for the children. However, we felt
15 that these children — this is the setting they know,
16 this is the people they know, and really it's the best
17 place for those children to be there. However, it did
18 get fractious, as was just said there, about parents
19 then. There was a lot of unrest about what makes
20 someone eligible for those places. So it was difficult.

21 Q. Thank you very much. We'll come on to discuss that in
22 more detail in due course. Ms Black.

23 RHONA BLACK: We closed our settings in Milngavie and in
24 Newlands, and at Kelvinbridge, I remained open as a hub
25 for those other two sites.

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1 Q. Thank you. Just in terms of those of you who closed,
 2 what were the impacts of ceasing to provide the usual
 3 services such as, for example, on relationships with the
 4 families and children that you'd ordinarily remain open
 5 for?
 6 ROSS KEENAN: Significant, in terms of our ability to
 7 communicate with families, it was severely impacted.
 8 Our only --- or our chosen channel for communication was
 9 Facebook at the time. That was our key means of
 10 contacting, staying in contact with families and
 11 suchlike, so you can imagine not a lot of people were on
 12 Facebook, there was significant impact with that.
 13 Again, with it being online, there's only so much you
 14 can do via social media. You can't actually physically
 15 check on the well-being of children. So there was
 16 significant impacts with that.
 17 KAREN FLYNN: For us we saw huge impacts. Like what's just
 18 been said, there wasn't a lot of digital back then. We
 19 had Facebook, our staff were doing things on Facebook
 20 for the children, meeting with the parents, but having
 21 those connections was --- losing those connections was
 22 really worrying because we had many, many children who
 23 were very vulnerable, even just before the pandemic, and
 24 that just made it even harder, because we had lost all
 25 contact with them.

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1 RHONA BLACK: During the first lockdown, we had sporadic
 2 contact with the parents on Zoom calls and tried to
 3 maintain connection with the children during that time.
 4 But during the second lockdown, we were much better
 5 prepared, and we had daily Zoom sessions with the
 6 children, and tried to establish relationships with them
 7 and maintain relationships with them on a virtual
 8 medium.
 9 Q. How important was it from their perspective to ---
 10 RHONA BLACK: I think for the children it was very
 11 important. I think the families appreciated the time
 12 when we spoke to the children and worked with the
 13 children, reading stories, having small lessons and
 14 classes with them. I think for the families, it was
 15 very important. The children loved seeing each other on
 16 the screens, and for --- many of my children transitioned
 17 to nursery and started their nursery days on a Zoom
 18 call, but it meant when they came to join us in reality
 19 in person, they did have some idea of who we were and
 20 we weren't just strangers.
 21 Q. In relation to families that you maybe weren't able to
 22 contact, were there any particular concerns?
 23 ROSS KEENAN: Generally speaking, we had widespread adoption
 24 of our chosen channel of Facebook, so there weren't
 25 many, if any, families that we were disconnected with

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1 totally. Some use Facebook more than others in terms of
 2 communicating with us and what their choices of
 3 communication were, but generally speaking, we managed
 4 to maintain communication with all of our families,
 5 albeit restricted to their choice in terms of how much
 6 they wanted to communicate with us.
 7 KAREN FLYNN: There was numerous things that we did. We did
 8 actually do Zooms as well, and the staff were doing
 9 bedtime stories and things like that with the children,
 10 but our staff took it upon themselves for those more
 11 vulnerable children to be doing garden visits and
 12 doorstep visits and just checking in on them, and this
 13 was even when they were furloughed, they still checked
 14 in, because we knew that we had good relationships with
 15 our families, and so we knew what the challenges were,
 16 and we knew that they would have been exacerbated with
 17 home schooling preschool children. Also financial
 18 issues as well, we were already struggling financially,
 19 and knowing that their children were getting fed during
 20 the day at nursery, where all that was going. So our
 21 staff had taken it upon themselves to do wee bits and
 22 pieces just to keep checking in.
 23 RHONA BLACK: I think for anyone who works in childcare,
 24 lack of visibility of children is always a concern that
 25 you have if you don't know if they're ill, so for

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1 a sustained period of time, not to have connection and
 2 visibility of children will always be something that
 3 rang alarm bells potentially. I have to say, most of my
 4 parents and families engaged readily with the offerings
 5 that we had, and we had visibility of most of the
 6 children, and for those other ones, we sent messages or
 7 we phoned home, and we tried to keep up with them in
 8 terms of activities and things that we could send to
 9 them to engage with.
 10 Q. Thank you. In the round table report there's mention of
 11 pressure to stay open. There was substantial pressure
 12 to remain open from parents and carers. I would ask you
 13 each in turn to address what --- concern has been raised
 14 about whether and to what extent staff might have been
 15 under a similar pressure to come into work if you chose
 16 to remain open over a particular point. So I just ask
 17 you each in turn to indicate what policies you had for
 18 staff attending if they were feeling ill, and to what
 19 extent staff might have felt pressure to come into work
 20 if they themselves were not feeling well.
 21 ROSS KEENAN: Generally speaking, when the first lockdown
 22 came around and we reviewed our policy for who would be
 23 willing to come into work, we actually asked our
 24 workforce if there were any within the workforce who
 25 were subject or were classed as being vulnerable.

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1 Those were immediately excluded from expectation of
2 working because of their own situation. We then spoke
3 to our team in terms of those willing to basically carry
4 on working, those who were wary of it and we tried as
5 much as possible to take that into account when we were
6 trying to offer the care for the children. Again,
7 moving on, care numbers we were taking in through the
8 door were significantly reduced so that became easier
9 in the short term, but as numbers gradually increased,
10 it became a bit more difficult. But generally speaking,
11 we were able to fulfil everybody's needs and look after
12 their concerns with regards to their own health and
13 well-being.

14 KAREN FLYNN: We were very similar. There were also staff
15 who they might not have been vulnerable but they had
16 family members who were vulnerable. We had a few whose
17 grandparents had moved in to be part of their bubble.
18 All those things. So we took all that into account.
19 But again, just what's been said, the numbers were
20 significantly lower, so we could — it did allow for
21 that flexibility.

22 RHONA BLACK: Again, the same. We talked to staff about who
23 was willing to come in, who was able to come in, perhaps
24 they didn't have childcare for their own children
25 necessarily readily, so it was about making sure that

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1 they felt comfortable about the amount of time and
2 pressure that would be exerted upon them in fulfilling
3 a rota. So I reduced their hours to make sure that they
4 had adequate time to be with their own families and also
5 to help out as much as they felt able to.

