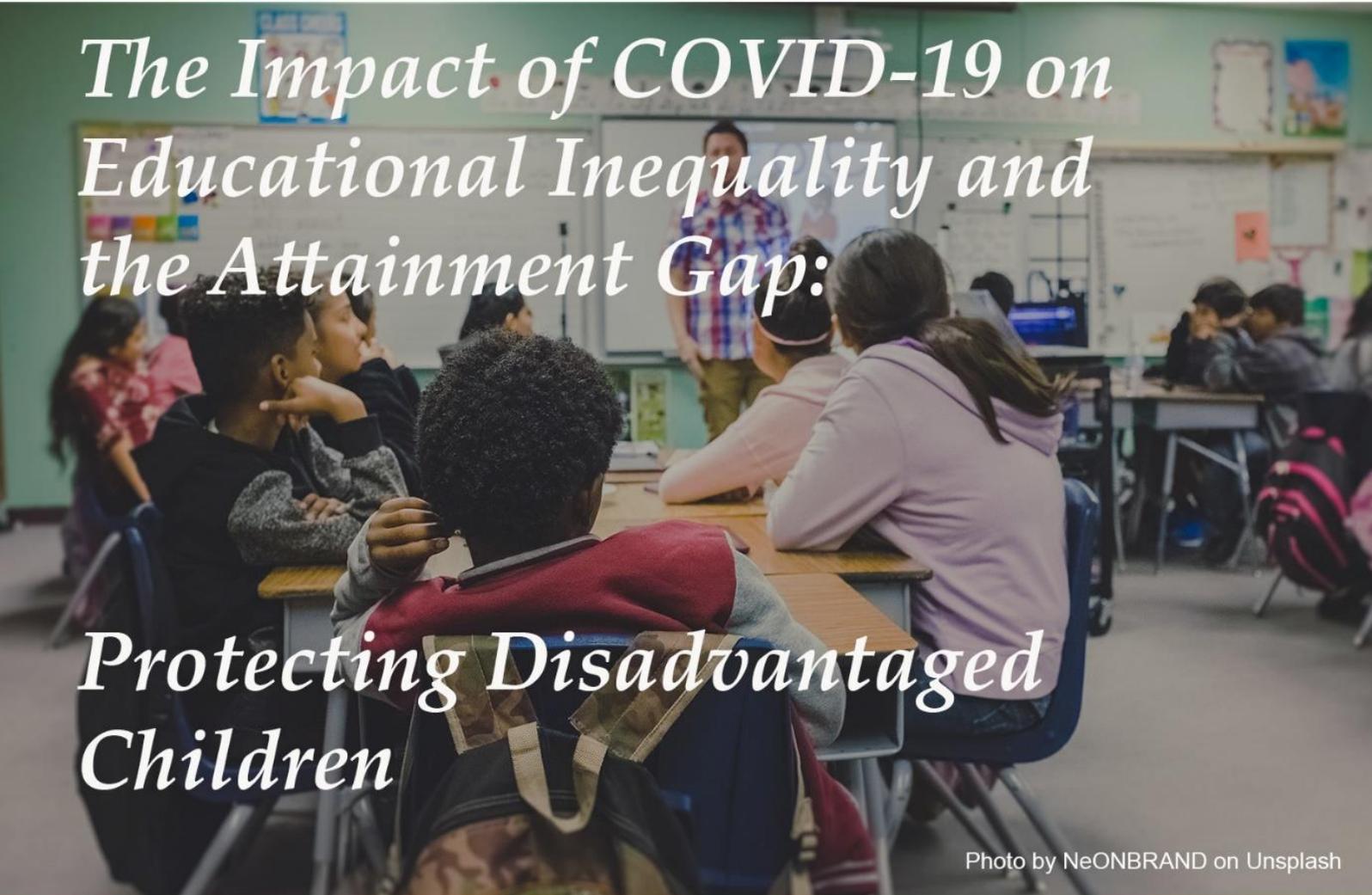




UNIVERSITY OF
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Coronavirus Research by the European Children's Rights Unit



*The Impact of COVID-19 on
Educational Inequality and
the Attainment Gap:*

*Protecting Disadvantaged
Children*

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Coronavirus (COVID-19) #LivUniCOVID
Research and response

Briefing Paper #3

Matilda Clough

The Impact of COVID-19 on Educational Inequality and the Attainment Gap: Protecting Disadvantaged Children

Matilda Clough

On the 23rd March all schools across the United Kingdom closed to all but key workers' children and the most vulnerable. This has led to an unprecedented shift to online teaching, with both GCSEs and A-Levels being cancelled for 2020. Although since June there was a gradual return to schools, online teaching was largely maintained until the end of the summer term and may continue at the beginning of the new academic year in September. With the increase in online work, extra protection needs to be put in place for disadvantaged children and those that may become vulnerable due to the impact of COVID-19.

