

Witness Name: Jonathan Slater

Statement No: 01

Exhibits: JS1/01 – JS1/33

Dated: 05 August 2025

UK COVID-19 INQUIRY

WITNESS STATEMENT OF JONATHAN SLATER

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I, JONATHAN SLATER, FORMERLY THE PERMANENT SECRETARY OF THE DEPARTMENT FOR EDUCATION, SANCTUARY BUILDINGS, GREAT SMITH STREET, LONDON, SW1P 3BT, WILL SAY AS FOLLOWS:

1. Introduction

- 1.1. I, Jonathan Slater, was employed by the Department for Education (“DfE” or “the department”) from May 2016, as the Permanent Secretary. I held this role from May 2016 to August 2020.
- 1.2. I make this statement in response to the Covid-19 Inquiry’s (“the Inquiry”) request for evidence under Rule 9 of the Inquiry Rules 2006 sent on 14 May 2025 (“the Rule 9 request”).
- 1.3. I have been assisted in preparing this statement by officials in DfE, who have searched thoroughly for any available evidence to set out what happened, when, and why as fully as possible. Where there are any gaps in evidence about decision making, this is because I, or DfE officials, have not been able to find evidence to fill those gaps.
- 1.4. I am satisfied with the documents found and exhibited in this statement and my own recollection that this statement sets out the key events that occurred during that period as accurately as possible.
- 1.5. Chapters 2 to 11 in this statement cover the topics the Inquiry has asked about in their Rule 9 request, in the order of the questions asked, covering my role as Permanent Secretary during the specified period, planning between January and 16 March 2020, the identification of vulnerable children, decisions between 16 to 18 March 2020, assessment of risks and impacts, attendance during the first school closures, oversight of education, relations with ministers/SAGE, examinations in 2020 and lessons learned.
- 1.6. This statement is supported by documentary evidence, which will be referred to in the format (Exhibit JS1/xx - INQ0000).

2. Chapter 2 – My role as Permanent Secretary

2.1. As DfE Permanent Secretary, I held the most senior Civil Service position in the department. As DfE's Principal Accounting Officer, I was accountable to Parliament for the stewardship of the department's budget and ensuring value for money.

2.2. My key responsibilities included:

2.2.1. Serving as the chief policy adviser to the Secretary of State for Education ("SSE") and ministerial team in setting the overall strategy and policy for DfE, working with my senior leadership team to ensure that ministers received appropriate and relevant advice prior to making policy decisions.

2.2.2. Overseeing the department's performance and operations, including budget management and staffing. DfE employed over 6,000 civil servants, the majority outside London, operating from Sheffield, Darlington, Coventry, Bristol, and many other sites.

2.2.3. Accounting personally to Parliament for the use of DfE's resources, in my capacity as Accounting Officer. Making departmental arrangements for governance, assurance, and risk management.

2.2.4. Approving the department's business plan, and annual report and accounts.

2.2.5. Seeking to ensure the department was able to implement efficiently and effectively the government's children's social care, childcare, education, and skills policies across England.

2.2.6. Leading the department's civil service workforce, fostering a culture of efficiency and effectiveness.

2.2.7. Serving as a member of the corporate leadership team of the wider civil service, contributing to cross-departmental leadership and strategy.

2.3. During the COVID-19 pandemic, my role changed significantly. My focus shifted almost entirely to managing the challenges posed by the pandemic rather than

the broad range of policy priorities that were normally covered by DfE. The job became much more operational. With the advent of full remote working, the methods of working also changed. My leadership of the workforce focused on how to make sure that staff working from home were able to perform their duties effectively, seeking to maintain operational efficiency in a virtual environment.

2.4. During the period covered in this statement, I had several meetings and calls with SSE each week, sometimes including other ministers, sometimes not. Sometimes these meetings included his special advisers. I did not have separate discussions with his special advisers (other than an introductory meeting with his new communications special advisor). My meetings with individual junior ministers were less frequent, as their daily communications and interactions were primarily directed through the relevant director generals. I did, however, work more closely with Nick Gibb MP, Minister of State for School Standards (“MoSSS”), who assumed additional responsibilities during the specified period to address the department’s response to the COVID-19 pandemic.