6 Q. Thank you very much. I think if we could move on then
7 to the next bullet item, which is operating as critical
8 childcare services in the hub settings over closures and
9 lockdowns. This has a number of sub-topics including
10 eligibility criteria, uptake of spaces, changes in
11 responsibilities, development and training, mental
12 health and well-being, registration requirements and
13 financial impact, which again, the financial impact
14 aspect we'll discuss at the end. If I can start with
15 Ms Flynn this time, and just ask you specifically
16 in relation to the operation of critical childcare
17 services and all of you in turn then, what were the
18 eligibility criteria and how were those enforced?

19 KAREN FLYNN: Well, we were given — things get a bit
20 fuzzy — a list of criteria of what makes you a key
21 worker but that could be misconstrued, that could be —
22 like, we had parents taking jobs as delivering Just Eat
23 once a week just so they got the criteria to bring their
24 child in. We knew they still had their day job, but if
25 you did two hours a week delivering burgers, then they

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1 got the free childcare. So there was all of that.

2 We had a skeleton staff, and also trying to keep our
3 staff safe as well, because we had a responsibility to
4 our team as well, and it then sometimes became a wee bit
5 challenging that actually we were the ones at the front
6 line having to take sometimes really difficult
7 decisions, but sometimes there were parents who were
8 really quite volatile about being a key worker.

9 Q. So in relation to that, were you having to decide
10 yourselves who did or did not qualify?

11 KAREN FLYNN: Yes.

12 Q. Any input or involvement from the local authority?

13 KAREN FLYNN: No, we were on our own with it.

14 Q. If I could ask then Ms Black and then Mr Keenan for your
15 input on this?

16 RHONA BLACK: So the criteria was actually dealt with by our
17 management team in the school, and they dealt with a lot
18 of enquiries from parents who wanted to know whether
19 they were eligible or not, and some of the criteria, the
20 way it was worded, perhaps led to a bit of dubiety of
21 eligibility or not, and often parents reflecting on
22 other people's jobs and professions, and whether they
23 felt that was a suitable eligible category or not. It
24 created a bit of dubiety, I think, amongst parents.
25 They wanted the best for their children. They didn't

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1 want to be having their children at home while they were
2 trying to work, and they were in a quandary themselves:
3 how am I going to look after my child adequately and
4 suitably when I'm trying to do a job? So there was
5 a lot of personal angst, I think, brought by about it.

6 Q. Thank you. Mr Keenan?

7 ROSS KEENAN: I think connecting to what Karen and Rhona
8 said as well, the financial impact on a lot of our
9 parents was such that it brought a huge amount of
10 pressure on them. That pressure was subsequently
11 redirected towards the other childcare settings. We sat
12 and decided who was basically in and who wasn't in, to
13 the extent of — I had people on the phone to me
14 shouting and screaming down the phone that their wife as
15 eligible, when in fact we knew she wasn't, and it was
16 making relationships very, very difficult at that point
17 as well, because they felt the pressure and likewise
18 they were putting us under an awful lot of pressure.

19 I think the key thing for us making decisions was
20 the sourcing of information on who was eligible at any
21 given time. At one point it was left up to us to
22 basically go on and trawl the Internet to get viable
23 lists of who was eligible, who wasn't eligible. Those
24 lists differed in Scotland from England on a lot of
25 occasions, and sometimes the only information you could

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1 get was from information that was eligible in England,
 2 so you took the best information you could get and tried
 3 to apply that. I think the frustration on our part
 4 a lot of times was whether we were actually right or not
 5 in taking a standpoint on that, and that was very, very
 6 difficult at the time.

7 Q. Just in terms of children being allocated to hub
 8 settings, were any — of your settings, were any
 9 children allocated to your hub settings that were not
 10 children who you — settings were not children who'd
 11 normally attend? If I can start maybe in reverse order.
 12 Mr Keenan?

13 ROSS KEENAN: All of our children were children registered
 14 with us. There was no other children coming in to us
 15 from other settings at all.

16 Q. Thank you. Ms Flynn?

17 KAREN FLYNN: In our hub setting in Ayrshire, we had
 18 children we didn't know. Most of the children we didn't
 19 know. Some of them being school age as well. So that
 20 was a whole different — we had to resource, we had to
 21 do all of these things for them, because it was
 22 a preschool setting, but we had children who were school
 23 age up to the age of P7 with us.

24 RHONA BLACK: I just had children who came from our school
 25 setting.

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1 Q. Perhaps I could turn back to you, Ms Flynn, and ask you,
 2 were there any specific — we'll obviously come on to
 3 discuss impacts on children, but in relation to the
 4 children who were allocated to your hub setting that
 5 were maybe not ones that you were familiar with, were
 6 there any particular issues for them or for yourselves?

7 KAREN FLYNN: The not knowing — like their whole world had
 8 been turned upside down and then they were asked — they
 9 were taken out of their own out-of-school care and
 10 brought to us. They didn't know us, they didn't know
 11 anybody, like — and they came from all different
 12 schools as well, so it wasn't as though it was just —
 13 to know that wee hub from that school. There might have
 14 been five or six schools that they came from.

15 So there was huge impacts. Yes, they were old
 16 enough to build relationships and all of those things,
 17 but when you actually — your world is upside down as
 18 it is, you're not going to school, now you're not going
 19 to your out-of-school care and you're going to this
 20 place where you don't know and you don't know anyone,
 21 and you've got a workforce that only knows early years,
 22 and has just had to adapt.

23 Q. Before I move on to everyone else, in terms of — you
 24 mentioned there the increased workload, what was that
 25 like and what steps did you have to take to accommodate

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1 operating as a hub for children who weren't ones that
 2 ordinarily attended?

3 KAREN FLYNN: It was more the fact of thinking outside the
 4 box to what would meet the needs of the children,
 5 because when you're used to just having those preschool
 6 children, you know what meet their needs, but all of
 7 a sudden you have all these school-age children. It
 8 wasn't just: what can I do with them to keep them
 9 occupied and keep them happy; but it was: what resources
 10 are we going to use, where are we going to get —
 11 everywhere is closed. You know, but actually what —
 12 give my staff their due, it was them that was: I've got
 13 this in the house and I've got that in the house, and
 14 we'll bring all this. And we kind of all just pulled
 15 together for the workforce to get them resources that
 16 would help.

