



Rt Hon Gavin Williamson CBE MP
Secretary of State

Sanctuary Buildings Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

Rt Hon Robert Halfon MP
Chair, Education Select Committee
House of Commons
London
SW1A 0AA

13 November 2020

Dear Robert,

Thank you for the opportunity to discuss a range of important issues and for the Committee's input on these matters at my accountability hearing on 16 September.

You wrote to me on 18 September requesting the following materials:

- all minutes and correspondence of meetings held between the Department and Ofqual, relating to summer exams;
- the policy briefing for the General Public Sector Ministerial Implementation Group on 1 May; and
- the policy briefing for No 10 policy unit staff on 7 August.

You also wrote to me on 11 November with the Committee's preliminary findings in relation to the awarding of qualifications in summer 2020 and the challenges facing us in 2021. I will respond substantively to that letter as soon as possible, but in the meantime I am writing to follow up on my commitment to share information with you on summer 2020 awarding. Please accept my apologies for not having been able to respond sooner: as I explained in my letter of 16 October, the scope of your request was very wide.

I am fully committed to being as helpful in advancing the work of the Committee as it is possible to be. In our appearances before the Committee, both Nick Gibb and I have sought to be open and informative about the events of summer 2020 in relation to the awarding of qualifications, and the role of ministers and Ofqual in those events. In considering the request in your 18 September letter, this was my first concern.

At the same time, however, I am mindful of the need to balance this transparency with the need for policy to be developed in a space where advice and opinion can be shared freely between Ministers, officials and other interested parties, including Ofqual. My Department has received a large

number of Freedom of Information requests relating to the documents you reference (and others relating to summer awarding) and is proposing to withhold their key elements under either section 35 or section 36 of the Act. Providing these documents to Committee in the form requested could, I believe, prejudice the Government's ability to formulate policy effectively in the future, because of the chilling effect that release would have on the willingness of officials to offer advice to Ministers and to exchange thoughts and ideas freely between the Department and Ofqual or other arms-length bodies. This is of particular concern at a time when we are engaged fully on preparing for the challenges of how to run fair exams and assessments in 2021. I am also concerned that as it is not standard practice to produce formal minutes of Ministerial meetings which are agreed by all parties at the time as an accurate record, the notes we hold are in places unclear and could – if released without context or explanation – be potentially misleading to the Committee.

Nevertheless I recognise that given the problems that arose in the summer it is reasonable for the Committee to seek additional information about the discussions that happened over the period March to August. My proposal is therefore to give the Committee an account taken from contemporaneous notes of the meetings between Ofqual and Ministers which discussed summer 2020 awarding in the period between March and the end of August. The account also includes summaries of the two specific papers that you asked for. This will, taken together with the Ofqual Board minutes, other documents previously released, my testimony and the testimonies of Ofqual colleagues, give a full picture of the key events of summer 2020, concentrating on the decision points where the Committee has shown particular interest. I hope that this strikes a suitable balance that you and members of the Committee will be able to support.

In terms of how this information is deployed, I should like to request that the account is kept confidential for Committee members and not made public. I believe the right balance between public interest and the helpfulness and transparency to the Committee is to provide this account but to ask for your commitment in writing that it will be kept in confidence.

Thank you again for your interest in these important matters. I will await your response before proceeding with passing over the account, and would be happy to discuss with you if that would be helpful.

A handwritten signature in blue ink, appearing to read 'G. Williamson', with a long horizontal flourish extending to the right.

Rt Hon Gavin Williamson CBE MP
Secretary of State for Education