2.5. In my capacity as Permanent Secretary, I did not frequently provide written personal policy advice to SSE or ministers. Instead, my role centered on ensuring that they had access to the right teams with the right level of expertise so that they received appropriate and relevant advice prior to making decisions. I was however actively involved in the formulation of policy advice – either during the drafting process or in meetings with SSE and other Cabinet Ministers to discuss the advice or both – in some particularly challenging and controversial circumstances (for example, who should be permitted to attend schools when they were closed for the majority, and who should be entitled to return once this started to be possible), as well as where it interacted with my Accounting Officer responsibilities. Other examples of my personal leadership included my engagement with peers across Europe (the Danish, Irish, French and German ambassadors, the Bavarian Permanent Secretary, the Irish Secretary General etc); and my engagement with the most senior scientists and public health officials on a wide variety of technical issues, like the safety of the workforce and school transport.

2.6. In January 2020, DfE had an Emergency Response Group (“ERG”), whose primary function was to co-ordinate a response to any emergencies related to DfE. The group coordinated across DfE and worked with Cabinet Office and other parts of government. By January 24, 2020, DfE's ERG had formally started working on COVID-19 and held regular meetings to monitor the situation and record actions taken by the department to respond to the developments (Exhibits JS1/01 - INQ000542403 and JS1/02 - INQ000623194).

2.7. From mid-March 2020, we began formally monitoring other foreign states and receiving updates via a daily dashboard from the Cabinet Office. Internally, we started gathering international intelligence and reporting on how other education systems were responding to COVID-19 from April 17, 2020.

3. Chapter 3 - Planning (January to 16 March 2020)

- 3.1. Between January 2020 to 16 March 2020, DfE's contingency plans were premised on the assumption that schools (and other education settings) would remain open, as per the government's overall approach to pandemic preparedness at the time. As I understand it, a previous cross-government emergency planning exercise had been run on the basis that schools would remain open during a pandemic, and this assumption does not appear to have been challenged at the time that exercise was carried out, or when the results of it were considered. The plans that were formulated as a result therefore did not contemplate the possibility of a nationwide policy to close all settings for a significant period of time. It would clearly have been better if they had done so, as we were ill-prepared to take this action when it became necessary.
- 3.2. As a result of the assumptions made in the existing plans, our contingency planning therefore concentrated on readiness to manage a small number of individuals, short-term closures, arising either as instructed by local public health teams or as a consequence of staff illness. DfE officials worked diligently to ensure that the necessary legal frameworks and operational arrangements were in place to enable such local actions, including contributing to the development of appropriate legislation.
- 3.3. Much of the planning revolved around managing operational challenges, such as scenarios where staff shortages might force individual school closures, including addressing the resulting impact on pupils, parents, and the broader community. This included discussions about how to provide support for affected families and maintain continuity in education during such temporary disruptions. This was captured in DfE's reasonable worst-case scenario planning (Exhibit JS1/03 - INQ000542409) which started from 5 February 2020.
- 3.4. The plan set out DfE's emergency response to the coronavirus outbreak, including planning assumptions and actions for DfE-led education and childcare sectors which may be impacted. The document details various scenarios depending on the infection stage. Escalation stage 1 (infection spread to isolated cities or counties within China) included activity plans for

communications to the public and horizon scanning, whereas escalation stage 7 (pandemic) included activity around implementing an emergency pandemic influenza bill on top of various other measures, such as temporarily closing educational settings in the ways I have referred to above. This was described as the 'worst-case scenario.' Additional scenarios and DfE responses were detailed in the emergency response plan.

3.5. From an operational perspective, I also recognised the need to strengthen DfE's response mechanisms. Around 24 January 2020, DfE began to establish a dedicated operations centre. Based on DfE's approach to Brexit No-Deal planning, the centre became integral to DfE's preparedness efforts. Under the direction of the Director General for Operations and Infrastructure, the centre evolved to provide enhanced coordination and response capabilities, tackling the pandemic's challenges as they emerged.