17 Q. Just before moving on from this topic, just in terms of
 18 staff mental health and well-being, what if any impacts
 19 were there on that as a consequence of having to operate
 20 as — choosing to operate as hub settings? Perhaps
 21 I can start with Ms Black and then move back up the
 22 line.

23 RHONA BLACK: I think for my staff who worked in the hub
 24 together, it made us a very tight team. It certainly
 25 bonded us together in trying to make the best experience

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1 for the children, both the ones we had in the hub and
 2 also remotely. So we worked really hard to make that
 3 the best possible experience in both environments. And
 4 I think it made us a very strong team. It was
 5 a positive thing for us as staff.

6 KAREN FLYNN: I would mirror that. It was very positive,
 7 because you were relying on each other more than you
 8 ever did before. I think the only negative came is when
 9 they were split into bubbles. But when they were all
 10 able to work together, then it was really good.

11 ROSS KEENAN: I would echo what my colleagues have said
 12 there. The connection between the staff teams grew
 13 stronger. They connected even in the first lockdown
 14 where they weren't actually physically in, they
 15 connected over social media and spent a lot of time with
 16 their work colleagues as well as their family groups.
 17 Generally speaking, we were very cognisant of the mental
 18 health areas that we made sure the staff team were okay,
 19 were coping okay. If they had any specific concerns,
 20 we were trying to address them as much as possible.
 21 Generally speaking, our staff coped admirably well with
 22 it. We didn't have any real dramas, if you like, as
 23 a result of it. They stuck together very well.

24 Q. Thank you. If we could perhaps then move on just to
 25 discuss operating with restriction measures throughout

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1 the pandemic period. This incorporates things such as
2 keeping up—to—date with guidance, wearing a face mask,
3 enhanced cleaning and hygiene, restrictions on play
4 practices, toy rotations, restrictions on parental
5 engagement and restrictions on the use of blended
6 places.

7 If I could start specifically in relation to keeping
8 up—to—date with guidance as a stand—alone topic and
9 perhaps start with you, Ms Flynn and then Mr Keenan and
10 then Ms Black, and then we can come back round and
11 discuss any of the others that were issues for you.

12 KAREN FLYNN: With regards to guidance, that was hugely
13 challenging because it changed so quickly, so often, it
14 just seemed like every Thursday night, there was another
15 change to the guidance. But at the beginning when the
16 guidance came out, it was just — pieces were just added
17 to it but you didn't know what the addition was. So
18 every week you were going through screeds and screeds of
19 paperwork, trying to work out what was there last week
20 that's — or what wasn't there last week that's there
21 this week.

22 Eventually, I'm sure eventually it ended up getting
23 highlighted in blue any changes, but even the stress of
24 sitting, going through, that was one of my main jobs was
25 sitting churning through this every week, because you're

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1 thinking: I've got the responsibility of all these
2 staff, all these children and all these families on my
3 shoulders, and if we do it wrong, then it comes back to
4 us. I would say that was probably one of the worst
5 parts of it.

6 Sorry, I'm getting a bit ...
7 Q. Mr Keenan, perhaps we can move on to you.

8 ROSS KEENAN: I think again, keeping up with the guidance
9 was a huge demand on our time. Fortunately, we're
10 a family business. My wife dealt with that in terms of
11 that, and then it brought up discussion. Hugely, hugely
12 challenging. The fact that we were expected to move on
13 to these things almost immediately, there was a huge
14 amount of pressure. I think that was borne through our
15 willingness to be compliant, but again, there was an
16 unknown — there was grey areas there in terms of some
17 of the things you were doing, were they compliant, what
18 would be the punishment, if you like, for not being
19 compliant. That was huge. There was an awful lot of it
20 we felt was changing without our knowing as well, and at
21 times being unsustainable. That was a huge pressure on
22 us, huge.

23 Q. Thank you. Ms Black.

24 RHONA BLACK: I think there was a lot of guidance
25 undoubtedly, and I think in early years, and when you're

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1 dealing with little vulnerable children, you want to get
2 things right immediately, you want to know that
3 something is important and you follow through. So there
4 was a lot of pressure and a lot of new information
5 coming out, and it was a lot to keep on top of.

6 Q. Then related to guidance, just to ask when settings were
7 opened beyond critical care, what were some of the
8 restrictions and measures imposed that were either good
9 or bad or particularly problematic for you, and if I can
10 perhaps start with Mr Keenan this time.

11 ROSS KEENAN: The biggest initial one that came in was the
12 implementation of bubbles where we had to isolate the
13 children and staff to be able to manage the bubbles, not
14 only isolate the children and staff but find spaces
15 within the nurseries that were able to be segregated as
16 such to keep the children and staff in their own
17 separate bubbles.

18 Picking who went into each bubble was a huge issue,
19 because from that, you use your knowledge of the
20 children, who they're familiar with, when they attend
21 nursery. Off the back of that, there was significant
22 pressure from parents to assign children to specific
23 groups where the parents thought the children would be
24 best suited. So you were looking at social groups
25 outwith nursery, as opposed to social groups within

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1 nursery. Huge pressure with that.

2 The actual physical segregation of the nurseries was
3 a huge issue, and a very, very costly issue for us all
4 in terms of being able to cope with that. That was
5 probably the biggest challenge. Uncertainty in terms of
6 what you were able to do to create a bubble, who was
7 eligible to go into a bubble. Certainly for myself,
8 I know that the number of children within a bubble was
9 hugely problematic to us, and we were restricted to that
10 at the start as well, which hugely took down your
11 ability to operate at capacity or within numbers that
12 you were used to, so that was a huge, huge issue for us.

13 Q. Thank you. Ms Flynn, you mentioned bubbles already.
14 Please feel free to expand on that and/or to mention any
15 of the other —

16 KAREN FLYNN: The bubbles were hugely challenging,
17 absolutely hugely challenging, because it was like has
18 already been said, we had parents who — we were
19 splitting the children into their friendship groups of
20 those children that they played with on a day—to—day
21 basis in nursery. However, parents didn't see that
22 because they saw who they played with at the park in
23 their social groups, and that caused so much unrest, but
24 also the staff then had to get split up in the breaks.
25 They had to use separate toilets. They had to — so

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1 where we had all that camaraderie before where the staff
2 stuck together like a wee tight-knit community, they
3 were all separated.

