To:

Internal recipients: Data Services Group Governance Group; cc. Sue Higgins; Carole Willis

cc. External recipients: The ADCS (and its Standards and Performance Committee); the Information Authority; SCSB members' own Directors and Chairs of Governors; Heads of Statistical Profession in OGDs. A link will be included in the ICES Bulletin, that goes to LAs, schools, software suppliers and other stakeholders involved in schools and children's services data.

THE DCSF'S STAR CHAMBER SCRUTINY BOARD – REPORT OF FIRST YEAR'S WORK, NOVEMBER 2008 TO OCTOBER 2009

Background

1.   The Star Chamber was established in 1999 in the then DfES, to review and control data collection proposals emerging from the Department. It was initially an internal body, but was strengthened in 2006 by the addition of an External Scrutiny Group of local authority and school representatives. With the Department publicly committing to reducing its data collections, the ESG was given the power to make decisions on collections. It was renamed and relaunched as the Star Chamber Scrutiny Board (SCSB) on 1 November 2008, with its Secretariat switching from Schools Directorate to Data Services Group. The Board's members in the last year are listed in Annex 1.

2.   SCSB meets monthly, primarily to consider data collection business cases put forward by policy areas around DCSF. The meetings also discuss relevant data developments and look at how new collections are progressing, acting as a consultation forum where required. The Board's operation is an excellent example of joint working on the wide education and children's services agenda.

Action for DSG Governance Board

3.   It is SCSB's intention to report annually on the work it has carried out. The prime audience for this report is envisaged as being the Data Services Group's Governance Board. Specific actions are not required of the Governance Board, but SCSB would welcome reaction from the Board, including whether the content was helpful, any questions, and an idea on whether they would like future annual, or more frequent, reports.

Cases Scrutinised

4.   The first year saw 77 business cases submitted to the Board. Of these:

- 15 were approved fully
- 47 were approved with conditions
- 9 were rejected
- 4 were withdrawn after discussion
- 1 was referred for later resubmission, still awaited at the end of October
- 1 was initially rejected but agreed after appeal

Further information can be found in Annex 2.

5.   In addition, the Secretariat scrutinised 74 research cases (these are not put to the SCSB as external input to research scrutiny is provided via ADCS comments feeding into the Department's Research Approvals Committee). In nearly all these cases, the Star Chamber scrutiny has involved looking at survey documentation (e.g. questionnaires) or sample sizes for research projects already approved by the Secretariat, with adjustments suggested where thought appropriate.

6.   It is important to note that in many of the 47 'approved with conditions', that SCSB comments enabled the collection plans to be adjusted to the benefit both of front-line staff in LAs and schools, through streamlining, the elimination of burdensome questions and adjustments to timing or sampling methods, and of DCSF policy areas, through slightly re-designing the questions to ensure better quality data was received from the front-line.

Appeals

7.   An appeal process exists whereby policy teams who believe that they have strong grounds for exemption or a relaxation to Star Chamber guidance, or have good reason to believe that the Star Chamber Scrutiny Board has not acted reasonably in carrying out its functions. A panel comprising the Department's Director of Supporting Delivery Group, Director of Performance and Reform, Head of Statistical Profession, and a LA Director of Children's Services, considers such cases. As noted above, one decision during the year was subject to an appeal and on this instance the SCSB's decision to reject the collection was overturned, following the submission of fresh information. Though it should also be noted that subsequently, this particular collection proposal was suspended.

8.   A further level of appeal exists, to a designated Minister. At the start of the year this Minister was Sarah McCarthy-Fry. Sarah attended one Board meeting and encouraged the Board to take a robust approach. The summer 2009 reshuffle saw her replaced by Diana Johnson. She has received a briefing about the SCSB and an invitation to a meeting.

Other work

9.   The examination of business cases is the main area of the Board's work. But there is also a secondary role discussing and monitoring developments in education and children's services data. This has involved the following this year:

- Providing advice to policy colleagues on which collections, or parts of collections, could be dropped to meet the Department's 'Reducing Burdens' targets. This work will be ongoing into the future, especially as the Department moves towards using a 'compliance cost ceiling' in assessing its data collection programme;
- Acting as an expert group for those consulting about 'Identity Management';
- Linking with the Information Authority about crossovers on Post-16 data, and with the Implementation Review Unit so that they alert us about policy discussions with data implications, and we alert them about data collections that might have wider policy concerns that they might not know of. A Memorandum of Understanding was agreed during the year between the SCSB and the Information Authority;
- Involvement in focus groups about particular policies or issues.

