

HOUSE OF COMMONS  
ORAL EVIDENCE  
TAKEN BEFORE THE  
EDUCATION COMMITTEE

**ADMINISTRATION OF THE DEPARTMENT FOR EDUCATION**

WEDNESDAY 13 MARCH 2013

RT HON MICHAEL GOVE MP AND CHRIS WORMALD

Evidence heard in Public

Questions 71 - 119

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## Oral Evidence

Taken before the Education Committee

on Wednesday 13 March 2013

Members present:

Mr Graham Stuart (Chair)  
Neil Carmichael  
Alex Cunningham  
Bill Esterson  
Pat Glass  
Charlotte Leslie  
Siobhain McDonagh  
Ian Mearns  
Chris Skidmore

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**Examination of Witnesses**

*Witnesses:* **Rt Hon Michael Gove MP**, Secretary of State for Education, and **Chris Wormald**, Permanent Secretary, Department for Education, gave evidence.

**Chair:** Good morning. Welcome to this session of the Education Committee. We are following up on evidence you both gave to us previously. Thank you very much for appearing on this rather attractive, sunny morning. We are going to examine the general issues. We are not looking into particular cases and we understand the sensitivity and the confidentiality of that.

**Q71 Ian Mearns:** Good morning. Secretary of State, you may remember that on 23 January, in this Committee, I asked you a couple of questions about allegations regarding the behaviour of SpAds within the Department and, at that stage, you said categorically that you were not aware of any of those allegations. I have to say that I think I made a mistake; I really should have asked the same question of the Permanent Secretary on that day. Permanent Secretary, were you aware of allegations that SpAds were involved in alleged bullying cases and were acting inappropriately within the Department?

**Chris Wormald:** Yes. I was aware of the grievance case that has been widely reported in the press, yes.

**Q72 Ian Mearns:** You were aware. Do you think it really should have been your duty to inform the Secretary of State of those problems in the Department? It involved SpAds, and under the Ministerial Code, it is quite clear that the behaviour and discipline of SpAds is the responsibility of the appointing Secretary of State.

**Chris Wormald:** As the Chair said, I do not really want to get into the details of individual cases but I will try to be helpful on the general issue. On the case in question, it was ongoing when I arrived in the Department, and I was made aware of it when I first arrived. Our standard practice is that we do not inform Ministers about either the existence or the substance of grievance cases within the Department. As I am sure you know, there is quite a firm division of labour in this case, where employment matters are a matter for the Civil Service and the Permanent Secretary, and not for Ministers or politicians. Now, in the

case that was widely reported in the media, the grievance was a wide-ranging grievance, mainly against the Department and its management, in which a special adviser also featured. In that case, there is clearly a judgment to be made because, as you rightly say, the Secretary of State is responsible for the conduct of special advisers. Now, the decision that was made at the time—and having looked at it in quite a lot of detail, it is a decision that I completely endorse, and I am pretty sure I would have made the same decision had I been there at the time—was that the right thing to do was to treat this in the same way as all other grievance cases, i.e. there should be a proper investigation of all the facts carried out by the Civil Service itself, and we should then act on whatever the conclusions of those facts were.

Now, in this case, as I think has also been widely reported, none of the aspects of the grievance that related to special advisers were upheld. Had any of those issues been upheld, then the Secretary of State would, of course, have been informed, but as the matter had been properly investigated through the normal departmental procedures, the view was taken that there was no need to inform the Secretary of State.

**Q73 Ian Mearns:** Is that a DfE procedure that you have adopted? It seems to run directly in the face of the Ministerial Code as it relates to special advisers. It says, “The responsibility for the management and conduct of special advisers, including discipline, rests with the Minister who made the appointment. Individual Ministers will be accountable to the Prime Minister, Parliament and the public for their actions and decisions in respect of their special advisers.”

**Chris Wormald:** Yes, and had any evidence come to light that a special adviser had acted inappropriately in the course of our investigations, then that, of course, would have been brought to the Secretary of State’s attention.

**Q74 Ian Mearns:** Chris, given the Secretary of State’s clear responsibility with regard to the conduct of special advisers, do you not think it would have been advisable from your perspective as the Permanent Secretary to advise the Secretary of State of those allegations involving someone for whom the Secretary of State was directly responsible?