4 So they were vulnerable, they were — like they
5 had — they didn't have their friends to sit at a break
6 with and at some points were sitting on breaks on their
7 own. So they were working all day, eight hours a day,
8 with just one group of children and just them, and then
9 they couldn't even sit in their break and have
10 a conversation, and that to me is when the mental health
11 issue hit big and hit the staff, and they really began
12 to crumble in that.

13 Q. Thank you. We'll perhaps touch on mental health issues
14 in a moment. Ms Black, if you could come in.

15 RHONA BLACK: The problems with bubbles were such that
16 we were only allowed to have 32 children in one of our
17 rooms, but actually at that time my register was 48
18 children, so 16 children had to be located somewhere
19 else or not come to nursery.

20 So it was never a question that we would say to 16
21 children, you can't come in. So we found — initially
22 we started in the garden with 16 children in the garden
23 in probably one of the coldest winters. After a while,
24 that became unsustainable because it was just so cold.
25 The school found us an alternative space indoors, and we

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1 created a nurture room for the children and we had
2 a space for them there. It became — it was a lovely
3 space and we resourced it for that.

4 But 16 children in a garden doing all sorts of
5 dancing and singing, trying to keep warm. The Twelve
6 Days of Christmas song acted out was a highlight,
7 I would say, but not perhaps the best because two
8 members of staff had to be outdoors whilst the other
9 staff team were indoors working in bubbles.

10 Q. Thank you. Just before we move away and looking at
11 issues in relation to the workforce and staffing, we've
12 heard a little bit today about transitions and issues
13 with — or the importance of transitions. Could
14 I perhaps start with you, Ms Black, and then move down
15 the line again, just to ask if there were any particular
16 concerns or issues in relation to transitions during the
17 time when you were operating with restrictions.

18 RHONA BLACK: So for the new intake that were coming to me,
19 I came in during the summer holiday and actually toured
20 children and their parents around the nursery in an
21 empty space with no children, toys all tidied away and
22 with mothers who perhaps hadn't left their children with
23 anyone at all before that. They were having to entrust
24 their child to — well, (a) me who they had met but also
25 other staff who they weren't going to meet during that

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1 induction visit, so the transition became a very trusted
2 experience. Parents had to put an enormous amount of
3 trust in us, leaving their most precious thing at
4 a gateway or a doorway with people who they really
5 hadn't made a connection with as an adult, and we were
6 expected then to take their most precious thing and
7 develop a relationship with them going forward and know
8 that we were doing the right thing for everybody working
9 together.

10 So transitions were, I think, probably one of the
11 hardest things for the children. When they did come in,
12 they established relationships with the staff very
13 quickly, because they hadn't been around a lot of other
14 adults, and all of a sudden, there were all these new
15 play resources and new people to play with. So the
16 settling session became a shorter period, I would say,
17 for children but transitions were particularly
18 challenging.

19 Q. Thank you. Ms Flynn?

20 KAREN FLYNN: Yes, I mirror that too. We have — we've got
21 a different — we've got Scotland's youngest children.
22 So we've got, I mean, I think about 400 babies in our
23 care. So that was massive, that was really, really
24 difficult, because we very much — the way in which at
25 Kirktonholme we do our transitions is it can take up to

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1 six months. We encourage parents when they're on
2 maternity and paternity leave to come and do stay and
3 plays for as long as they want. It can go months on end
4 until they're ready to go to work, and then that's when
5 we do the settling.

6 So all of that was obviously gone, just like Rhona
7 says about taking babies off parents at doors. We did
8 evening visits. We would never — like Rhona, never
9 have anybody hand their baby in to a nursery, and you've
10 actually never been over the door. So we did do evening
11 visits. We also did stay and plays in the garden. So
12 yes, it never went on, because it was winter months, it
13 never went on as long as we would generally have done
14 it, but we did do it, we encouraged the parents to just
15 come and play, do you know, with us to try and get it
16 that wee bit better. But for children that was a huge
17 impact.

18 ROSS KEENAN: Transitions in terms of new children coming on
19 board or coming into the nursery wasn't particularly
20 a challenge for us, because we didn't — we were
21 struggling to provide our existing register with the
22 care required. So we didn't actually bring on a lot of
23 new children as such. We were so restricted in our
24 numbers in terms of putting them into bubbles that we
25 couldn't. The additional transition from that as well

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1 is from age group to age group as it moves up through
 2 the nursery. By and large we tried to maintain the
 3 children in their age groups, even though maybe
 4 encroached over the recognised age group by a couple of
 5 months to just try and keep them within their own bubble
 6 that they were familiar with as much as possible. We
 7 tried to restrict that as much as possible as well.

8 Any new transitions towards the end of the pandemic
 9 were dealt with via Zoom calls and afternoon or evening
 10 visits, so that they could come in and meet the managers
 11 on site, and again, it was about the managers on site
 12 dealing with parents, becoming a face that they knew,
 13 but in terms of the actual staff members that would look
 14 after the child, we tended to keep that to a minimum.
 15 It would just purely be senior managers speaking to
 16 parents who are going to bring in new kids towards the
 17 end of the pandemic, certainly not when there was
 18 bubbles in operation, because we just didn't have the
 19 space. I still had children sitting at home that were
 20 on our register that couldn't come to nursery, so
 21 bringing in any new children just wasn't an option for
 22 us.

23 Q. Thank you. If we could perhaps now turn just to look at
 24 specific impacts on the workforce, such as
 25 qualifications, experience, recruitment and retention,

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1 integrated working with other services, vaccine
 2 prioritisation, access to PPE regulation, inspection and
 3 the expansion of funded hours. Perhaps we won't have
 4 time to go through all of those, but Ms Flynn, you
 5 mentioned mental health, so perhaps we could start with
 6 mental health, then discuss qualifications, experience,
 7 recruitment and retention if there are any particular
 8 issues with that, and regulation and inspection, and if
 9 there's time then, working with other services, perhaps
 10 I think is something that we could touch on as well. So
 11 perhaps if we can start with mental health with you,
 12 Ms Flynn.

13 KAREN FLYNN: It was at the point of the bubble, as I said
 14 previously, at that point we started to see the staff
 15 starting to struggle. Do you know, they just weren't —
 16 and it had been a long time as well and their personal
 17 life, they'd gone through so much as well, they'd been
 18 in work and out of work, and it definitely had that
 19 impact on them and they were then starting to become off
 20 sick more, do you know, and just struggling, just
 21 needing, do you know, that wee bit extra. So that's
 22 where we were with mental health. I mean, do you want
 23 me to go on and speak about qualifications or do you
 24 want to do mental health first?

