

To:

Internal recipients: DfE DSG Directorate contacts; Sue Higgins; Carole Willis

cc. External recipients: The ADCS (in particular, its Standards and Performance Committee); the Information Authority; SCSB members' own Directors and Chairs of Governors; Heads of Statistical Profession in OGDs; NAHT; ASCL; DfE's Bureaucracy Reference Group, Primary and Secondary Heads Reference Groups. 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 DfE'S STAR CHAMBER SCRUTINY BOARD – REPORT OF SECOND YEAR'S WORK, NOVEMBER 2009 TO OCTOBER 2010

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 DfE. 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.
3. An annual report of the first year's operation (November 2008 to October 2009) report was written with its main 'customer' the Data Services Group's Governance Board, who asked to receive similar reports annually in the future. However, during the year, the Governance Board was wound up. The Governance of DSG's portfolio of work is currently being refreshed to reflect the revised management structure of the Department. Consequently this goes to the present contacts for DSG in each Directorate. No specific actions are required, but comments on any areas would be welcome. Last year, copies were also distributed to other internal and external contacts thought to have an interest and this process will be followed again this time.

Cases Scrutinised

4. The second year saw 48 business cases submitted to the SCSB. Of these:

- 11 were approved fully
- 20 were approved with conditions
- 10 were rejected
- 1 was withdrawn after discussion
- 6 were referred for further discussion at a later meeting

This was a drop of 29 cases on 2008-09. This reduction in new data collection activity is welcomed by representatives of the front-line. However, it may have more to do with the period around the General Election when new collection activity was prevented by 'Purdah' conditions, rather than a step change downwards in data demands.

Further information can be found in Annex 2.

5. In addition, the Secretariat scrutinised 51 research cases. Research cases are not put to the SCSB because external input to research scrutiny is provided via ADCS comments feeding into the Department's Research Approvals Committee (RAC). This was also a drop, from 74 cases in 2008-09, and is likely to have been for a similar reason to that noted above. 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 RAC, with adjustments suggested where thought appropriate.

6. A key feature is that, in many of the 20 'approved with conditions' noted in para 4, SCSB comments enabled the collection plans to be adjusted, through the elimination of burdensome questions, adjustments to timing or sampling methods, or re-designing the questions to ensure better quality data was received from the front-line. This has been to the benefit both of DfE policy areas and to front-line data supplying staff in LAs and schools.

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. There have been no such appeals in 2009-10.

8. A further level of appeal exists, to a designated Minister. At the start of the year this Minister was Diana Johnson. Following the change of

government the role has been taken over by Nick Gibb. Mr Gibb has received initial briefing about the SCSB and in due course will be invited to a meeting.

Other work

9. The examination of business cases is the main area of the Board's work. Board members frequently take questions back to their home authorities and consult with local experts there in the particular areas under discussion. But the Board also has a secondary role discussing and monitoring developments in education and children's services data. Particular areas discussed this year include:

- Acting as one of a number of consultative groups for the review of data collections called when the new government took office. This work, which is also involving the examination of data collection activity by related Arm's Length Bodies, continues;
- Discussing data collection ideas at a formative stage. A number of policy areas have taken this approach and found it very beneficial;
- Linking with the Information Authority (with whom SCSB have a Memorandum of Understanding) about shared areas of interest on Post-16 data;
- Linking with the Implementation Review Unit and then its successor, the Bureaucracy Reference Group, 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. The IRU Chair attended an SCSB meeting during the year.

During the year the Board also had a visit from Sue Higgins, DCSF (then) Director-General of Corporate Services. Sue was interested to view the Board in action and said how supportive she was of their role.

Membership

10. The Board's agreed terms of reference are that a member's appointment should be for four years. However, as we are in 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 has been one LA seat vacant throughout the year and another one became vacant in April. Members drew 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. However, with Ministers asking for the review of data collections to include a review of the scrutiny arrangements, however, no approaches will be made to ADCS in case Ministers wish to adjust the ongoing make-up of the Board.

Issues

11. The Board continue to be pleased by the positive attitude taken by policy areas whose business cases come to them for scrutiny. Discussions have invariably been positive and beneficial to both DfE representatives and SCSB members.

12. Nonetheless, issues have arisen during the year around from which the SCSB think the Department could make improvements in its processes, to the benefit of both DfE and front-line staff. These include the following:

Compliance costs

13. The Board note that under-estimation of compliance costs (the costs that will fall to the front line if a collection is approved) continues to be common, to a far greater extent than over-estimation. This suggests that some policy areas do not appreciate the full workload implications of their collection plans on the front-line. Lack of resourcing has prevented such a project to date, but the Board would nonetheless like to see the Department 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. Should the Department still be considering the use of a compliance cost ceiling in the overall management of its collection activity, this would be a particularly important piece of work to undertake.