**Chris Wormald:** As I say, this case is unusual in that it covered both special advisers and civil servants, and the decision-makers in this case had two things to weigh up. They had the normal and very well established procedure that Ministers are—in my view, rightly—not involved in grievance cases about the Department, and the issues that you raise. You have to come to a judgment, and the judgment made in this case was that the right and fairest thing to do was to hold a proper investigation into the allegations, which were mainly, as I say, about the conduct of Civil Service management, and to establish the facts of the case. We could then bring to the Secretary of State’s attention anything that he needed to be aware of. That was the judgment that was taken.

I do appreciate it would have been possible to come to a different judgment in this case, but I am trying to explain the thought process that happened in this case, and that was the judgment that was reached.

**Q75 Ian Mearns:** Would you accept that it is perfectly understandable for people to think that what the Department has decided to do in this particular case seems to fly in the face of what is written in the Ministerial Code?

**Chris Wormald:** I do not agree with that, no. I think the right thing to do in cases where allegations have been made is to investigate them properly in line with departmental procedure, which is what happened in this case. If there had been concerns that were thrown up about special adviser conduct as part of that, then the Secretary of State would have been informed. I do accept that is a judgment call, but I do not accept that it is clear-cut that we

should have acted differently from the way we did. That was the thought process we went through. But I do accept that, as in all these cases, there are quite difficult and nuanced judgments to be made.

**Q76 Ian Mearns:** Secretary of State, on 23 January you were adamant that you were unaware of any of these allegations. Since then, have you been kept informed about the disciplinary inquiry as it progressed, or was it all done and dusted from your perspective at that stage?

**Michael Gove:** As I recall, I said I was not aware of any allegations but I could not be omniscient. I first knew a specific allegation had been made against a special adviser when I was rung the day before a story appeared in *The Observer* newspaper. Subsequently, of course, I talked to colleagues about the history, the archaeology of the case, and I was brought up to speed with what had happened—not in every detail, because I entirely endorse the position that was taken by officials.

It is absolutely right that grievance and personnel matters are the province of the professional Civil Service, because it is important that the distinction is drawn between politicians, who set the strategic direction—that strategic direction, at certain times, might include a belief that certain departments within the Department should be downsized or reduced in headcount—and the actual implementation of personnel decisions and personnel overall by the Permanent Secretary or the acting Permanent Secretary, because they are the employer of the individuals concerned. The right decisions were taken by the acting Permanent Secretary at the time and by the Permanent Secretary, and my understanding was that matters had been concluded and, indeed, that there had been a pretty exhaustive investigation into the allegations. My understanding, again, is that, whilst there has been an acknowledgement that not every part of the process of dealing with changes within the Department was handled 100% perfectly, nevertheless the specific allegations were unfounded.

**Q77 Ian Mearns:** From the perspective of an objective outsider looking in, Secretary of State, it is a fact that this grievance case then ended up in a listed Employment Tribunal, and you were named as one of the respondents to the case, as Secretary of State for the Department. Then the actual case coming to the Employment Tribunal was pre-empted by a payoff of £25,000 to the individual who had submitted the grievance. If the Department sticks to its guns in absolutely every part of the case, why was a £25,000 pay-off sanctioned by someone within the Department?

**Chris Wormald:** Shall I talk through how we take decisions on these matters and then comment, to the extent that I can, on the specifics of this case? Going to a tribunal is the right of any employee if they feel they have been mistreated in any way. It is, however, an extremely expensive process. It is quite traumatic for all concerned and, like all employers, we seek to settle matters via negotiation and mediation before it goes to tribunal. That is what happens in the vast majority of Employment Tribunal cases that the Department faces; that is completely normal and standard.

I will say a bit about how the decisions are made. In complex cases like this one, the negotiation with the other party is carried out not by the Department directly but by a Treasury Solicitor who is extremely experienced in those cases. That lawyer, on the basis of the negotiation, then makes a recommendation to the Department about what the appropriate way forward is: whether there should be a settlement or whether we should go to full tribunal. That advice, which, as I say, is given by a professional lawyer—it is their professional judgment—is then considered, normally, by the Director of HR in the Department, who normally decides to accept that advice, unless there is a good reason not to.