25 Q. We'll finish mental health and then we'll come back

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1 around on that. I think, Ms Black, maybe if you could
 2 go next.

3 RHONA BLACK: I think for the staff who were working in the
 4 hubs and things, it was easier for them to remain
 5 positive. They had the camaraderie of a team and
 6 perhaps the ones who were at home would find that slight
 7 disconnect from — and it was really was up to managers
 8 in those settings to keep the staff going in terms of
 9 contacting in connection with them, and I know some of
 10 my colleagues had weekly Zoom meetings and quiz nights
 11 and different things with their staff and different sort
 12 of social events online to try and maintain that
 13 connectivity and to remain in touch with them and to
 14 check in on them as much as possible.

15 Q. Thank you. Mr Keenan?

16 ROSS KEENAN: Mental health during their time on shift
 17 I think for our teams was a bit easier for us, certainly
 18 in one setting because of the nature of our settings,
 19 it is generally open-plan. The segregation still meant
 20 that they could see the rest of their teammates within
 21 the playrooms, so communication and suchlike, as they
 22 would normally get it, while restricted to a degree,
 23 wasn't totally removed.

24 Echoing what Karen had said, you would get staff
 25 members going in on a tea break and sitting in

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1 isolation. So naturally, a tea break is a time for them
 2 to have a chat and suchlike. That was obviously
 3 reduced. Generally speaking, I thought our staff team
 4 did an admirable job in terms of maintaining their
 5 mental health. There were certain aspects of — as you
 6 would get with any workforce — some being more
 7 vulnerable than others, and we tried to address that
 8 but, generally speaking, they did a reasonable job with
 9 it.

10 Q. Thank you. If we could then turn and probably start
 11 with Ms Flynn again on qualifications, experience and
 12 recruitment and retention, if there were any issues or
 13 subsequent issues with that.

14 KAREN FLYNN: There was. There was huge issues, but the
 15 pandemic came the same time as an expansion in early
 16 learning and childcare, so it's kind of difficult to
 17 separate both. But a definite impact was the
 18 qualifications and experienced workforce because a lot
 19 of — we've got a whole — because of the expansion
 20 we've got a whole new workforce now and they're all
 21 a very young workforce. So that workforce then were
 22 doing a qualification through a pandemic or they maybe
 23 never finished their formal education, like school
 24 education, because of a pandemic. So they had missed
 25 a huge chunk of their education, whether it be at school

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1 or whether it be at college or with the training
2 provider, because a lot of the college-qualified
3 practitioners didn't get an opportunity to be in nursery
4 and have that practical experience.

5 And then others were --- if it was like an SVQ
6 qualification they did, which is very work-based, they
7 had some online classes but they weren't to the calibre
8 of what they should have got, just due to circumstances.
9 So there's a huge --- we're still dealing with it now.
10 There's a huge gap in knowledge and experience that
11 we are having to now go back and plug. So we're having
12 to take qualified staff back and doing training that
13 they should have got at college or with their training
14 provider.

15 Q. Thank you. Ms Black, I don't know if you have anything
16 on that.
17 RHONA BLACK: We had some recruitment which took place
18 during the lockdown and online interviews, which
19 we weren't accustomed to doing with staff, and when they
20 then came in to work in the room, it was a different
21 experience, it wouldn't be our normal way of running
22 things. We were operating a hub, so things were
23 different, but the staff were able to mentor each other
24 quite readily because we had smaller numbers of children
25 and we were able to explain things and for them to

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1 integrate was a different experience. But it was
2 a better experience in terms of having access to things,
3 but I think --- I know that an expansion happening at the
4 same time has had huge demands on staffing and the
5 availability of staff and well-qualified staff across
6 the sector.

7 Q. Thank you. Mr Keenan?

8 ROSS KEENAN: The recruitment of staff --- generally
9 speaking, we found the desire of our staff members to
10 move on to other environments wasn't there, they wanted
11 a bit of stability during COVID. Obviously, with the
12 impact of furlough as well, if they did move sometimes
13 they weren't eligible for furlough. That tended to slow
14 up the process.

15 By and large, just to echo what my colleagues have
16 said as well, the introduction of the expansion of
17 funded hours was the biggest impact because what you'd
18 had in terms of impact in the private sector was that
19 local authorities had in effect harvested all the
20 experienced staff from the private sector to cope with
21 the expansion introduced to 1,140 hours. That left us,
22 as Karen said, with an extremely young, inexperienced
23 workforce. And again, Karen's mentioned it previously
24 before, the level of experience left within the private
25 sector severely impacted our ability to nurture and

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1 bring on and teach the new recruits coming into the
2 sector maybe from school and suchlike. So that has had
3 a significant impact and is still having a significant
4 impact on certainly the private sector because,
5 basically, there's been an exodus of experienced staff
6 and a huge level of competent staff moving from private
7 to the local authority and that's been a huge impact on
8 us, really huge.

9 KAREN FLYNN: Can I just add, just to put it in context,
10 we've lost over 200% of our workforce, so we're about
11 150 practitioners and we've lost something --- to date
12 about 350 since the pandemic.

13 Q. And what impact has that had on children?

14 KAREN FLYNN: Massive, because these children --- this is
15 their people, this is their safety, it's those
16 relationships that have been built and it's just
17 a rotation continuously, the problem being just what
18 Ross has said about the new young workforce, it's not
19 their fault, but when you've got a full young workforce
20 there's no one to learn from because they're all at the
21 same level. But that's had a massive impact to the
22 children because it's like they don't know we get paid
23 to take care of them and love them and play with them,
24 they just think we're their auntsies and uncles and all
25 of these things and then all of a sudden every week

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1 there's someone else. It's had a huge impact on the
2 families as well because they build that trust in people
3 and then all of a sudden those people are gone.

4 Q. Thank you. Perhaps we can touch on, briefly, regulation
5 and inspection and if there were any issues around that
6 for any of you. We can perhaps start with Ms Black and
7 move back down the line.

8 RHONA BLACK: So we did not have any inspections at that
9 time. It wasn't --- we weren't due for inspections, so
10 it was following the last period of lockdown and of
11 restrictions we had an inspection from HMI, it was
12 a recovery inspection. Education Scotland came in, and
13 then, following that, last year we had an inspection
14 from Care Inspectorate, but nothing during the time of
15 the pandemic.