3.6. Throughout this period, ministers oversaw DfE's contingency planning. Regular COVID-19 related meetings, both departmental and cross-government, informed by situation reports ("SITREPs") ensured frequent monitoring and informed ministers' decisions. The SSE assigned MoSSS to lead DfE's contingency planning efforts. MoSSS attended cross-government ministerial meetings and was supported by the Director General for Operations and Infrastructure, who took charge of day-to-day implementation (as the lead Director-General for COVID-19 response).

3.7. I was advised in late February 2020 that a handful of schools had taken the decision to close for a fortnight, following individual cases of suspected COVID-19 (Exhibits JS1/04 – INQ000623195 and JS1/33 - INQ000623196). This was contrary to official public health advice, which was to send home anyone who was unwell, though for myself I thought that the headteachers were acting pragmatically. After all, they had to be mindful of the need to demonstrate to parents and pupils their determination to tackle the virus, bearing in mind the huge uncertainty at the time.

- 3.8.I also received dashboards that were circulated from mid-March 2020 by the Cabinet Office. These included international comparisons for COVID-19.
- 3.9.As to how SAGE considerations were being conveyed to me during the early period of the pandemic, DfE's Chief Scientific Advisor, Osama Rahman, and his team, attended and participated in relevant meetings. Any issues that were relevant to children and young people were reported to my office. Later on, I attended a SAGE meeting myself, to make sure I understood the evidence in support of various options for pupils to return to school on a phased basis from the May half term break.
- 3.10.In addition, Professor Chris Whitty, who is the Chief Medical Officer for England and Chief Medical Adviser to the UK Government, reported frequently to meetings of Permanent Secretaries during this early period and answered our questions.
- 3.11.As the pandemic continued, I arranged frequent calls with Chris Whitty and Patrick Vallance, who was the HM Government's Chief Scientific Adviser during COVID-19, (and on occasion other government scientists and public health experts) to make sure I understood the evidence. I also engaged in follow-up meetings with colleagues such as DfE's Chief Scientific Advisor. As such I consider that I had sufficient access to scientific advice between January 2020 and my departure.
- 3.12.Prior to 18 March 2020, the government's focus was on keeping schools open, and plans for remote education were not being developed at a systemic level. Any preliminary work related to remote learning was limited in scope and concerned individual education settings being closed for a short period of time or individual children needing to stay at home for a short period of time (rather than a comprehensive system-wide strategy). Similarly, we were not assessing other potential implications or risks of mass closures.

4. Chapter 4 - The identification of vulnerable children

4.1 As described in detail in the next chapter, the government's approach to schools changed completely (literally) overnight. It became clear to me and my senior DfE colleagues on the evening of 17 March 2020 that the government's intention was now that schools were about to be closed to all but key workers. As the department with policy responsibility for children in care and for children with special education needs and disabilities ("SEND"), we were acutely aware of the risks to these children if they couldn't go to school, and so we argued that if at all possible they should be able to keep going to school, alongside key workers. We worked up this proposal overnight, and I presented our conclusions at meetings with No.10 and the Prime Minister on 18 March 2020, as described below.

4.2 The following day, colleagues within DfE worked on the formal definition of vulnerable children and I was briefed on this before it was submitted to No.10 (Exhibits JS1/05 - INQ000542867 and JS1/06 - INQ000542450). This was developed and the formal definition was included in guidance for the first time (Exhibit JS1/07 - INQ000519746):

"Vulnerable children include children who are supported by social care, those with safeguarding and welfare needs, including child in need plans, on child protection plans, 'looked after' children, young carers, disabled children and those with education, health, and care (EHC) plans."