Now, in the specifics of this case, and, as I say, I have to be careful in what I say, for the reasons you have set out, there were elements, as the Secretary of State mentioned, of the reorganisation of the communications department that took place where the Department had not lived up to the standards it sets itself. In particular, and very specifically, the communication of how the changes were to be carried out, and their effect on one particular individual, were not handled well. The Department fully accepts that. We apologised to the staff member concerned for that communication, and a negotiated settlement was reached in the way that I described. What the Department does not admit, on the basis of the very thorough investigation it carried out, is any of the wider aspects of the claim relating to bullying, harassment and discrimination.

**Q78 Pat Glass:** Secretary of State, can I go back to 23 January? You came to talk to us on 23 January about administration within the Department. You told us that you were not aware of this case, and we accept that. But given that this was quite widely known about—you did not know about it, but I knew about it—do you think you were properly briefed for that meeting, and do you think it is acceptable that your Permanent Secretary would allow you to answer a question saying you were not aware of it and not then tell the Committee that he was aware of it?

**Michael Gove:** I believe that I was absolutely properly briefed and I also believe that, because the allegations, having been investigated, proved to be unfounded, the correct procedures were followed at every point. I have every confidence that those who took the decisions at the time and those who subsequently prepared me for appearance before this Committee had a proper sense of propriety and also proportion.

**Q79 Ian Mearns:** The next question I asked you on 23 January was about the press comments, particularly in *The Spectator*, regarding Tim Loughton. You said you were not aware of who had done that, but the Chairman said you could probably round up the potential suspects in a phone box. Have you investigated who did that subsequently?

**Michael Gove:** Whenever the Chairman offers me advice, I always weigh it very carefully. One of the things I wanted to stress in the course of that Committee hearing was that I did not want to collude with any reporting or analysis of that event that suggested that any particular individual or individuals were more or less guilty for a variety of reasons. But the Chairman suggested to me very clearly that I should perhaps—without suggesting that anyone was more likely to be guilty than anyone else—nevertheless, as a Minister, ask the special advisers, who are political appointees, if they had played any role in that. So, I did exactly what the Chairman suggested, and that day I asked the politically appointed special advisers if they had been responsible for that briefing, and they assured me categorically that they had not.

**Q80 Ian Mearns:** I take it you shared that with the Permanent Secretary.

**Michael Gove:** I certainly did.

**Q81 Ian Mearns:** Permanent Secretary, have you got any further in terms of who did that briefing? Something that I have become aware of subsequent to that is that one of the special advisers has, I understand, a close relationship with the Deputy Editor of *The Spectator*, and since the article appeared in *The Spectator*; it would be easy to draw the conclusion that that would be the line of inquiry.

**Michael Gove:** I have a close relationship with a columnist on *The Times*—very close; I am married to her. There are all sorts of things that appear in *The Times*, including under the by-line of its brilliant education editor, that do not necessarily reflect either my views at the

time or what I would wish to see reported about education. Of course, there are all sorts of connections, whether personal or otherwise, that people might choose to prioritise at any time, but I asked a straight question; I got a straight answer. On that basis, I am content to take at their word people who work incredibly hard on behalf of the Government and the public in order to help raise standards in our schools.

**Q82 Ian Mearns:** One last thing, Secretary of State: the issue was to go to the Employment Tribunal on 8 January, which was a fortnight before you were at this Committee giving evidence about what had been going on within the Department. As my colleague has pointed out, this was coming well into the public domain. Would you accept possible accusations of incuriosity on your behalf in terms of what is actually happening within the Department?

*Michael Gove:* No, I would think that proper procedures were being followed by both the Civil Service and my private office. I understand that in every Government Department every year a number of grievance cases are brought. These are matters that are and should be handled by the proper chain of command or chain of responsibility within the Department, which is the Permanent Secretary or acting Permanent Secretary and their colleagues on the executive management board taking appropriate decisions about personnel. It would be improper if the Secretary of State or, indeed, any politician attempted to micromanage personnel matters, because that would seem to me to be overstepping the line that is properly drawn between those areas that are the responsibility of the politician and of the Civil Service.