16 Q. Thank you. Ms Flynn.

17 KAREN FLYNN: We had a few out of 11 settings --- well, 10
18 settings at the time. It was a huge challenge. I would
19 say it's a huge challenge because we were firefighting.
20 That's all we did for two years, we fought fires. In
21 fact, we're still fighting some today. But when you
22 don't have a digital system, when you're working in
23 bubbles, and bubbles go down because when a child has
24 COVID and an adult --- we felt as though we were in
25 nurseries every single night of the week, going through

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1 everybody's forms, phoning every parent, letting them
 2 know — that was our day-to-day and then keeping
 3 everyone safe and those children happy. But then
 4 we were getting inspected throughout it.
 5 We got a key question 5 inspection about keeping
 6 children safe and healthy, and of course we've got to
 7 make sure children are safe and healthy. However, the
 8 inspection — one inspection was in person, but at that
 9 point the Care Inspectorate weren't allowed in for more
 10 than 2 hours, so you had to send stuff to them. Another
 11 inspection — we had one of our managers going about
 12 with a tablet round the whole nursery, being fired —
 13 questions fired at them.
 14 Then others, it's just on the phone. It was all
 15 very different, but at a time — well, the first part,
 16 the Care Inspectorate were phoning us weekly, checking
 17 in, "How are you doing? Do you need anything? What can
 18 we do to help?" But very quickly, that changed and
 19 we were then being inspected and I felt — I still feel
 20 bitter to this day that that was put upon us at that
 21 time. We did have an HMI, an Education Scotland
 22 recovery visit, which was very positive, and
 23 Education Scotland sold it to us as, "We're here to
 24 listen and learn, we want to know — before we can fully
 25 inspect, we want to know what you went through, what the

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1 impacts were", all of this.
 2 But I felt that with Care Inspectorate, we got the
 3 opposite. It was making us feel guilty for not doing
 4 things maybe not 100% right, but we were juggling all
 5 these children, all these families and all these staff,
 6 and doing the best we possibly could at that time. And
 7 can I just say without masks, do you know, because we
 8 never wore masks, we never — because these children
 9 needed to see us; they needed to see our facial
 10 expressions, they needed to see smiles, all of these
 11 things. So we and our staff put ourselves out there
 12 where everyone else was all masked up and gowned up.
 13 When speech and language came through the door, they put
 14 a hat on, everyone took their coat off, put a hat on,
 15 a blue apron, gloves, and then went in and were supposed
 16 to be doing speech and language with children. There
 17 was huge implications of all these things.
 18 Q. Thank you. We'll probably touch on services now and if
 19 I could just ask Mr Keenan to finish off on the
 20 inspections issue.
 21 ROSS KEENAN: I think, generally speaking, the relationship
 22 with Care Inspectorate quickly moved. We didn't
 23 initiate or have any initiated contact with
 24 Care Inspectorate at the start of the outbreak. Our
 25 contact with them came subsequently after when we had

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1 outbreaks within the sites. We had two inspections in
 2 both of our services, one via phone and one in person.
 3 Both of them resulted in some tweaks being made, which
 4 subsequently we found questionable, for example putting
 5 a brand new window in a stairway because of ventilation
 6 issues, which we've now found out the ventilation issues
 7 were questionable. We found it to be quite adversarial
 8 at points.

9 Going back to a point we'd previously made earlier
 10 about the guidance being issued and our willingness to
 11 be able to adhere to the guidance but also an inherent
 12 fear that you weren't being able to follow the guidance,
 13 that would therefore be looked dimly upon by the
 14 Care Inspectorate when you were inspected. There was
 15 a level of real fear, if you like, certainly from
 16 a provider's point of view that we were doing the right
 17 thing when you'd so much information to wade through and
 18 invariably things would be missed but not — we were
 19 doing everything with the best of intentions but
 20 sometimes things slipped and there was just always the
 21 fear there that you'd be punished for it as such.

22 Q. Thank you. Well, perhaps — Ms Flynn touched on it and
 23 if I could start with you, Mr Keenan, and it feeds into
 24 the next subject, which is impacts on children. Before
 25 we leave the topic we're on now, if we could touch on

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1 working with other services and how that worked and if
 2 there were any issues in relation to that.
 3 ROSS KEENAN: I think we could all agree they practically
 4 stopped. I mean, to be totally — we didn't have huge
 5 amounts of additional support needs within our
 6 establishments as it was, there were maybe less than 20,
 7 but the support that we had at the time pre-COVID almost
 8 disappeared, almost disappeared. There was nothing to
 9 speak of in terms of any support for the kids.

10 There was one child in particular who was
 11 transitioning to school, who, in our opinion, shouldn't
 12 have been going to school and actually should have been
 13 going to a supported learning establishment, whose
 14 support dropped off a cliff and there was nothing there
 15 for the family, and I think that was a real concern for
 16 us.

17 But generally speaking, any support that we got,
 18 speech and language, that type of thing, just
 19 practically disappeared for us. Again, that in turn
 20 brought additional pressures to our staff teams because
 21 they were expected to kind of pick up the weight of it
 22 from there and they're just not trained for it; they'll
 23 do the best they can, but they're certainly not
 24 specialist trained in that aspect. So there were huge
 25 amounts of pressure on us from that aspect, but that was

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1 certainly our experience, that it practically
 2 disappeared.
 3 Q. Thank you. Ms Flynn?
 4 KAREN FLYNN: I just mirror that. There was very little.
 5 It was — speech and language for us had come back
 6 nearer the end, but it was, like he says, like all
 7 gowned up as though they were going to perform surgery
 8 and stood against a wall in a playroom. Now, there was
 9 nothing for that child, there was no connection, there
 10 was no — like — it's hard enough getting the children
 11 to feel safe and feel supported and then all those
 12 restrictions just added to that because we were doing
 13 our utmost to make sure we were in a nurturing
 14 environment but it wasn't — like Ross said, the other
 15 services kind of more or less disappeared until towards
 16 the end.
 17 Q. Thank you. Ms Black?
 18 RHONA BLACK: We had very little workings with other
 19 services at that time, but the few that we had, the
 20 visits took place in the garden, the visiting staff were
 21 happy to meet the children in the garden in an outdoor
 22 setting.
 23 Q. Thank you very much. If we could then turn and just get
 24 some evidence from each of you on impacts on preschool
 25 children such as, for example, social and emotional