5. Chapter 5 - 16 to 18 March 2020

- 5.1. On 16 March 2020, I attended a meeting of the Public Accounts Committee to be questioned about University Technical Colleges. I was asked some questions about our COVID-19 preparations at the beginning of the session. When the meeting ended, I was advised by my colleagues that the Prime Minister had just announced that everyone was to work from home where possible as of the next day. I spent that evening putting in place arrangements to support DfE staff working from home from the following morning.
- 5.2. On the same day, DfE was told by Cabinet Office Briefing Rooms ("COBR") to prepare a report for a meeting to be chaired by the Cabinet Secretary the next day, setting out how we were going to ensure that education settings remained open. My personal view was that this was no longer a credible position for the government to take given the Prime Minister's announcement about the latest measures to contain the spread of the virus, and I messaged Chris Wormald, then the Department for Health and Social Care's Permanent Secretary, accordingly.
- 5.3. In the event, the next evening DfE was told by the Cabinet Office to prepare a report for the following morning setting out how we could close education settings with immediate effect. This is evident in the minutes from the Cabinet Secretary (O) meeting that I attended on 17 March at 18:30. The minutes record the discussion that took place for DfE to prepare a paper outlining the options for schools by the following day (Exhibits JS1/08 - INQ000623200, JS1/09 - INQ000546577, JS1/10 - INQ000623202, JS1/11 - INQ000623203, JS1/12 - INQ000623204 and JS1/13 - INQ000183892). This was therefore the point at which I understood that there was a realistic prospect that schools might have to close.
- 5.4. Following the Cabinet Secretary (O) meeting, officials drafted a paper overnight based on closing education and childcare settings to most children except to those who were vulnerable and the children of critical workers ("CCW") (Exhibit JS1/14 - INQ000623206).

- 5.5. The decision-making process to close schools happened at such a pace that there was no time for me to hold meetings with key stakeholders such as unions, local authorities, or representative bodies, to discuss the readiness of providers during this period. However, during the lead up to this decision being made, SSE did have conversations with providers and unions to work on COVID-19 related issues, and indeed I advised the Public Accounts Committee accordingly at the 16 March 2020 meeting (Exhibits JS1/15 - INQ000623218, JS1/16 - INQ000623197 and JS1/17 - INQ000623198).
- 5.6. I was asked on the evening of 17 March 2020 to attend two meetings in the Cabinet Room on the morning of the following day, to agree to the plan to close schools. The first was to be a meeting with Cabinet Office, No.10 and scientific officials and special advisers, to prepare for the second: a meeting to be chaired by the Prime Minister with Cabinet colleagues including SSE. On the morning of 18 March 2020, I attended the two meetings, one straight after the other. The first was chaired by Mark Sweeney and Dominic Cummings (Exhibit JS1/18 - INQ000623199), where the DfE paper titled *Reducing School Provision* (Exhibit JS1/19 - INQ000107248) was discussed. During both meetings, I made the case very strongly for DfE's proposal that in addition to children of key workers, vulnerable children should also have the opportunity to continue attending education and childcare settings. Despite some argument, on the basis that this was a more complex message to communicate, the approach was agreed in the meeting with the Prime Minister.
- 5.7. I then went into a series of further meetings that day, including one with the Prime Minister to advise him of the potential impact on exams, and others to start determining guidance for schools as to definitions of critical workers and vulnerable children.
- 5.8. I considered that education settings needed more time to prepare to close to most children, allowing more time to put in place plans for remote learning, work out how they would educate those children who remained in face-to-face education and also work out meal arrangements for those children on free school meals. As a result, I put the case on the morning of 18 March 2020 for delaying the closures until the Easter holidays but was advised that the spread of the virus meant that this was not possible. Clearly it would have been

preferable for the government to have decided earlier that schools would need to close when they did, but I am not in a position to judge whether this would have been possible.

5.9. Equally, it would clearly have been much better if DfE had been invited to start developing contingency arrangements for closing education settings at an earlier stage in the pandemic, given that no contingency plan had been prepared beforehand. But as can be seen from the fact that the first request we received was on 17 March, the government was determined right up to the last minute to keep education settings open. I expressed my frustration at the position we found ourselves in at a meeting of Head of Departments chaired by the Cabinet Secretary on 18 March, after the meeting with the Prime Minister.