There is no doubt that the pandemic has both exposed and compounded inequalities in education, according to whether pupils attend state or independent schools. Independent schools educate more [children from higher socio-economic backgrounds](#). Generally, their students have benefited from [more consistent access to tablets and computers](#) to complete their online schoolwork during lockdown. Moreover, independent schools have been able to offer more comprehensive online teaching. This is largely due to their having greater resources, a smaller number of children to teach, and higher expectations from parents due to fees.

In contrast, state school pupils' backgrounds are more varied, with a lot of [students being from lower socio-economic backgrounds](#). This impacts upon access to online teaching, with more pupils not having access to a computer or tablet to complete their online work. Statistically, pupils from state schools have been shown to be [less likely to receive satisfactory online teaching](#), which is concerning as the state sector looks after many disadvantaged pupils. The government's definition of 'disadvantaged' pupils [includes all those eligible for the pupil premium](#) and those who 'vulnerable', such as those with an Education, Health and Care (EHC) plan, a social worker, or those [assessed by local authorities as being otherwise vulnerable](#). A proportionately higher number of children in these groups have more disrupted access to school even in normal times and have struggled to access appropriate online resources and teaching during lockdown.

This contrast between educational experiences of lockdown according to socio-economic status is concerning, as it can be seen to be [widening the attainment gap between disadvantaged pupils and their peers](#). Department for Education officials have [warned of the gap widening by 75% as a result of Covid-19](#) marking a reversal in the previous, recent trend when the gap appeared to be [shrinking](#).

Children and young people have a right to education, which is not contingent on race, gender or disability. This is found in [Articles 28 and 29 of the United Nations Convention on the Rights of the Child](#) (UNCRC), as well as the Committee on the Rights of a Child's (CRC) [General Comment 1](#). These legal provisions have not been changed due to COVID-19, and therefore must continue to be protected. With the changing provision of education, these rights protections have been undermined, with some children impacted to a greater extent than others.

1. Access issues

There are significant issues regarding access to online teaching which have undoubtedly limited some pupils' continued learning. The [Children's Commissioner for England](#) reports that 12% of pupils do not have access to a computer or appropriate device, and a further 60,000 have no internet access at all. Access problems also encompass a [lack of quiet study space](#) at home where a pupil can do work. This has disproportionately disadvantaged children from lower socio-economic backgrounds and has prevented some from engaging in any learning at all during lockdown.

Disadvantaged children are more likely to have issues accessing online resources. [Schools Week](#) has reported that just 14% of vulnerable children attended online classes during lockdown, with over half of teachers stating that [some of their pupils had failed to show up for any classes altogether](#).

Moreover, parental engagement and the home learning environment impacts upon the ability to engage with online resources. The National Foundation for Educational Research (NFER) report that teachers from the most deprived state schools described parental engagement to [be significantly lower than those in the least deprived schools](#). Moreover, parents whose children have been in receipt of free school meals had

generally [lower levels of confidence about their children's education](#). This is closely related to the parents' level of education and how confident they feel with assisting their children with online learning. Also relevant is the amount of free time that the parent has alongside their own work commitments. Parents with either an undergraduate or postgraduate degree are [much more likely to feel confident directing their child's learning](#), as compared to parents with secondary level qualifications.

The Sutton Trust has made recommendations to mitigate disparities in educational access, and specifically endorses the need to [tailor support to the most vulnerable children](#). The Government made some steps towards [widening internet access](#) and some schools were able to offer their pupils devices and internet access themselves. However, only 15% of the most deprived schools were able to offer devices to pupils in need (compared to 28% in more advantaged state schools). This then widens the attainment gap further between those who cannot afford access and those who can. Should Covid-19 measures continue into the new school year, efforts should be made to alleviate this access inequality and take steps back to regulating young people's [right to effective education, in line with our international legal obligations](#). This could include [resources tailored to disadvantaged groups](#) and making online resources mobile-friendly, to increase the ability of these pupils to access them.

2. Levels of online teaching

Since teaching was pushed online, there has been inequality both as to what is provided in different schools and also what is completed by pupils. When lockdown began, private schools were [more prepared to begin teaching online immediately](#), and these schools were [twice as likely to be teaching A-level content than state schools](#). The NFER reports that both contact with teachers and curriculum coverage are [lower in the most deprived schools](#). There are also differences in methods of online teaching, with private schools being more likely to offer live lessons every day.

The consequences of this inequality could lead to disadvantaged pupils missing out on teaching, with longer term implications including their ability to access further and higher education. This could also lead to a lack of confidence and [deteriorating mental health](#).