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1 development, motor skills, language and communication,
 2 play, independence and confidence, routine and
 3 structure, feeding, eating, relationships, sleeping,
 4 personal skills, separational anxiety, transitions to
 5 primary school and any positive impacts. Perhaps if
 6 I could start with you, Ms Black, and we can work back
 7 up the line. There's a lot in there, so please feel
 8 free to pick out as many —
 9 RHONA BLACK: There's a lot. It's very obvious that the
 10 children have lost a lot of experience and understanding
 11 of — and social interaction template, seeing their
 12 parents interact with their friends, adult friends,
 13 seeing their parents interact with professional
 14 services, even going to shops with their children,
 15 visiting the doctor with their children, going to
 16 museums and cafés. Lots of the children hadn't been
 17 anywhere other than within the four walls of their own
 18 homes and, for them, learning to share a space,
 19 a different space, resources, time, share people with
 20 them, other little children, has been a huge learning
 21 miss in terms of how much time, when they're not in
 22 nursery, they need these things, they need these
 23 interactions.
 24 Children need to develop their own independence away
 25 from home, they need to develop connections and

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1 relationships with adults, and they need, and their
 2 families need, that support and that network of
 3 friendships and that network of trusting relationships
 4 that they can build, not only with us as professionals,
 5 but also with other parents going through the same
 6 experiences and shared — they didn't have things like
 7 toddlers, mother and baby groups, even the health clinic
 8 where they might have chatted to other mothers going
 9 through similar situations. I think that this is where
 10 the children haven't seen their parents reacting and
 11 interacting the way that they normally would with other
 12 people and, with the best will in the world, four walls
 13 and a screen with us talking to them hasn't made up that
 14 gap.
 15 Q. I meant to say in relation to impacts on children,
 16 please feel free to add any impacts on parents and
 17 parenting under that discussion as well.
 18 RHONA BLACK: I think the confidence of — often as a first
 19 time mum with your first child, you know, you need that
 20 connection with other people who are going through the
 21 same experience, and somebody perhaps phoning you and
 22 asking if you're all right isn't the same as somebody
 23 sitting, looking at you and talking to you and sharing
 24 that experience. And just being able to chat informally
 25 with other people going through the same experiences so

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1 that you can share that and you don't feel you're being
 2 questioned or judged, you can just be open and you can
 3 see other people's children and your children
 4 interacting and recognise the differences and
 5 similarities between their age and stage of development
 6 and how they play and interact and move.
 7 Q. Thank you. Ms Flynn.
 8 KAREN FLYNN: A lot of the same, a lot of — from the
 9 parents' view, I absolutely can see that lack of
 10 connection with other young parents themselves. I think
 11 we see it a lot in so many social media platforms and
 12 you see young parents asking in other parent groups
 13 questions about children's health and taking advice from
 14 other parents.
 15 To me that shows — and it's always, "I've got a 4
 16 year-old, I've got a 5 year-old", and you think, that's
 17 our lockdown children. "They're not speaking properly
 18 yet, should I be worried?" The other parents are giving
 19 advice back and saying, "No, don't worry, you're okay".
 20 And you're thinking, "Oh my goodness, speak to your
 21 health visitor", but they never had all of that. If
 22 they'd had all of that on the way up then they'd be
 23 reaching out to their health visitor or their GP or the
 24 nursery or the school and not on social media, so
 25 I think a massive impact to young families.

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1 With the children, yes, in development, especially
 2 speech and language development, there are huge impacts.
 3 That comes back to the masks, a lot of it comes back to
 4 masks, or being sat in front of a screen because their
 5 parents are maybe home schooling their older siblings or
 6 they're trying to work from home, what they're doing is
 7 just sitting them down, as soon as they put them in
 8 their pram they're handing them a phone, they're -- all
 9 of these things.

10 We've got children with American accents because all
 11 they see is YouTube and American things on their
 12 screens. But the masks as well. That lack of seeing
 13 those facial expressions, seeing all of those movements
 14 in the mouth, all the things that bring about good
 15 speech and language development.

16 I would say that physically and emotionally, some
 17 children with emotional -- but physically we were very
 18 outdoors, we still are very outdoors, we've never went
 19 back in. So they've been climbing trees, they've been
 20 doing all these things, so they actually are very
 21 physically well.

22 Relationships can be hit and miss as well because it
 23 depends on what their experience has been. So there's
 24 some children that really still are quite emotional and
 25 haven't got that maturity in relationships where they

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1 should be. So there is definite impacts to them, but
 2 the biggest positive being that they were outdoors and
 3 that's the place to be.

4 Q. Thank you very much. Mr Keenan?

5 ROSS KEENAN: In terms of the children, we had a mixed bag,
 6 really. There was a lot of positives, certainly from
 7 the first lockdown where support from the nursery was
 8 totally removed and it was basically the family on their
 9 own. I think there was an awful lot of guilt from the
 10 parents' perspective because if mum and dad, or
 11 either/or, had to sit and work during the day then what
 12 do you do with a 3 year-old? There's not a lot you can
 13 do.

14 We experienced huge amounts of children coming in
 15 after the first lockdown who are incapable of playing,
 16 couldn't do it unless you gave them a phone or an iPad,
 17 they could do that, that was no problem. Their diet.
 18 Again, it was what was quick and easy for mum or dad
 19 because of their specific circumstances. There was
 20 certainly a huge amount of guilt amongst parents with
 21 regards to that.

22 We got real positives. They came in back from the
 23 first lockdown having been toilet trained and they were
 24 brilliant, they could go to the toilet because mum or
 25 dad had time to actually focus on this, and their

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1 relationships got a bit tighter as well. So we had
 2 a huge amount of success with that.

3 But just to echo Karen and Rhona, the speech and
 4 language element of it -- when there were specific
 5 issues with that, mum and dad maybe didn't know how to
 6 deal with it, there was specialist assistance required,
 7 they had no access to it, so there were specific things
 8 like that. I think we put some numbers on it and
 9 I think our needs for speech and language rose, I think,
 10 around 30% coming back from the first lockdown.

11 But generally speaking, just children's ability to
 12 play was a huge thing because they were so used to just
 13 playing themselves, and when they got in amongst a crowd
 14 again there were bits and bobs of anti-social behaviour
 15 and such because they just weren't used to it. But that
 16 quickly moved on, we tried to rectify that after the
 17 first lockdown and we didn't shut down again and we
 18 provided an environment for them to come in and get an
 19 escape from home, if you like.