**Q83 Ian Mearns:** But Secretary of State, I think it is vitally important that, given adherence to the Ministerial Code—you talk about micromanagement—you have direct responsibility for the management of your SpAds.

*Michael Gove:* Yes, and an investigation took place into the allegations that were made. It was conducted by a very senior figure within the Department, and it was, I understand, the case that the allegations of bullying were found to be unfounded. Again, I would not want to get into any particular case. It seems as though people want to pick over this individual employment dispute, which is entirely the prerogative of the Committee.

**Q84 Ian Mearns:** It has cost £25,000 on top of all the administration of all of this grievance procedure.

*Michael Gove:* Yes, but it is also the case—and I do not want to go into the details of this particular case—that the section of the Department, the department within the Department, where these events occurred was reduced in size, saving the taxpayer millions of pounds. In that context, if we are talking about public money, when civil servants are charged with reducing costs—as civil servants in the Department for Education have been by the political leadership of the Department—and in the course of reducing costs, reducing the size of departments, it is absolutely right that they should execute that in a way that brings savings overall to the taxpayer. If we are arguing about money, it is undoubtedly the case that money was saved; if we are arguing about propriety, then the acting Permanent Secretary and the Permanent Secretary acted exactly as they should and with the upmost propriety; and if we are talking about allegations of bullying, those allegations were investigated and found to be unfounded.

**Q85 Bill Esterson:** Do you agree that it is very important that special advisers and permanent civil servants work closely together for the good of the Department and that you do not have a culture where you have got allegations flying around, comments about bullying and intimidation, and concerns such as those that are being discussed this morning?

**Michael Gove:** I think it is absolutely the case that civil servants and special advisers in the Department for Education work well and co-operatively together. I do not think it would have been possible for the Department to move at the pace it has in pressing forward with the academies programme, its programme of curriculum and examination reform, reforms to initial teacher training or changes to the child protection system without there being close and effective working between highly effective civil servants and committed and idealistic special advisers.

**Q86 Bill Esterson:** Idealistic, yes. You both made the comment that there is a distinction between the role of Permanent Secretary and Secretary of State when it comes to management, and yet the Ministerial Code is very clear, as is the Special Adviser Code, that, when it comes to special advisers, they are your responsibility, as Ian said when he read out that section of the code earlier. How can it be that you are not paying close attention to them? In any organisation that I have ever come across, the manager is ultimately responsible and accountable for the behaviour and actions of those people who report directly to him or her. That is true, isn't it?

**Michael Gove:** It absolutely is true but, again, one of the points that I would make is that allegations were made and these allegations were investigated and they were found to be unfounded. When you say that allegations were "flying around", an allegation had been made; these matters were investigated in an appropriate way; and they were found to be, well, unfounded.

**Q87 Bill Esterson:** But you were not aware of them. *The Observer* spoke to you and you said at the time that they were unsubstantiated, but the reality is here we are six weeks later and there has been no denial of the allegations made by *The Observer* against your special advisers. The only assumption that could be drawn from that is that there must be some truth because, in any other case, the Government would immediately deny them because they would say that they were unsubstantiated.

**Michael Gove:** Which allegations?

**Bill Esterson:** These are allegations of inappropriate behaviour within the Department by your special advisers, including an email that referred to the then *Financial Times* education correspondent, Chris Cook, and implied that he had mental health problems and that a member of the permanent Civil Service staff should speak to him to get a referral for his own alleged problems. Those are the allegations that have been made by *The Observer*.

**Michael Gove:** I am sorry but I am not familiar with those allegations. "A member of the permanent Civil Service"—could you repeat those allegations, please, with specificity?

**Q88 Bill Esterson:** There is an email from Dominic Cummings to Richard Garner saying that he should ask Chris Cook for the number of a good therapist. Do you accept that this is inappropriate behaviour by a special adviser?

**Michael Gove:** What has this got to do with the discussion that we have just been having?

**Q89 Bill Esterson:** We are talking about the behaviour of your special advisers and whether it is appropriate, and your responsibility for making sure that their behaviour is appropriate. That is why it is relevant.

**Michael Gove:** But my understanding is that this was private correspondence and that it has nothing to do with the case that we have just been discussing.