5.10. As of 18 March 2020, I anticipated that a decision to close schools to most children would be hugely problematic for them and their families, and potentially damaging to significant numbers of vulnerable and disadvantaged children. This was also clear to Cabinet Ministers and scientific advisers, which is presumably why the government held on to its position to keep schools open, and not contemplate any alternative, until the last possible minute. I am not in a position to come to a fully informed view as to whether the decision to close them was the right one to have made at the time with the information then available, or in hindsight, as I am neither a scientific nor health adviser. But it seemed to me then a reasonable decision for the government to take, and still does so now, on the basis that whilst the impact on children of doing so was clearly going to be damaging, the impact on the public, which of course includes children and their families, of not doing so would, as I understand it, have been significantly worse.

6. Chapter 6 - Assessment of risks and impacts

6.1.DfE officials did not complete an equality impact or other assessments of the impact of mass school closures before 18 March 2020 because the government's clear position was that schools would remain open during a pandemic. As I have stated above, it would clearly have been much better for the possibility of a mass closure program to have been envisaged during previous pandemic planning exercises, as this would have led to contingency plans and risk analyses being prepared. But to be clear, I am not in a position to judge whether or not those involved in such exercises could reasonably have been expected to have acted differently at the time.

7. Chapter 7 - Attendance of children at school during the first set of school closures

7.1. In response to the Inquiry's question about (for example) SSE's twitter announcement that children of NHS workers and other critical workers could attend school to ensure the continuity of their essential services (but not mentioning the same right for vulnerable children), SSE was reinforcing the government's primary messaging at the time: "Stay at home; protect the NHS; save lives." I had been lobbying the Cabinet Secretary, seeking his help in trying to persuade the Prime Minister to broaden this message to make specific references to vulnerable children, but he was clear that this would not be possible. Additional details, including the rights of vulnerable children, were therefore only communicated specifically to schools and other educational settings. During this period, the department maintained consistent communication with the education sector and parents/guardians through updated guidance, sector bulletins, and meetings with key stakeholders (Exhibit JS1/20 - INQ000623213).

7.2. I don't think there was any pressure on schools to prioritise CCW over vulnerable children. Modelling by the department indicated that there would be sufficient capacity for both groups to attend school. Projections suggested that no more than 20% of pupils would require attendance, enabling adequate provision for all identified groups (Exhibits JS1/21 - INQ000623207, JS1/22 - INQ000623208, JS1/23 - INQ000623210, JS1/24 - INQ000623211 and JS1/25 - INQ000623212).

7.3. Once school attendance was restricted in March 2020, DfE began daily monitoring to try and ensure that vulnerable children received necessary support and to assess the guidance's effects on attendance patterns. Concerns arose regarding the lower-than-expected attendance rates of vulnerable pupils. This was likely influenced by fears surrounding COVID-19 transmission and the perceived risks of attending school.

7.4. The department issued guidance to schools, outlining strategies for supporting those unable to attend in person, with an emphasis on monitoring and oversight

of their wellbeing. In cases where vulnerable children did not attend, education providers were required to follow up on their absence. Schools were also instructed to contact any parent or carer who had arranged care for their child(ren) if the child(ren) subsequently failed to attend, and, where appropriate, to notify the social worker. These efforts were designed to ensure regular contact with these individuals, supported by the actions of DfE Regional Education and Children's teams ("REACT").

7.5.To track the impact of attendance restrictions, and how many vulnerable children were attending school, DfE introduced an online tool in late March 2020 for schools to report daily attendance data.

7.6.Clearly it would have been so much better had significantly more vulnerable children gone to school regularly. However, I cannot see how DfE officials could have done more than we did, given the circumstances we faced.