Reviewing of Regular Collections

14. SCSB has been pleased to be asked to comment on the Department's data collections as a consultative group to the review requested by the new government. They would welcome the instituting of a programme of reviewing of all regular collections, and for such reviews to happen at data item level. They consider there are a number of data collections which have good business cases at collection level but which, within them, contain individual items that are burdensome or seem to have lost their value. If resources were available to operate such a system, the Board would welcome the Department moving to licensing of regular collections, thereby ensuring that all data activity was subject to periodic scrutiny and collections whose value has diminished do not continue.

Data collections by arm's length bodies (ALBs)

15. The Board welcome the inclusion of ALB collections within the Department's data review, and they have also been pleased to be asked about the collection proposals of certain ALBs such as the Children's Workforce Development Council. They were also pleased that moves were in hand prior to the election to update the previous DfES Protocol document to cover the ALBs involved with the DfE (i.e. those concerned with Children's Services as well as Schools) and hope that such an agreement will emerge following the Department's restructuring of its approach to ALBs.

Cross-Government Data Sharing

16. While being fully aware that there are various groups who are vehemently opposed to any such sharing arrangements, the Board consider that there are burdens benefits yet to be realised that could result from a greater level of cross-government data sharing. For instance, linking HMRC's tax credit data with data collected through the School Census could give a reliable measure of deprivation at pupil level for use in the operation of the pupil premium without introducing any new collection material.

Footnote

17. Board members note with regret that Malcolm Britton, who has chaired the SCSB since its formation, will be retiring from the Department in January 2011, a departure preceded by that of Margaret Frosztega, who has deputised for him at some meetings, in December 2010. They wish both Margaret and Malcolm well for the future, and look forward to working with Malcolm's successor, Jude Hillary, in the coming year.

18. The Board also wish to record their thanks to the Secretariat for the smooth operation of its work during the year.

SIMON GRIGOR
Star Chamber Secretariat, DfE
December 2010

Annex 1 – List of Board Members

Chair: Malcolm Britton, Head of Statistical Profession, DfE

Members:

Sharon Barker	Leicestershire LA
Philip Brocklehurst	Kensington & Chelsea LA (up to April 2010)
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

One member takes a lead each month in feeding back the comments of the Board to attending policy representatives.

Annex 2 – List of cases considered, November 2009-October 2010

Cases fully approved	
487	Surplus Places
482	Proposal to combine two admissions data collections
495	Sure Start Children's Centre Value for Money Project
502	Procurement in Schools: School visits for Wave 2 External Category Contracts
499	Section 251 Finance collection
504	Perception, Attitude and Message Research for 14-19 Reform programme
518	Jobcentre Plus/Connexions joint group Sessions for 16/17 year olds
525	School Census: Gifted and Talented to be extended to Special
529	2011 School Workforce Census: SEN Specialisms
531	2011 School Workforce Census: Overseas Trained Teachers
546	Key to Success
Total	11
Cases approved with conditions	
483	Achievement for All
484	Implementation of Training Support and Development Standards
486	Cashed AS level survey
494	LA awareness of Ethnic Minority Achievement
500	3-4 Year-Olds Flexible Extension
501	Smoking Drinking and Drugs 2010
381a	IISaM Programme benefits survey
472a	Evaluation of Early Professional Development Pilot Programme
511	Survey of LAs on Looked After Children
506	School Buildings Survey 2010
513	Children in Need Census: Proposal to expand UPN 'Unknown' code
520	Feedback on Helpdesk performance and customer service levels
524	School Census: Request to split the Gifted and Talented field into two separate fields
528	2011 School Workforce Census: Pay Data
530	2011 School Workforce Census: Staff Qualifications
537	Change to Secure Children's Homes (SA1)
545	Poor Provision in Poor Areas (PPIPA) investigation project
549	School Census 2012 - Funded Hours: Under 5's
551	Post-16: Sharing 08/09 School Census with LAs
552	Short Break Carers (CWDC)
Total	20

Cases referred back to future meeting (after Nov 2009)	
488	IRU Review – Survey of frontline staff to identify obstacles to delivery
496	Evaluation of the Gaining Ground Strategy
507	Multi-agency working: Engagement of schools with other professions and agencies
508	Local Area Data Collection – Young People’s Workforce
517	Standards of Nursery food and drink
553	Children's Centres
Total	6
Cases rejected and then agreed on appeal	
Total	0
Cases rejected outright	
481	System Leadership
485	Evaluation of Early Years Programme
490	COLLECT – Snapshot Functionality
505	Survey of school heads re - snow closures
510	Referrals to children’s social services, initial assessments, child protection and care proceedings
523	Early Years Census: Funded hours taken
526	SSDA903: Country of residence for adopters of Looked after children
538	Children in Need Census: Request to collect information about the source and reason for referrals
539	Early Years Census: Funded hours taken
540	School destinations of secondary school pupils in London Boroughs
Total	10
Cases withdrawn after discussion	
527	School Census: ContactPoint: Changing the term of collection
Total	1
Grand Total	48