Recommendations for alleviating this inequality were discussed by the [Sutton Trust](#) and the [Institute for Fiscal Studies](#). The Sutton Trust reports that greater support and finance is necessary, alongside a change in assessment. The [Education Endowment Foundation](#) has provided resources on the best way of supporting students through remote learning. More resources have been set up, including the [National Tutoring Programme](#), which will provide additional tuition and support to pupils who have been impacted the most throughout school closures. Although these resources are welcome, they continue to be delivered online and so fail to address many of the problems associated with access.

3. Inequalities in grade predictions

Due to both GCSEs and A-levels being cancelled pupils who were due to sit these exams are receiving grades based upon a mixture of predicted grades and teacher assessments. Both [The Sutton Trust](#) and [Campbell](#) have previously raised concerns about teachers consistently under-predicting high-achieving students from disadvantaged backgrounds. By contrast, after controlling for previous attainment and background characteristics, [those from private schools are more likely to be over-predicted](#). There is also research reporting that black and minority ethnic pupils are [systematically under-predicted](#). The legal right to education is afforded to children and young people regardless of race, gender or disability. Therefore, these grading inequalities are in breach of Articles 2 and 28 of the UNCRC.

The consequences of under-achieving on these important qualifications could have a [significant impact on young people](#). Although the government has considered the possibility of some students being able to [take these exams instead in Autumn](#), it remains to be seen whether this will happen and what proportion of pupils will pursue that option, especially given the lack of adequate online learning to enable them to prepare fully. For pupils who had planned to go onto further education after their exams, this may impact their ability to progress.

The Government has recognized the potential for bias in these changed exams, and has called for Ofqual to [urgently publish their evidence thresholds for proving bias or discrimination](#). The [Commons Education Select Committee](#) have also expressed concerns about the availability of

an appeals process for those students who feel they have been disadvantaged by the measures.

It has been [argued](#) that pupils from disadvantaged backgrounds who need certain grades to progress to higher education should be given additional consideration if they miss their required grades. Cullinane and Bruce have previously argued that [contextual admissions could be beneficial for low-income pupils](#), and introducing measures such as this could help mitigate the inequalities caused by removing exams.

4. Returning to school

From June 2020, state schools in [England](#) and [Wales](#) were able to gradually bring back some pupils to school. Scotland have planned to [reopen schools full-time in August](#), with Northern Ireland not opening the schools until [after the summer holidays in September](#). Private schools are allowed to set their own return dates.

There are concerns about the different rate of socially distant teaching that private and state schools will be able to provide. Private schools statistically have smaller class sizes, so are more suitable for teaching in a socially distant manner. It therefore may be more economically and practically challenging for state schools to return to teaching, as it is likely to involve teachers repeating classes to accommodate larger cohorts.

Recommendations have been made about how returning to school can be used as a method to mitigate inequality caused by COVID-19. The Sutton Trust recommends [summer school for the most disadvantaged pupils](#), to enable them to catch up on missed work. The fact that some private schools have the ability to open over summer will maintain or even increase the gap in attainment between children who attend state as opposed to private schools. The Institute for Fiscal Studies instead [suggests a staggered return to school](#). The Sutton Trust also considers [raising the pupil premium to aid equality](#).

5. Conclusion

The consequences of COVID-19 has already increased educational inequality. Although it seems unavoidable that the attainment gap between disadvantaged pupils and their peers will widen, there are persuasive recommendations that may alleviate inequality and contribute to a fairer education system both during and post-lockdown.

All of these recommendations should be considered alongside [Articles 28 and 29 of the UNCRC](#) and the CRC's [General Comment 1](#). These provisions aim to ensure that each child receive a good standard of education, whilst considering each child's development and diverse, evolving needs. This is currently difficult to meet whilst online teaching remains so dependent on access and differing quality levels and whilst plans to return to normal schooling remain so fragmented and varied. Using Articles 28 and 29 alongside the General Comment 1 places focus on the necessity to bring each individual child's current experience to a minimum level of appropriate education. The difference in educational provision between schools is concerning in this light. This is specifically relevant alongside the return to school, as the NFER states that although the best solution is to reopen schools to all pupils as soon as possible, there will be some students that [aren't able and cannot return to school that quickly](#). There is an issue here that (access issues aside) if remote learning is phased out, these pupils who have not returned to school and are not receiving adequate online teaching will fall far below the standard set out and required by the UNCRC.

Steps should be made towards providing accessible, sufficient resources to every child, especially disadvantaged children whose right to education may have slipped so far. These steps should be made pursuant to the UNCRC to create comprehensive, child friendly changes to the current system.

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Matilda Clough is a PhD candidate in the School of Law and Social Justice at the University of Liverpool.

Her research interests lie predominantly in charity law and educational law and policy. In this intersection, her thesis explores the charitable status of independent schools and whether this charity status can be justified.

If you would like more information about Tilly's work in this area, please contact: matilda.clough@liverpool.ac.uk

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<https://www.liverpool.ac.uk/law/research/european-childrens-rights-unit/>