8. Chapter 8 - Oversight of education

- 8.1. Education policy and its legal frameworks are devolved matters, so it was therefore my role to put in place systems to monitor education being provided to children in England, not those in the devolved administrations.
- 8.2. Once the decision to close schools was taken on 18 March 2020, DfE put in place at pace local REACT teams to gather regular intelligence on the delivery of education across the country as well as obtaining quantitative data by asking schools to provide attendance information for all children and young people, via the Education Settings data collection ("EdSet") form. This was launched the week commencing 23 March 2020. The department used this data to monitor attendance during the pandemic and enabled us to better understand the attendance picture of children and young people, including vulnerable children.
- 8.3. Clearly privately educated children were getting significantly more well-resourced education than state school children on average as indeed they do beyond a pandemic.
- 8.4. The combination of a lack of prior planning and insufficient infrastructure meant that the remote learning offer to pupils left much to be desired, particularly at first.
- 8.5. When schools were first closed to most children, DfE initially estimated that around 1.3 million disadvantaged and vulnerable children lacked access to devices for continued education or social care support, based on the number of children receiving free school meals as a guide to determine how many children lacked access to devices and how many vulnerable children needed support. Clearly this wasn't a particularly accurate figure, but it was the best we could do at the time. DfE worked extremely hard to get as many devices into the hands of disadvantaged and vulnerable children and young people as quickly as practical. This was a huge operational challenge that the department was not well set up for, but I believe we did everything we could do in these circumstances.
- 8.6. I was personally involved in negotiations with His Majesty's Treasury ("HMT") and No.10 to secure funding for devices to schools so that DfE were able to

support disadvantaged pupils in particular, by purchasing laptops and tablets for those who do not have access at home. This ensured students were able to continue learning remotely (Exhibits JS1/26 - INQ000623214 and JS1/27 - INQ000623215).

9. Chapter 9 - Relations with ministers/SAGE

- 9.1. The Inquiry has asked me about Professor Sir Patrick Vallance's record of me telling him I was seeking to keep SSE away from matters of policy development as they were not his area of expertise. I had many conversations and meetings with Patrick during the pandemic. I do not recall this one. But I don't dispute Patrick's account: he was always highly professional and was also keeping contemporaneous notes.
- 9.2. Given that I don't remember the conversation, I can only guess that I would have been reflecting on the difficulties we frequently found ourselves in when developing proposed responses to the pandemic under the political oversight of someone without significant experience of the school system, and how we might best cope with this situation. Patrick's record of the conversation was on 11 June 2020, which was a few weeks after a hugely frustrating process of policy development on the question of who to prioritise once more pupils could start coming back to school after the May half term break.
- 9.3. The Inquiry also asks about Patrick's record of me telling him that DfE didn't want to ask SAGE about schools because the minutes would be published. I do remember a conversation with Patrick along these lines, but I was not saying that this was DfE's position. During the first wave of the pandemic, Simon Case became the No.10 Permanent Secretary, focused on the UK Government's COVID-19 response and leadership of the COVID task force. On a call between the two of us, Simon informed me of his intention to engage DfE in developing a plan to ensure all children could return to school by September 2020, as requested by the Prime Minister. During our discussion, he told me that further advice from SAGE would not be sought, partly because there was already an abundance of information and advice from SAGE and its sub-groups, and partly because their minutes were published. I thought this was surprising, which is why I mentioned it to Patrick.

10. Chapter 10 - Examinations

10.1 The Inquiry has asked about my involvement in determining the policy that underpinned the direction given to the Office of Qualifications and Examinations Regulation ("Ofqual") on 31 March 2020, cancelling exams and directing Ofqual to give effect to the policy as set out therein. I was not directly involved in formulating the policy advice submitted to ministers regarding the cancellation of exams, but I was kept informed of the options being discussed by officials within the department as part of the policy development process, and I asked a number of questions at various stages in the process to make sure that due consideration was being given to the pros and cons of the various options.

10.2 I was aware that we were considering several alternatives, including during our meetings with ministers. Options included postponing exams to a later date, cancelling exams entirely, and using either teacher assessments or moderated centre assessment grades, with the latter being determined by an 'algorithm'. I took part in some discussions and meetings with SSE and Nick Gibb. We all understood that there was strong evidence that teacher assessments were very likely to be biased against disadvantaged pupils, and subject to significant grade inflation, and that it should be possible to design an algorithm which did neither.

