

Five articles on Michael Gove, his advisers, the EBC u-turn and education policy from The Observer 10.2.13

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Michael Gove 'misled parliament' over claims of bullying by advisers

MPs say education secretary must be recalled to committee, after Observer reveals secret payout to civil servant

Michael Gove faces accusations that he may have misled parliament over claims of bullying and intimidation by key advisers at the Department for Education.

The *Observer* can reveal that a senior civil servant in the education secretary's department has received a secret payoff of about £25,000 out of public funds, after a lengthy grievance procedure involving members of Gove's team, including his special adviser, Dominic Cummings, and the department's former head of communications, James Frayne.

While an investigation within the department cleared the men, and said no disciplinary action was necessary, the final judgment made clear that their conduct had on occasions fallen short of the levels expected and that the behaviour of Cummings and Frayne, who has since left the department, "has been perceived as intimidating". After the internal investigation was launched in the spring of 2012, the civil servant also decided to lodge a case with a tribunal, where the allegations would have been heard in public. A date was set for last month, but after further negotiations the financial settlement was agreed and the tribunal was cancelled.

On 23 January, however, Gove – who under the ministerial and special advisers' codes is responsible for the behaviour of his advisers (known as Spads) – denied knowledge of any allegations of misconduct during an appearance before the education select committee.

Labour MP Ian Mearns first asked him about "previous allegations about Spads acting inappropriately". He asked: "Are there elements working within the department that are out of control, secretary of state?" Gove answered: "No."

Mearns asked: "Categorically, absolutely not?" Gove replied: "I am not omniscient, but I have seen no evidence of that." Mearns then asked: "Are you aware of allegations of Spads acting inappropriately to civil servants within the department?" Gove answered: "No."

Labour sources said that it was almost inconceivable that Gove could not have known about the case and the payout. The *Observer* also understands that last year more than a dozen more junior officials lodged a "collective" grievance procedure and many later left the department.

Stephen Twigg, the shadow education secretary, said: "These are incredibly serious allegations. It appears that Michael Gove has either misled parliament or appears to have no control or knowledge of what his advisers do on his behalf. Either would be a breach of the ministerial code. We need a full investigation by the cabinet secretary."

Mearns told the *Observer* that there was a case for Gove to be recalled to the committee: "Clearly there is a case for the secretary of state to come back to the committee and answer further questions. He has either misled the committee or is the most ill-informed minister in the government." The DfE said: "It would not be appropriate to comment on individual employment matters." There was no response from the education secretary or the individuals involved.

The claims that Gove may have misled parliament follow a torrid week for the education secretary, during which he was forced to abandon his controversial plans to reform GCSEs.

Last weekend, the *Observer* named Gove's special advisers, Cummings and Henry de Zoete, who the secretary of state described last year as the "real heroes of reform", as contributors to an anonymous Twitter feed called @toryeducation, which attacks journalists and political opponents, in contravention of the special advisers' code. Documents relating to the grievance procedure involving Frayne, Cummings and others, seen by the *Observer*, show the complainant depicting the department as a place where foul language is commonplace and power is centred on a small group. Frustrated by delays, on one occasion Frayne allegedly snapped: "Just let's fucking do it." Cummings denied swearing at the complainant but did not deny swearing in the building.

The complainant alleged that Cummings undertakes "random acts of verbal aggression", being rude and threatening. Cummings recognised in his evidence that his behaviour in one meeting might have been perceived as aggressive, while pointing out that he was expressing frustration at what he thought was poor work. The complainant, who still works for the department but is considering early retirement, has suffered health problems, acknowledged by the department as the result of the events.

Michael Gove's ambitions for No 10 hang in the balance after crucial week

Twin rows over GCSE climbdown and his special advisers could tarnish Michael Gove's hopes

It has been some week for education secretary Michael Gove. When someone decides to write his biography, as will surely happen soon, the events of early February 2013 are certain to feature prominently. Will recent days be looked back on as a time when a talented cabinet minister and darling of the Tory right shot his bolt and saw his ambition to become prime minister turn to dust? Or will they be viewed in retrospect as the period when he learned some hard lessons about how to run a department, and in so doing strengthened his position in the long run?

Despite his public denials, Gove wants to be prime minister. His friends make that perfectly clear in private. Perhaps aware that he may come across as too mild-mannered and cerebral to be credible as a leader, he has surrounded himself with a team of advisers who are brazenly political, prepared to meddle in the dark arts of intrigue and battle for their man in the most forthright way possible within government. Gove's courtiers in the Department for Education [DfE] are now being compared in Whitehall with the team of able but ruthless operators which Gordon Brown gathered around him when he began agitating to get Tony Blair out of No 10 early in Labour's second term.