**Q90 Bill Esterson:** We are not here to talk about any particular case.

**Michael Gove:** I thought we were. That was in the letter that I had from Pat Glass.

**Q91 Bill Esterson:** With respect, Secretary of State, we as a Committee are here to ask you the questions that we feel are appropriate.

**Michael Gove:** You can ask me any question you like, yes, but what I can tell you is that special advisers are committed and idealistic individuals who are trying to ensure that we can press ahead with the reform programme. Yes, from time to time, because we are enacting a reform programme, there are criticisms that are made of them and of me by people who wish to stand in the way of reform. If you have more specific allegations that relate to the matter that we were informed about, then please bring them to my attention.

**Q92 Bill Esterson:** The Special Advisers Code says that the special adviser “must not ... behave towards permanent civil servants in a way which would be inconsistent with the standards set by the employing department for conduct generally”. Are you aware of that?

**Michael Gove:** Exactly, yes.

**Q93 Bill Esterson:** If that email is true, then that behaviour is inappropriate and falls foul of that code. Would you agree?

**Michael Gove:** Well, that was not an email that was sent to a permanent civil servant.

**Q94 Bill Esterson:** Yes, it was. It was sent to a member of staff, Richard Garner.

**Michael Gove:** Richard Garner is the education editor of *The Independent* and not a permanent civil servant.

**Q95 Bill Esterson:** Sorry, it was said by one of your special advisers.

**Michael Gove:** I am sorry, Bill, I do not understand the point of this question.

**Q96 Bill Esterson:** It is inappropriate behaviour by your special advisers.

**Michael Gove:** No, it is an inappropriate line of questioning from you, Bill, because we are here to discuss, as I understood it from the correspondence presented to me, an allegation, unfounded, that related to an employment matter. And it seems to me that you have your facts wrong. Firstly, you said to me that an email had been sent to a permanent civil servant. I asked you about that specific allegation. You said that you were quoting from *The Observer*. It seems actually you were referring to private correspondence between the special adviser and a journalist from *The Independent* newspaper. You then confused the education editor of *The Independent* with a permanent civil servant. If you can get your facts right, give me a proper question and explain to me its relevance, then I will answer it fully. It seems to me that, until you can get your facts right, Bill, you should not be flinging allegations around in a Select Committee.

**Q97 Alex Cunningham:** Secretary of State, you and I have both done time as journalists, and I am sure we had a professional and honest approach to our work when we were doing so. *The Observer* unashamedly carries a weekly column of corrections and clarifications. If *The Observer's* account of the allegations against your special advisers can be interpreted as damaging to you, why on earth has no one sought a correction to that or taken legal action, because it is effectively libellous, isn't it?

**Michael Gove:** If I wanted to have everything that was written about the Department for Education or the reform programme that was incorrect in any respect—

**Q98 Alex Cunningham:** This was not to do with the reform programme. This was about the allegations made against your special advisers. It was the front page of one of the biggest selling newspapers in the country. It was on the front page. You are not challenging it.

**Michael Gove:** It is factually incorrect to say *The Observer* is one of the biggest selling newspapers in the country.

**Q99 Alex Cunningham:** You are not challenging it.

**Michael Gove:** I am challenging you.

**Q100 Alex Cunningham:** You are not challenging *The Observer*, though.

**Michael Gove:** You have not given me a chance to challenge anything.

**Q101 Alex Cunningham:** Well, will you challenge *The Observer*?

**Michael Gove:** Yes, I certainly will. I think their reporting in a number of areas has been wrong but I champion the free press. My view is that I will vigorously contest an open debate. Like you, I am a journalist; I do not believe that one should attempt to browbeat, use the courts or use strong-arm tactics. As I have discussed with the Chairman before, you take the rough with the smooth.

**Q102 Alex Cunningham:** The allegations are serious, though, Secretary of State.

**Michael Gove:** No, they are not. They are politically motivated.

**Q103 Alex Cunningham:** They are serious allegations against your advisers and nobody has insisted *The Observer* correct that matter, nor have you taken any legal action in order to take an action against them. You simply have not done that.

**Michael Gove:** I have made my views quite clear. If you have any specific allegations, which you believe to have been reported by *The Observer* or any other newspaper, that you think merit investigation or that you think are wrong, I would be interested in them. Alex, if you wish to continue a politically motivated Labour-inspired crusade against people who are trying to improve education, that is your prerogative.