20 Q. Just before moving away from children, were there any
 21 disproportionate -- or any groups of children
 22 particularly disproportionately affected? For example,
 23 children experiencing poverty, care experienced
 24 children, children from minority ethnic backgrounds,
 25 children with additional support needs, children in

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1 one-parent families, and children in rural areas that
 2 you were aware of from amongst those with your cohort?
 3 ROSS KEENAN: The biggest impact would have been additional
 4 support needs. ASN was the biggest impact. We have --
 5 our settings are in very different demographics in terms
 6 of the parents we have. We didn't experience anything
 7 that was particular to either/or. Most -- the biggest
 8 impact was ASN, definitely, absolutely.

9 KAREN FLYNN: I would agree. Children with additional
 10 support for learning needs have been really, do you
 11 know, left.

12 RHONA BLACK: I think it's harder for us to access --
 13 there's a huge backlog now on the back of what's
 14 happened and, you know, families don't know their health
 15 visitor, that hasn't been someone who they've connected
 16 with, so it can be a bit harder to access support needs
 17 readily.

18 Q. Thank you. Then finally, obviously you're all business
 19 owners or operating businesses. The financial impacts
 20 as a consequence of the restrictions that were in place.
 21 If I could perhaps start with you, Mr Keenan.

22 ROSS KEENAN: Where do you start? The one positive that
 23 came out for us is the support we got initially if you
 24 were in partnership with your local authority. For
 25 a business owner, if we didn't receive the support from

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1 the local authority that we got through partnerships, so
 2 we are allocated partnership funding for every three to
 3 five children up to a level — if we didn't receive that
 4 funding we wouldn't be operating now post—pandemic. By
 5 my reckoning, we could have survived probably three
 6 months into the full lockdown. We had financial
 7 reserves to survive three months. That was
 8 pre—furlough. When furlough was introduced — I said it
 9 before, I'll say it again, quite happy to say it —
 10 I cried that night. It was terrible.

11 From that perspective, we moved on. I think the
 12 thing that really got us was the expectation of local —
 13 not local authorities but the government for us to open
 14 up, operate within the restrictions that they had placed
 15 upon us without the financial assistance. I know,
 16 certainly in our settings, we had to spend tens of
 17 thousands to become compliant within the guidance that
 18 was issued in terms of putting up perspex walls, putting
 19 up traffic light systems, buying in outdoor classrooms.
 20 All of that was done at a significant financial expense
 21 to us in normal circumstances. We were faced with
 22 circumstances that — our income was down 80%, sometimes
 23 up to 85/90%, and I think in a four—month period our
 24 income was down 85%.

25 So that in itself was a huge financial impact. We

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1 got the funding from the local authority, which we'll be
 2 forever grateful for, but the expectation was huge on us
 3 to be able to do these things. And I'm sure there was
 4 private operators who were financially in a worse state
 5 than we were. Not everybody has got three months of
 6 reserve, they don't, some operate month to month. If
 7 that wasn't done, there wouldn't have been a private
 8 childcare sector for us to open back up with, it would
 9 have disappeared.

10 So that again is a slight positive. But I think
 11 there was probably more that could have been done to run
 12 in parallel with the expectations of the private sector.
 13 We need to provide this, but there was no concern as to
 14 how financially we were to be able to foot that bill to
 15 be able to do that, and that was a huge concern for us
 16 right through the pandemic in terms of being able to
 17 survive financially.

18 The bubbles being introduced where you had —
 19 we were registered for 115 or 89 children, you could
 20 take 30% of your register at one point, so that in
 21 itself was a huge impact on us, huge.

22 Q. Thank you.

23 KAREN FLYNN: Yes. I mirror what Ross has said. On top of
 24 the — talking about the bubbles, you didn't just have
 25 your member of staff for the bubbles, you needed the

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1 staff then to give them breaks, so over and above you
 2 had to have more staff.

3 When I go back to my hospital site nursery that we
 4 decided to keep open, it cost us tens of thousands to
 5 keep open because, yes, as I said right at the
 6 beginning, it was the morally right thing to do, but it
 7 blocked us out of grants, it blocked us out of
 8 everything because we had opened it. So it did cost us.
 9 We don't regret doing it because we did it for the
 10 children and the families of that service, but there
 11 have been huge implications. It actually had massive
 12 financial implications on services.

13 Q. Thank you.

14 RHONA BLACK: I'm very lucky because I operate under the
 15 umbrella of the school, so we did receive monies for the
 16 children attending the hubs from the council and we had
 17 to fill in registers for that, and we also received
 18 government — local authority funding as well, which
 19 came from the government, towards grants for re—opening
 20 and to keep us in compliance with all the regulations.

21 Q. Thank you all.

22 ROSS KEENAN: Can I just add to that as well? Something
 23 that's widely forgotten as well is that we were —
 24 at the outset of it, we actually asked parents that if
 25 they could and they were able to, if they wanted to

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1 continue to pay our fees, then we would be — in order
 2 for us to survive, they would do that. And there was
 3 a significant portion of our parents who were happy to
 4 actually keep paying the fees, because at that point, it
 5 was an unknown quantity how long we were going to be
 6 closed, how long is it going to last, we want to make
 7 sure the nursery is going to be there for us to re—open
 8 again.

9 These were all valid concerns of not only myself
 10 running the business, but parents who needed the service
 11 to run when they went back to work, and that's a very
 12 positive thing for us that there was a huge amount of
 13 parents actually said: no, no, we'll keep paying our
 14 fees. Our landlords turning round and saying to us:
 15 listen, don't worry about your rent because we know
 16 you're closed down but you've still got the cost to pay.
 17 Without that, and without their understanding, again
 18 would have been significant barriers to us surviving the
 19 pandemic. So in terms of that, people's goodwill in
 20 these situations certainly came to the fore.

21 Q. Thank you all very much. My Lord, I have no further
 22 questions for the panel unless your Lordship does.

23 THE CHAIR: No questions from me, but can I thank all the
 24 three panel members for their very helpful contribution,
 25 I'm very grateful.

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1 That brings an end to today's proceedings. We
 2 commence tomorrow morning at 10 o'clock. So until
 3 tomorrow morning at 10 o'clock, good evening, everybody.
 4 Good night.
 5 (4.12 pm)
 6 (The Inquiry adjourned until 10.00 am
 7 on Wednesday, 6 November 2024)
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