Last weekend the *Observer* offered a first insight into these courtiers' methods when we reported that Gove's special advisers Dominic Cummings and Henry de Zoete were believed by senior Tories to be running an anonymous Twitter feed called @toryeducation, which pumps out political propaganda and smears journalists and any others who raise questions about the wisdom of Gove's policies.

Such behaviour is a clear breach of the special advisers' and civil service code, which explicitly bans personal attacks or the dissemination of propaganda by people within government and whose salaries are paid by the taxpayer. But so confident are those responsible that – despite growing concern about their methods inside No 10, and calls from Labour for a full inquiry by the cabinet secretary – they have used the same Twitter account all week in defiance of the rules.

Undeterred, Gove was in fine fettle on Tuesday evening, accusing Labour in a typically rumbustious and at times amusing speech of trying to entrench privilege. He compared the party's instincts on education with the aristocrats in the ITV drama *Downton Abbey*.

"Labour, under their current leadership, want to be the *Downton Abbey* party when it comes to educational opportunity," said Gove, who was adopted aged four and brought up in Aberdeen without the silver spoon of opportunity enjoyed by many of his cabinet colleagues. "They think working class children should stick to the station in life they were born into – they should be happy to be recognised for being good with their hands and not presume to get above themselves."

But as he delivered that speech Gove knew he would be the one taking, not dishing out, the attacks over the coming days. Last Wednesday evening news leaked out that the education secretary was embarking on one of the biggest policy U-turns of this parliament. He was abandoning plans to scrap GCSEs in core subjects and replace them with examinations based on O-levels, following intense opposition from the education establishment and the Tories' coalition partners, the Liberal Democrats. His civil servants had also warned him that his plan to move to a franchise system, under which a single exam board would be awarded contracts to run exams in each subject, would break EU competition rules. Gove made a statement to the Commons on Thursday, saying the plans on which he had been working for many months had been "a bridge too far".

Labour saw its chance. Stephen Twigg, the shadow education secretary, accused Gove, predictably, of a "humiliating climbdown", but hit home with his follow-up. The volte-face, said Twigg, "shows why he should have listened to business leaders, headteachers and experts in the first place and not come up with a plan on the back of an envelope. He needs to go back to the drawing board." Ben Brogan, deputy editor of the *Daily Telegraph*, observed that it might be better if the coalition agreed policies before it announced them.

Both appeared to be hinting at wider concerns about Gove's entire political operation – concerns that are shared in No 10. In Downing Street, there is irritation at the way Gove and his coterie of advisers shoot from the hip on policy and fail to consult not only professionals in the field but also others in government.

The plans to return to O-levels were leaked to the *Daily Mail* last June, without No 10 having the faintest idea of what was coming. There were frosty exchanges between Gove's advisers and Downing Street at the time.

Gove's advisers defended themselves in terms that shocked special advisers in other departments and the office of deputy prime minister Nick Clegg. One fellow special adviser described the behaviour of Gove's team as "feral". Cummings, whose initial appointment as a special adviser was blocked by Andy Coulson in 2010, is singled out for particular loathing. Increasingly the view in the coalition, from Clegg's team to David Cameron's, is that Gove is running a ruthless, dangerous and, on occasions, wild operation to further his ambitions in defiance of almost anyone else: his civil servants, the education establishment and other ministers included.

Two inquiries and a payoff – what did Gove know?

10 February 2012 Complainant gives evidence to formal grievance hearing heard by Paul Kissack (director general). Alleges bullying and intimidation and makes other complaints against officials including James Frayne and Dominic Cummings.

9 March Frayne gives evidence. Official record of the meeting says: "Frayne said he did not recognise anything at all in this grievance."

20 March Cummings gives evidence. He denies main allegations but admits that "we could all have done better in thinking through some of these things".

March Complainant lodges application to have case heard by a tribunal, open to the public. This has to be done within three months of first complaint.

Before 11 May After examining all the evidence, Paul Kissack rejects grievance, while conceding that behaviour of Frayne and Cummings and others "has been perceived as intimidating". Notes that staff surveys "show some marked deterioration related to culture in some areas of the group".

