



Department
for Work &
Pensions

The Rt Hon ESTHER MCVEY MP
Secretary of State for Work & Pensions

Sir Stuart Etherington
Chief Executive, NCVO
Society Building
8 All Saints Street
London
N1 9RL

8 November 2018

Dear Sir Stuart,

Many thanks for your letter dated 12 October on our contracts with our charity partners. These clauses do not serve to stifle criticism, so I am grateful for the opportunity your letter affords to provide you with the necessary clarification.

A letter from the Government Chief Commercial Officer was sent to all Government departments on 7 November, clarifying the Government's position. It clarifies that these clauses in Government contracts and grant agreements are intended to protect the interests of Government in a reasonable and legitimate way. They do not prevent individuals working for any of our contractors from acting as whistle-blowers under the provisions of the Public Interest Disclosure Act 1998, nor do they seek to prevent contractors from raising any concerns directly with the authority.

He confirms that the provisions in question are definitively not "gagging clauses" and it is categorically untrue to say that these clauses stop any contract holders or affiliates from fairly criticising any specific Government department or Government policy. Nor do they prevent charities from campaigning for any particular cause with their own money.

The aim of this type of obligation is to ensure that contractors adhere to good working practices. The clauses enable Government to act where these standards are not met.

Civil society organisations, whether they are employed by the Department or not, have a right to raise their opinions and ideas. I would not want to stifle these conversations and I believe that in my time as Secretary of State I have a track record of listening to concerns and promoting discussion.

Since becoming Secretary of State I have encouraged and acted on feedback from all quarters to improve Universal Credit, and continue to believe that charities and our others partners have an important role to play in the delivery and development of Government policy. We continue to work in partnership with charities and others to deliver Government policy in the interests of the public, while ensuring value for money for the taxpayer.

The Rt Hon Esther McVey MP

SECRETARY OF STATE FOR WORK AND PENSIONS