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A cloud in the sky  
of no great size, but a  
sign of things to come. MJ

20 February 1980

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*Norman St John-Stevas*

RELATIONSHIPS WITH SELECT COMMITTEES: DISCLOSURE OF DOCUMENTS

The Chairman (Christopher Price) of the Select Committee on the Department of Education and Science has asked that Department for an internal management document. The request raises a general issue of some importance on which, I think, we must take a collective view.

The document in question is the report of a staff inspection of the University Grants Committee which has been carried out in the normal way by a joint team of DES and CSD staff inspectors. It has not yet been completed, but is being discussed in draft with the UGC and the Staff Side. Thereafter it will be sent formally to the UGC and the DES for their consideration, and a copy will go to the Staff Side who will be consulted about the follow-up action.

I understand that this particular report does not contain anything particularly embarrassing, though it recommends certain reductions in the staff. But if Mark Carlisle agrees to the request, further requests for other staff inspection reports seem bound to follow both from DES and from other departments. Similar requests are likely to be made for other reports of an investigatory kind (eg internal audit and O&M). The process may not stop there. The recommendations in these reports constitute advice to higher management and, at the end of the day, to the Minister concerned. We ought therefore to consider the implications of this.

Where staff inspection and similar investigatory reports are concerned, there is a special reason for caution. Staff inspectors are encouraged to be entirely frank and honest, and where necessary to say highly critical things about the units they are inspecting. The value of staff inspection, which has produced major savings over the years and is an essential weapon in the fight for greater efficiency, depends upon their doing so. There is room for tightening up the system and making it still more effective, and I mean to do that. But if the inspectors know that their reports may be examined by Select Committees and published as part of their evidence,

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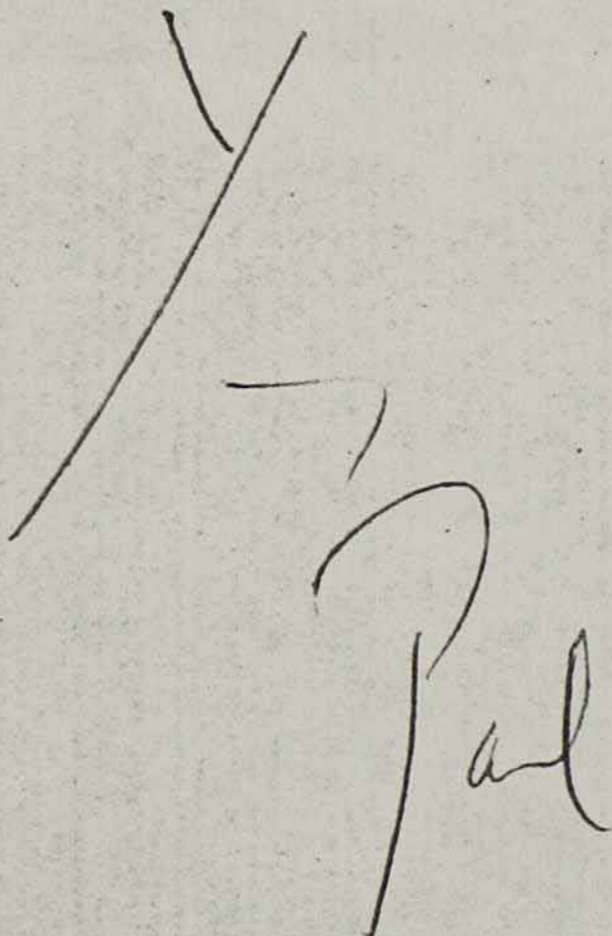
they are bound in my view to begin to pull their punches and water down their criticisms. The whole value of the operation could be lost.

Select Committees may not be receptive to arguments of this kind, or to the point that managements everywhere have nowadays to consult their unions over documents which are not however suitable for publication, though that too is a fact of life which would immediately be recognised by all employers. The situation therefore calls for careful handling. I am inclined to think that the best course would be to withhold all documents of this kind, but to offer, when asked, to put in a memorandum which described the nature of the exercise, its scope and the action it was proposed to take as a result. This would be in line with the general advice in the Memorandum of Guidance to Officials appearing before Select Committees that where working management documents are requested, (eg files, internal minuting, etc) these should be resisted but, so far as possible, specially prepared memoranda dealing with the subject concerned should be offered.

I believe however that this is likely to be only the first of a series of similar questions which affect the relationship between Government departments and the Select Committees. On the Civil Service side, for example, there are already signs that the Committee on the Treasury and Civil Service will want to be kept in touch with and comment on the progress of pay negotiations in a way which could undermine the negotiating position of the Official Side, and thus of Ministers, in an unacceptable way. But the problem is most unlikely to be confined to matters of Civil Service management. We may therefore need to consider standing arrangements for considering matters of this kind. Meanwhile however I should be grateful to know whether you and Mark Carlisle agree with the approach I have suggested and whether other colleagues have comments. If there is general agreement, I wonder if it would be sensible to talk to the Chairman of the Liaison Committee about it?

Copies of this letter go to Mark Carlisle, to other Cabinet colleagues and to Sir Robert Armstrong.

PAUL CHANNON

A handwritten signature in dark ink, appearing to read 'Paul', with a large, sweeping flourish above it that extends upwards and to the left.

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