11 May Complainant launches appeal against rejection.

23 July Peter Lauener, chief executive of the Education Funding Agency, writes to the complainant, upholding the previous decision to reject the complainant's grievances. He concludes, however, that he has "no reason at all to doubt the genuine distress, unhappiness and sense of injury that the events you have described have caused you".

Late 2012 Negotiations continue and a settlement is agreed, involving a payment to the complainant in the region of £25,000 from public funds.

23 January 2013 Michael Gove appears before the education select committee and denies any knowledge of any allegations of misbehaviour relating to his staff, including special advisers.

Michael Gove's reform agenda: some good school work, but must do better

The education secretary's more radical plans suggest he may succumb to the curse of the over-zealous reformer

Being a clever child isn't the best preparation for being a good teacher." The master of Magdalen College school's verdict on Michael Gove captures the problem with the education secretary's reform agenda. Last week, the Conservatives' star pupil was forced to about-turn

on a key plank of his radical programme of education reforms, the replacement of GCSEs with the English Baccalaureate certificate.

Just days before, in a characteristically witty speech worthy of an A* for oratorical flourish, the education secretary numbered among his intellectual heroes Antonio Gramsci. Presumably he had in mind the Italian Marxist's famous reflection: "My practicality consists in this: in the knowledge that if you beat your head against the wall it is your head which breaks and not the wall..." At any rate, it was advice he appeared to have heeded. Gove, the fiercely academic overachiever, seems to have learned the painful lesson that reforms dreamed up in the Department for Education's ivory towers are forced through the system at peril.

How much of a reversal is this for one of the most radical and controversial education reformers of recent years? And just what sort of an education system is Gove, a divisive figure who attracts loathing and admiration in almost equal measure, trying to fashion?

There are gems among the blizzard of initiatives pouring forth from his department. The pupil premium shifts the funding system further to the advantage of schools with poor intakes. Schools will be judged in league tables, not just by basic threshold targets like five A*-Cs at GCSE, but on a more complex measure that counts the progress of all children. The government is taking a tougher approach to teacher recruitment, already paying dividends: last year, 71% of trainee teachers had a 2.1 or above, six percentage points more than the year before. Ofsted's "satisfactory" category has been replaced with "requires improvement" in recognition that no child deserves anything less than a good or outstanding education.

But the commonality running through these reforms is not that they are a radical break from the past. They are, instead, a welcome continuation of an education reform programme that has spanned the last quarter-century.

It is Gove's more radical plans that suggest he is in danger of succumbing to the curse of the overzealous reformer. At heart, the problem is that Gove is trying to make an education system fashioned out of his own education experiences, while holding up as straw man a caricature of a 1970s progressive education movement, which, while it did tragically ruin the lives of some, does not grip huge swaths of the modern state education system, as he would have us believe. This is undoubtedly a project that makes for brilliant after-dinner speeches. But as a reform agenda it has a fundamental flaw: it is rooted neither in the reality of where our school system is, nor where it needs to be.

There are two key planks to Gove's agenda. First, on qualifications, Gove wants to expand what he regards as the key features of an elite system to all children. Hence his stress on knowledge over skills; academic over vocational; exams over coursework; traditional over creative; linear over modular: a long line of false dichotomies.

Of course Gove is right that there is no greater educational crime than writing off a child because of his or her class. But it is perhaps just as unforgivable to judge all children by an elite academic standard under which many will thrive, but which for others will be a millstone of educational failure that will forever hang round their necks. It is a fallacy to contend robustness must imply tradition and this government, like the last, has failed to set out a plan for a vocational gold standard that can sit alongside GCSEs and A-levels. This is a huge

failure. It is bizarre to insist that the school system must assess children and young people in a way that bears no relation to how they will go on to be appraised in the labour market.

The second plank is academisation. No education secretary can ever be faulted for wanting to drive improvements in the nation's schools. But Gove's obsession with academisation as the nirvana of school improvement is a dangerous one. The evidence could not be clearer: great schools have consistently great teaching and this can only flourish under great leadership. The only way to improve failing schools is to bring in the best leaders. This is what Labour's academy agenda was about: a tightly focused programme that aimed to bring in new leadership, energy and investment into some of our most dismal schools.

Under Gove, academisation has taken centre stage, leaving little room for anything else. It has become a drifting, bloated, one-size-fits-all programme that is simultaneously about freeing up schools from local authority bureaucracy, parental choice, establishing a network of private-style schools funded by the state, and new leadership. Its loss of focus means it can no longer do what it was designed to do. While academies remain a small but significant presence, they are able to attract the charity and business leaders who might bring new discipline and energy into the most lethargic schools. Gove's vision of a system dominated by academies has at its heart a lazy "private sector good, public sector bad" logic. Results show just as there are good and bad local authority schools, there are good and bad academies.