LA Board members frequently take questions back to their home authorities and consult with local experts there in the particular areas under discussion.

10.   The Information Authority have been very helpful to SCSB in establishing an on-line forum whereby Board members can communicate with one another. User instructions etc are in the process of being put together.

11.   As well as the visit to the Board by Sarah McCarthy-Fry, during the year the Board also had a visit from Carole Willis, the Department's Director of Research & Analysis, and in November 2009, after the period of this report, Sue Higgins, Director-General of Corporate Services. Both visits reaffirmed the Department's commitment at senior level to having an external input into controlling its data collection activity.

Membership

12.   An early task when the Board came into being was to draw up and agree a set of terms of reference. As part of this it was agreed that a member's appointment should be for four years. However, with this being the first cycle of membership, it has been agreed that to avoid a sudden loss of expertise after four years, there should be a gradual change, with a quarter of the membership being replaced after years four, five, six and seven. LA representatives will be nominated via the ADCS, and head teacher members via the NAHT and ASCL. There is currently one LA seat vacant and before approaching ADCS, the members are drawing up a list of skills currently held by the Board, with the aim of identifying gaps and asking ADCS if they can target them when recruiting.

Issues

13.   The Board have been heartened by the positive attitude taken by almost all the policy areas whose business cases have been examined. Discussions have invariably been positive and beneficial to both DCSF representatives and SCSB members.

14.   However, there are certain areas where the SCSB think the Department can improve its processes to the benefit of all. These are as follows:

Planning of data collections
15.   SCSB have been disappointed how many collection proposals come before them at the point where they are about to be issued. The Board realises that sometimes policy areas have to react quickly to urgent requirements, but there have been other occasions when collection plans could have come to them much earlier and benefited accordingly. SCSB would welcome discussing data collection proposals even when they are in a very formative stage.

Compliance costs
16.   The Board have been concerned that under-estimation of compliance costs (the costs that will fall to the front line if a collection is approved) is all too frequently a regular occurrence. Many policy teams do not seem to appreciate the full workload implications of their collection plans on the front-line. The secretariat have improved the advice and scrutiny in this area but urges the Department to carry out some research with Local Authorities and schools, using some real collections to ascertain the cost, and to compare that with what was envisaged by the policy owner. This should also prove very beneficial as the Department moves towards the use of a compliance cost ceiling in the overall management of its collection activity.

Data collections by arm's length bodies
17.   The SCSB is a component of the Department's move to ensure that delivery of front line services such as education and social care are not compromised by burdens. However, there are also a number of different arm's length bodies operating in the field of education and children's services, most of them operating under remit letters from DCSF.

18.   When it was DfES, the Department brokered a Protocol, signed between it and various education-related organisations. The signatories to the document committed to scrutinising their own data collection proposals. The Board has been concerned that the Department has not yet updated this Protocol document to encompass the arm's length bodies of the wider DCSF. As more bodies continue to come into existence, for instance Partnerships for Schools (to deal with school building matters), there is merit in the Department maintaining some overview over the data collecting activity. There are welcome signs, as this report is being compiled, that this work is about to restart.

National Strategies

19.   The past year has seen a welcome agreement with the National Strategies that their data collections should come through SCSB. The Board are working towards gaining some assurance from the Department that the arrangements when the Strategies programme is disbanded will allow whatever takes its place to continue with this arrangement.