**Chair:** Bill, I am going to bring Chris in.

**Bill Esterson:** Why do you deny the story in *The Observer*?

**Michael Gove:** Which story and which allegation?

**Chair:** Chris.

**Q104 Chris Skidmore:** Secretary of State, I firstly apologise, obviously, for this current meeting. It has descended into an embarrassing farce. We seem to be chasing the tail of a journalist from *The Observer*. I apologise that you are wasting your time. It feels like I am wasting my time.

**Alex Cunningham:** There is no need to apologise on my behalf.

**Chris Skidmore:** No, but I just want to make it clear that it was not a unanimous decision on the Committee that the Secretary of State should be here in the first place. Anyway, I want to return back to what we should be talking about as a Select Committee, which are issues of policy. That is what we are here for; we are not here to talk about individual cases. Our brief makes it specific that we are not here to talk about individual cases. Chris, you have obviously been in the Department for quite some time.

**Chris Wormald:** A year.

**Q105 Chris Skidmore:** A year. In terms of the grievance policies within the Civil Service generally, this has been set out and follows a code of conduct that has been in place

for years. Just looking at data that came out in a PQ, the highest number of grievances in the Department for Education was back in Ed Balls' tenure, in 2009, when there were 18 grievances. Would you not agree that in every Department there will inevitably be grievances? In a department of 2,500, you had 16 grievances last year and 18 in 2009.

**Chris Wormald:** Yes, that is exactly the case. The number of grievance cases goes up and down by year. I have got the numbers for the last five years. It was 8 cases in 2008; 18 cases in 2009; 4 in 2010; 5 in 2011; 19 in 2012.

**Q106 Chris Skidmore:** How does that compare with other Departments?

**Chris Wormald:** When we have looked at other Departments of a similar size, they are very much in line with what other Departments receive. The only other thing I should add is that there is no right number of grievance cases to have in an organisation. Say you had zero, that could show all sorts of things. It could show an extremely well run, happy organisation; it could show an organisation where management takes no tough decisions and therefore does not offend anyone; or it could show a grievance procedure that does not work and the staff have no trust in. The number of grievance cases tells you very little. We look at the pattern, of course, and, as you say, they are very much in line with what we have seen across Government in previous years.

**Q107 Neil Carmichael:** Hypothetically, if an allegation was reported to you, you investigated it and you found that that allegation was justified, what would happen next?

**Chris Wormald:** It would depend, in the case we are talking about, on whether it was a special adviser or a civil servant. I assume you are asking about civil servants.

**Q108 Neil Carmichael:** Yes, I am talking about any situation.

**Chris Wormald:** The senior officer who hears the grievance case makes a series of recommendations about what should happen. They declare whether they uphold the grievance or not and then they make recommendations about what they think should happen.

**Q109 Neil Carmichael:** To whom would those recommendations be made?

**Chris Wormald:** They are made to whomever the senior manager responsible is. So, in the case that we were discussing, they were made to the acting Permanent Secretary.

**Q110 Neil Carmichael:** What role would the Secretary of State ultimately play?

**Chris Wormald:** None.

**Q111 Neil Carmichael:** And that is perfectly straightforward?

**Chris Wormald:** Yes, that is how these things always work.

**Q112 Neil Carmichael:** Is it a surprise to you that everyone is wondering whether the Secretary of State knew or did not know about this specific case?

**Chris Wormald:** As I said in my answers to Mr Mearns at the beginning, the case we are discussing is slightly unusual in that it was mainly about civil servants, which would be handled in that way, but there was an element that involved special advisers. It is only fair to say that that does make the case we are here to discuss different from the vast majority of grievances.

**Q113 Neil Carmichael:** Ironically, that further underlines the reason why the Secretary of State should not have known, because he would have then been in an invidious situation in terms of the investigation if one was taking place.

*Chris Wormald:* That was the judgment that was made, yes.

**Q114 Charlotte Leslie:** I have a very quick question for both Chris and the Secretary of State. This is obviously not the kind of Select Committee meeting that any of us would want to be attending, both for the alleged victim and the whole situation. Are there any steps you think you can take to ensure that this kind of Select Committee meeting does not have to happen, that these kinds of levels of allegations cannot be made, and that the behaviour of SpAds and civil servants is not brought into public life in this way? Are there any lessons to be learned from the fact that we are all here today?