And just as there are good and bad local authorities, so there will be good and bad academy chains that move in to replace them. But whereas with local authorities there is a notion of democratic accountability, academy chains are accountable to no one other than the secretary of state. Thus the paradox of a reform talked up as a massive decentralisation of power in reality being one of the most centralising reforms in recent decades.

Some particularly enthusiastic councils are strong-arming schools into becoming academies – by telling them they will be switching off the school improvement and back-office services they have provided for decades. In these areas, small primary schools are spending energy and time figuring out how to recreate these economies of scale. This is a distraction from the business of improving standards.

The eloquent construction and demolition of a straw man based on the worst features of the 70s education system makes for clever speeches. But it does not make for a mature and evidence-based reform agenda. The verdict must be "requires improvement". As Gove's reforms have recognised, our children deserve better.

Michael Gove's gang perfect the art of fighting dirty

The attack dogs of the education secretary blight him and decent political behaviour

Nick Cohen

Stumbling into the dining room of a Brecon hotel after a night at a literary festival, I saw that the only spare seat in the dining room was next to Michael Gove. Should I take it, I wondered.

There is a loud body of opinion that says it is better to sup with the devil than breakfast with Gove. He is the most reactionary politician in the land, apparently. He "obsessively" follows

an "elitist agenda", which will take English schools back to the 1950s. No one in the coalition, not even George Osborne, arouses such hatred.

How ridiculous all that can seem when you look at what he has done. Gove is completing the education reforms Labour began. Andrew Adonis, David Blunkett and Estelle Morris wanted the best graduates to become teachers in comprehensives and so does he. Adonis wanted to give schools the power and responsibility to become strong institutions by granting them academy status. Gove is just extending the Adonis programme. You will have noticed that Stephen Twigg, the Labour education spokesman, rarely mounts an effective assault. He keeps quiet because he knows he will accept many of Gove's changes when and if he returns to office

Gove is well read and a good writer, virtues I admire. (His *Celsius 7/7* was an elegant contribution to the pamphlet wars of the Bush years.) In person, his conversation is an education in itself, while his exquisite manners are a lesson to us all. Of course I talked to him. I'm a journalist. I will talk to anyone and I had no trouble greeting a Tory gentleman, who seemed the nearest British politics can offer to a renaissance man. He is an easy minister to admire until, that is, the moment you cross him.

Here is how the retaliation works. The gang around him treat any slight to their master as an affront. The lead comes from his special advisers Dominic Cummings and Henry de Zoete. Cummings is a piece of work. He is a political hack of such reputation that Andy Coulson tried to blackball him from working for the coalition. If a former editor of the *News of the World*, now awaiting trial, warned me that a potential employee was too unsavoury to touch, I would pay attention. Gove did not.

Cummings and de Zoete can call on the services of Paul Staines, author of the Guido Fawkes website. They also have *Telegraph* journalists, the Murdoch press and most of the rightwing blogosphere at their disposal.

The Gove gang does not simply wish to beat his critics in argument but humiliates them too. Two weeks ago, Suzanne Moore criticised Gove in the *Guardian*. Every slight must be punished and Toby Young of the *Telegraph* duly denounced Moore's "hysterical, ill-informed rant". So delighted was his fellow *Telegraph* pundit James Delingpole, he cried that Young had given "Suzanne Moore such a seeing-to, she'll be walking bow-legged for weeks", an insult so gross even Delingpole had to apologise.

Last week, the *Observer's* editor put the allegation to Cummings that he smeared Gove's enemies from behind the coward's cloak of anonymity on the @toryeducation Twitter account. Cummings did not directly deny it but instead boomed: "Take a Twitter detox because it's melting your brains, focus on what's important, stop behaving like eight-year-olds." He sounded more like a student politician who had had a lager too many than an adviser to a cabinet minister. Yet so unable were Gove's enforcers to see themselves as others see them that they leaked the private correspondence to a news website, convinced that it made them look good.

Inside the education department, life is little better. This week, we report on the case of a senior civil servant who received a large payoff after claiming to have been "marginalised, undermined and bullied" by Gove's people. Whenever officials raised awkward issues, the

civil servant said, the question "What do you fucking mean?" echoed around the department, which, lest we forget, is meant to educate our children.