SIMON GRIGOR
Star Chamber Secretariat, DCSF
December 2009

Annex 1 – List of Board Members

Chair: Malcolm Britton, Head of Statistical Profession, DCSF

Members:

Sharon Barker	Leicestershire LA
Philip Brocklehurst	Kensington & Chelsea LA
Stephen Clark	Lancashire LA
Karen Crowston	Birmingham LA
Bruce Farajian	South Gloucestershire LA
Ros Gulson	Head, Walton Girls' School, Lincolnshire
Rashid Jussa	Surrey LA
Karen Kennedy	Medway LA
Adam King	Ofsted
Gordon Lester	Head, Egremont Primary School, Wirral
Meena Kishinani	Barking & Dagenham LA
Jeanette Miller	Southampton LA
Nigel Nicholds	Norfolk LA
Cathy Piotrowski	Central Bedfordshire LA
Tim Riley	Birmingham LA
Max Winters	Bromley LA
Ray Woodhams	Barnsley LA
Debbie Wright	Kent LA

Sharon and Meena, shown in bold, play a co-ordinating role, for instance in any cases needing fast-tracking, and in feeding back the Group's discussions to policy colleagues.

Annex 2 – List of cases considered in the first year

	Cases fully approved
278a	School Census 2011 Disability Fields
335	General Hospital Schools
358	Achievement & Attainment Tables - pilot of new measures
364	SSDA 903 testing
366	Dedicated Schools Grant - initial stakeholder work
372	Review of Home education
384	Children and young people's views on their workforce
391	Pupil Referral Units
392	One to One Tuition in schools
433	Changes to OC2 return
447	School Workfiorce Census - timing
448	COLLECT - LA access
391a	Pupil Referral Unit Census - adjustment to collection
367b	School Workforce - 3rd readiness survey
437	Framework for Excellence - pilot of indicators
Total	**15**
	Cases approved with conditions
454	Child Death Review Panel
278	Disability field into School Census
306	School Absence Goal
340	Missing from Care and Home National Indicator, Stage One
344	Recruitment training and its source
345	Private Fostering
346	Early Years Census - Burdens Reductions
360	Children's Workforce data - LA usage
362	Centre for Excellence and Outcomes - internal evaluation
363	14-19 Reform Programme - Perception Attitude and Message research
367	School Workforce Census - evaluation and readiness monitoring
370	Trust Schools baselining
373	No. of independent education institutions per LA providing part-time education
381	Improving Information Sharing and Management
387	Dedicated Schools Grants (i)
388	Dedicated Schools Grants (ii)
389	Dedicated Schools Grants (iii)
396	Smoking, Drinking and Drug Use among young people
397	Foreign Language Learning at KS2
401	Extension of funded hours (i)
402	Extension of funded hours (ii)
403	Extension of funded hours (iii)
404	LA funding levels for early years qualifications
416	School Buildings and Capital Investment Survey
420	Maths Specialists
421	Extended Two Year-Old pilot: monitoring information
422	Permanent staff recruitment in schools: baselining
424	SSDA 903 Care Leavers
426	Termly data collection readiness
427	Children in Need Census - evaluation and readiness monitoring
428	School Behaviour review (joint DCSF/PMDU)

429	LA spending on children's social services functions
434	Workforce Qualification Audit Tool
435	Positive Activities
438	PRUs - interim UPN collection
443	Children's Services Mapping
453	Two year-olds monitoring pilot
455	Healthy Schools programme
456	COLLECT - access within LAs
457	Swine Flu - autumn 2009 monitoring
462	Elective Home Education
470	SEN Reserved Provision in mainstream schools
472	Early Professional Development pilot programme
475	Private Finance Initiative costs survey
476	Connexions data in Framework for Excellence
367a	School Workforce Census - readiness and evaluation
417a	OC2 return 2009
Total	**47**
Cases referred back to future meeting (after Nov 2009)	
463	School Food Trust annual survey
Total	**1**
Cases rejected and then agreed on appeal	
473	Early Years Single Funding Formula
Total	**1**
Cases rejected outright	
371	Schools offering Extended Services - qualitative checking
376	Early Years - Home Learning Environment
385	Administrative burdens - time taken to meet regulation requirements
386	School Recruitment Service and Temporary Workers in Education
390	Science Learning Networks initiatives
419	Reducing Data Burdens - evaluation
423	Alternative Provision - LA contacts
458	Role and influence of senior support staff in school (NCSL)
461	Careers advice contacts
Total	**9**
Cases withdrawn after discussion	
436	Post-16 achievement data
439	Learner Support funding status
444	English as an Additional Language
445	Early Years Census - Continuous opening
Total	**4**
Grand Total	**77**