10.3 It was also understood that an algorithm would mean a statistical model operating at the centre rather than individual pupil level. We recognised that pupils whose algorithm-generated results were lower than their teachers' assessments or indeed their own expectations would be very disappointed: I remember a discussion I had with SSE where I made this point directly to him, and he clearly acknowledged this reality, but felt it was a price worth paying.

10.4 The Inquiry has asked whether I agreed that there ought to be a process of standardisation. As a civil servant it wasn't for me to agree or disagree, but to ensure that ministers received clear advice on the options open to them, including benefits, risks, and feasibility. The record (Exhibit JS1/28 - INQ000623209) shows that I asked for more information about the potential of

the teacher assessment (non-algorithm) option at one point, for example. Nevertheless, ministers judged that the benefits of an algorithm outweighed the disbenefits, and I did not consider this to be an illegitimate decision for them to make.

10.5 For them, the most important thing was to avoid grade inflation, even at the cost of significant unhappiness being caused to many individual pupils.

10.6 The Inquiry has asked about my expectations for the standardisation process. I knew that it was Ofqual's job to develop the algorithm and that, as a non-ministerial department, by definition not overseen by ministers to protect the integrity of examinations, they had to be able to undertake this responsibility independently of DfE. As a result, neither SSE nor Nick Gibb was in a position to make decisions about the details of the model. Nevertheless, it was essential that the department had confidence in Ofqual's effective performance of its duties, which is why ministers agreed that an external advisory group should be established, bringing together people from all corners of the education sector, including experts from Oxford University, the Universities and Colleges Admissions Service, the Association of School and College Leaders, Cambridge Assessment, Ofsted, University College London, the Royal Statistical Society, and HMT. Between April and August 2020, the group frequently reviewed and provided feedback on different papers covering the model's principles, the consultation process, and responses received.

10.7 In reference to Sir Jon Coles raising concerns about Ofqual's statistical model risking 'severe injustice' in the GSCE and A level results, Jon was making the undeniable point that many pupils would receive lower scores than they would have had they been able to sit their exams. As I understand it, his view was that it would be better for ministers to accept a certain amount of grade inflation via teacher assessment. The record shows (Exhibit JS1/29 – INQ000623217) that I was sympathetic to this position. But by then ministers had already made the decision to choose the option which prevented grade inflation, because this was their priority, and had directed Ofqual accordingly.

- 10.8 On 15 July 2020, I was informed by Michelle Dyson, the then director leading the DfE's work on summer exams 2020, that Ofqual's standardised model indicated approximately 40% of pupils would have their grades downgraded by one grade (Exhibit JS1/30 - INQ000623216). This concern had also been raised in an email dated 13 July 2020, referenced in the Rule 9 request.
- 10.9 Upon seeing the outcomes of the grade calculations, I was surprised by the extent of grade adjustments made under the algorithm. While I anticipated many grades to be lowered by one, or even by two in some cases, it became evident that certain results had been reduced by three or four grades, which was very concerning.
- 10.10 This raised questions about the possibility of errors within the algorithm itself. I discussed this with Nick Gibb and with a member of the expert group, and I proposed engaging personally with Ofqual to get to the bottom of the issue. I met with Ofqual to start this process but had not been able to complete it before ministers decided to drop the algorithm.
- 10.11 The Inquiry have asked about my understanding of why SSE on or around 15 August 2020 repeated that there would be no "U turn" and then on 17 August 2020 reversed his position. On 15 August he anticipated being able to ride the wave of dissatisfaction with the algorithm; by 17 August, however, mounting public pressure made this unsustainable.
- 10.12 In reference to the email dated 21 August 2020 (Exhibit JS1/31 - INQ000514547), which refers to there being political pressures about exams, I am not sure what SSE specifically meant by this.
- 10.13 The Inquiry asked how I found out that the seeking of my resignation was being considered, in relation to the examinations grading issue. As a matter of fact, I first became aware of discussions regarding the possibility that my resignation might be sought before the exam controversy.
- 10.14 During my annual appraisal with Mark Sedwill, the Cabinet Secretary at the time, on 9 July 2020, he said that concerns had been expressed that I was

sometimes too challenging for the Cabinet Office/No.10's liking on matters to do with COVID-19, and that I might want to consider being less direct, though he acknowledged that my advice was right. I was subsequently told by a senior civil servant in the Cabinet Office that Dominic Cummings had said, during a particularly challenging series of meetings we had with the Prime Minister and others in the first week of May, to agree a plan for pupils starting to return to school after the half-term break, that it was time for me to be removed (this is second hand information, which I was given after I left, so I only offer it for completeness).