Conservative readers may protest that Gove has to fight rough because he is up against the resistance of the "education establishment". Any reader of *Education, Education, Education*, Adonis's account of the struggle for school reform in England, will be struck by how hard Adonis found it to shift established interests and complacent bureaucrats. But Adonis's evidence cannot help Gove. Like every decent minister, Adonis allowed his subordinates to speak to him freely. It's not only the long-standing civil servant who found you cannot do that with Gove. Tim Loughton, a Tory MP who was children's minister until Cameron sacked him in the last reshuffle, recalled that Gove would appear on rare occasions in his department like "Mr Grace from Grace Brothers and tell us we've all done terribly well and then disappear".

Although there are worse insults than being likened to a much-loved character in *Are You Being Served?*, the Gove gang went wild – yet again. An unnamed "source" told the *Spectator* that Loughton was a "disgraceful" hypocrite and "a lazy incompetent narcissist obsessed only with self-promotion". No one can say my colleagues on the *Spectator* suffer from an excess of political correctness, but even they were shocked by the violence of the attack.

The most shaming comparison for Gove is with Gordon Brown. The old schemer put on the show of being a civilised man while his minions, Charlie Whelan and Damian McBride, ran filthy campaigns against enemies real and imagined. Brown, too, could call on the services of journalists who had long ago lost what little independence of thought they possessed. But there is a difference. Whelan and McBride relied on old media. Their successors in Gove's education department can get their black propaganda out in public via anonymous social media accounts.

If life were fair, Brown's plotting and smearing would have done for him. Alas, they took him to Number 10. It was only when he was there that the electorate saw him for what he was. Will Gove have to wait until he is prime minister before the public sees through him too or will his comeuppance come sooner? I hear that an alarmed David Cameron can see that Gove is preparing a leadership bid and is keen to hear an answer to that question as quickly as he can.

Comment by "PortsmouthBubblejet"

10 February 2013

"Will Gove have to wait until he is prime minister before the public sees through him too or will his comeuppance come sooner?"

The public have always seen through him, it's journalists who have failed to do so. There's been no politician in recent times who has generated such a disconnect between public perception and media portrayal as Michael Gove.

Parents of pupils misgraded at English GCSE, teachers and governors of schools forced into academy (and now, it appears, privatized) status, head teachers bemused by the EBacc and EBC fiasco, exam boards, even Gove's supposedly natural allies at Oxford and Cambridge

have condemned the incoherent policy muddle at the heart of DfE policy. Yet journalists at right-wing and left-wing newspapers alike have continually portrayed him as a “one of the success stories of the coalition”, even when the evidence manifestly proclaims the opposite.

Why has this been the case? It's too easy to say that print journalists still perceive Gove to be “one of their own”, someone who proves that their profession could turn their hand to just about anything in life and make a success of it. (Gove's only qualification for being Secretary of State for Education is that he used to be a child.)

But it's been noticeable that the praise that Gove has received in the past has centred largely on journalistic virtues. He's a future leader of the Conservative Party, it appears, because he constantly generates headlines, giving the impression of activity while failing to grasp that a half-formed idea that would be forgotten next day if it appeared in *The Times* has a massive impact on children's lives when you are Secretary of State for Education.

And Nick Cohen's admiring comments here about Gove being “well-read and a good writer” are important to journalists, but completely irrelevant to parents, teachers and pupils alike. What matters to the public is the impact that his policies have on civic society – which Cohen hardly deigns to mention.

For it's been noticeable in the past couple of weeks that what appears to have really annoyed *Observer* journalists is not the future of the nation's education system, but Gove's breach of an unspoken code of conduct in the treatment of fellow writers.

Don't get me wrong, I condemn *@toryeducation's* vindictive bullying of Suzanne Moore, Chris Cook, Toby Helm and many others as strongly as the next person. But what's now emerging are articles such as this, which largely defend Gove's policies and accuse those who disagree with them of creating a “devil” figure out of a fellow journalist whose “exquisite manners are a lesson to us all”.

So what if “Gove is completing the education reforms Labour began”? It doesn't mean that the policies are right – both Labour and Conservatives have produced poor education initiatives for years now. And yes, we have “noticed that Stephen Twigg, the Labour education spokesman, rarely mounts an effective assault”. This is because Stephen Twigg isn't an effective politician.

Look at Gove's policies. Then report on the impact of the policies. Then do the same for the NHS. Please.