*Michael Gove:* Ultimately, it is a question for the Select Committee what the Select Committee wants to investigate. We are accountable to Parliament. The point that I would make is that special advisers sometimes come into the firing line because they are energetically prosecuting the Government's agenda and, for that reason, sometimes partisans from another party or individuals in the media who have a particular agenda choose to focus on their activities. When that happens, it is appropriate that proper procedures are followed and, in that case, I am very pleased that in the Department for Education we have a Permanent Secretary and we had an acting Permanent Secretary who ensured that the proper procedures were followed in the best traditions of the Civil Service.

*Chris Wormald:* Yes, we constantly seek to learn lessons in all of these areas. The specific one that arose out of this one—as I said, the thing where the Department did not live up to its own standards—was in the communication around the change programme in communications at that time. In the change programme we are currently running, we have sought to learn the lessons of that and be much better at communication with staff about how these things are handled. Ideally, of course, there would be no grievances or allegations. However, you do want to be running an organisation where staff feel that, where they have concerns, they are able to raise them and that they are investigated properly. That is a bit of this lesson. The positive side of this is that, I believe, a very thorough, professional investigation of this situation was done and the right conclusions were drawn; I would want to see that happening again should other staff have concerns about how they are treated.

**Q115 Alex Cunningham:** Permanent Secretary, at the beginning of this session you admitted that you knew about the allegations against the special adviser but you chose not to tell us on that occasion. Why did not you tell us? Were you trying to protect the Secretary of State in some way?

*Chris Wormald:* I was not asked.

**Q116 Alex Cunningham:** Despite the fact that the Secretary of State was asked the question, you did not think it would help our situation. In fact, if you had told us then, we may not have been sitting here today.

*Chris Wormald:* In all Select Committees I attend, I seek to try to answer the questions I am asked. Mr Mearns asked a very clear and specific question of the Secretary of State.

**Q117 Alex Cunningham:** The Secretary of State is going to remind me that when I was a journalist I only got the answers to the questions that I asked as well. What I would like to know from the Secretary of State is: are you not really quite concerned that your special advisers were being interviewed by somebody about allegations made about them and nobody bothered to tell you?

*Michael Gove:* No. Firstly, you are using the plural there, Alex, and it was one special adviser who was interviewed. Secondly, at the end of that process, it was clear that

the allegations that were made were unfounded. One of the things that I have sought to do with respect, funnily enough, to teachers as an Education Secretary is to say that unfounded allegations should play no part in compromising any individual's career. A proper investigation took place. At the conclusion of that proper investigation, these allegations were proved to be unfounded. Alex, if you say, "Ooh, there is no smoke without fire," or indeed if you even imply that, I am afraid that is the sort of approach the House Un-American Activities Committee tried to put forward but, with respect, a Select Committee of the House of Commons should not.

**Q118 Alex Cunningham:** You still have not written to *The Observer* or taken any action against *The Observer* disputing the allegations.

**Michael Gove:** I vigorously contest all sorts of things that appear in *The Observer*. As I was going to say earlier, if I wanted to correct and to qualify everything that appeared in *The Observer* with which I disagreed, they would probably have to print an extra 72-page supplement every week. The truth is that *The Observer* is a newspaper with a proud tradition, but the political positions that *The Observer* takes, while they are pursued with pungency and verve, are not mine.

**Q119 Alex Cunningham:** Don't you think that the fact that somebody you had direct line management responsibility for was interviewed about serious allegations and you were not told is something to worry about? Weren't you concerned about the fact that your direct employees were going through a traumatic experience, as serious allegations had been made against them? Weren't you concerned for them? Shouldn't you have been concerned and therefore known about it, so that you could at least have talked to them and reassured them of your confidence?

**Michael Gove:** I will pass on to the special advisers, Alex, that you are concerned about any trauma that they may have undergone. I know that they will be grateful for the tender care that you take for their equability and their spiritual and cultural health.

**Chair:** It is lovely to end on such a warm note. Secretary of State and Permanent Secretary, thank you for giving evidence this morning.