10.15 On 19 July 2020, Paul Goodman reported in Conservative Home that '*a slew of top civil servants have recently left their posts...Mark Sedwill, Simon McDonald...Richard Heaton...A question-mark also hovers next to the name of Jonathan Slater at Education*' (Exhibit JS1/32 - INQ000623219). I asked SSE if he had confidence in me. He said he certainly did, but that there were concerns in No.10. Given all of this, I suggested that it would make sense for me to focus all of my efforts on managing the return of pupils to schools in September, and then announce my departure, as by then I would have been in post for nearly five years. SSE said he thought this a good plan and would seek No.10's support for it. I advised the Cabinet Secretary accordingly.

10.16 However, on the morning of 26 August 2020, the Cabinet Secretary called me to say that the Prime Minister had decided I needed to go, and to do so before the beginning of term. Which meant two days later. My departure was announced that afternoon. The inquiry asks if I think it was fair that I was asked to resign. No, I don't. Nor do I think that anyone else does. But if the Prime Minister decides that you should go, there it is.

11. Chapter 11 - Lessons learned.

- 11.1 First, the absence of any sort of contingency plan to deal with the possibility of the mass closure of schools and other settings meant that we were all literally making it up as we went along. At the time the government did its pandemic preparedness emergency planning, it now seems clear that there was a collective inability to imagine the reality of a pandemic on the ground, and thus an erroneous belief that schools would be able to remain open whilst thousands of people were dying.
- 11.2 Secondly, the school system in England is fragmented, with 20,000 schools divided between more than 1,000 multi-academy trusts. Ministers have a great deal of decision-making power (much more so than in many other comparable countries, and indeed much more than they did when I went to school), but the primary mechanisms they have to enforce their decisions don't work during a pandemic. In a crisis you need a command-and-control infrastructure, but we didn't have one. The Government was determined to do without a middle tier between Whitehall and the frontline as part of its post-2010 school reform agenda. Ofsted inspections and league tables don't help you put in place remote learning from scratch, for example. Furthermore, whilst in normal circumstances it is right for Ofqual to be a non-ministerial department, to protect the integrity of examinations, in these - extremely abnormal circumstances, this constitutional arrangement was ill suited to the task at hand.
- 11.3 There is also a need to review what decisions are best made at what level of the system. Crisis management certainly does not require all decisions to be centralised. For example, it might have been more effective to give parents more discretion once it became possible for schools to start reopening to some pupils, rather than it be seen as the job of ministers to decide that one year group should be prioritised over another.
- 11.4 More generally, the civil service nearly always finds it very hard to join up across departmental boundaries, a pre-requisite for effective cross-government strategy and execution. This is partly because these boundaries are reinforced by the distinct legislative responsibilities of individual Secretaries of State and

partly because of the long-standing culture of Whitehall: hierarchical, process-led and operating behind closed doors. This weakness was hugely exposed during the pandemic, and my lobbying of the Cabinet Secretary at various stages to try and get proper consideration of the needs of schools and pupils into the decision-making process is just one symptom of a system not working properly.

- 11.5 In summary, having a plan, with aligned responsibilities and the infrastructure to implement it, are all essential in a crisis. We had to do our best without them. Despite this, civil servants right across DfE worked with dedication, just as teachers, social workers and so many other public servants did during these hugely challenging times. Our children deserved better support than we were able to give them. But this wasn't for want of trying.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Personal Data

Signed:

Dated: 05 August 2025