Star Chamber Scrutiny Board

Department for Education

Annual Report: November 2016 to October 2017

Contents

Star Chamber Scrutiny Board ninth annual report

The following is a summary of the activity of the Star Chamber Scrutiny Board (SCSB) during its ninth year of operation, covering the period November 2016 to October 2017.

Purpose

This report is written to provide an annual update on the work of the Star Chamber Scrutiny Board for a range of stakeholders both in the Department and local authorities, and representative bodies across the education sector. It is also shared with the Department for Communities and Local Government (DCLG), who manage the relationship between Central Government and local authorities, so they are informed how the Department's data needs are changing and how this is being managed with the sector.

No specific actions are required of the recipients of this report, but comments on any area are welcome and should be sent to the secretariat (StarChamber.MAILBOX@education.gov.uk).

History

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 External Scrutiny Group was given the power to make decisions on collections. It was re-launched as the Star Chamber Scrutiny Board on 1 November 2008. Annual reports have been published on the first eight years of its operation: this is the ninth.

The Star Chamber Scrutiny Board meets monthly, primarily to consider data collection business cases put forward by policy areas across 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 operations are seen as an excellent example of joint working on the wider education and children's services agenda, something that was highlighted by HM Treasury in their 2011 report. The Board's service has been recognised by other bodies including the National Audit Office who have previously consulted the Star Chamber Scrutiny Board for advice about their proposed collections.

 As part of the overall drive to manage data burdens that Central Government place on local authorities, DCLG operates a scrutiny process for mandatory data collection proposals impacting on local government. However, after reviewing the terms of reference and operation of the Star Chamber Scrutiny Board, it was agreed by the two

departments that it would continue to lead on scrutiny of proposals around schools and children's services.

Cases Scrutinised

In this ninth year, 19 business cases were submitted to the Star Chamber Scrutiny Board regarding data collection from schools and local authorities.

This is a reduction of five compared to the number of business cases submitted in 2015 to 16 and is a continuation of the trend of reducing number of business cases for consideration. Reasons for this include the maturity of the main data collections and efforts not to add to the burden placed on schools and local authorities.

The majority of business cases were for modest adjustments to existing collections. Of these:

- 10 were fully approved
- 3 were approved with conditions
- 3 were approved following amendment
- 2 were rejected in their entirety
- 1 further business case was withdrawn prior formal consideration

Further information on the cases considered can be found in Annex 2.

As well as scrutinising changes to data collections, over the year the Star Chamber Scrutiny Board has also provided very useful advice about the proposed method for collecting the data, which has been most beneficial. This advice has led to data sponsors changing their data collection proposals, adjusting their timings or sampling methods, or re-designing their methodology, thereby ensuring better quality data was received from the front-line and with fewer burdens on supplying LAs, schools and academies.

The Star Chamber Scrutiny Board has also considered ten proposals at an early stage of development and in a discussion format prior to a formal business case being developed. This enabled members to contribute to the development of proposals and ensured that the burden and the practicalities of a collection were considered early. This has in part contributed towards an increase in the number of business cases approved at the first instance of consideration and a reduction of those business cases requiring amendment. Consultation with Star Chamber and early scrutiny of policy thinking goes in part to help explain the ongoing reduction in formal business cases that are considered as it enables the department to increase priority to those proposals with sector support or to find other ways of obtaining the data needed.

Compliance Costs

Compliance costs allow us to express the burden imposed on the sector for making data returns to the department. A standardised method, developed by the Office for National Statistics (ONS), is used by DfE and across government to calculate the compliance cost of each data collection and is based on the time taken to complete, and the grade of staff making, the return.

Of those business cases considered by Star Chamber in this reporting year, the additional compliance costs and therefore the burden imposed totalled £632,073. This is net of a reduction of £8,869 in proposed compliance costs made as a direct result of changes to business cases requested by Star Chamber.

The compliance costs of those business cases rejected by Star Chamber totalled £174,168. The rejection of these proposals directly prevented this burden being placed on the sector.

Each year the ONS publish the total compliance costs for each department on their website: https://gss.civilservice.gov.uk/about/surveys/survey-control-unit/online-list-of-government-statistical-surveys/

Appeals

An appeals process exists for 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.

No appeals were heard during this reporting year.

Where required, a further level of appeal exists to a designated Minister but this was not necessary during 2016 to 17.

Other work

The examination of business cases is the main area of the Board's work. Board members frequently take questions back to their home authorities to consult with local experts in the particular areas under discussion, pooling the comments they have received on the morning of the regular meetings. Where discussions take place with a policy area prior to the submission of a business case, this can be very beneficial in reducing burdens.

Individual members have also volunteered to support and provide guidance to DfE policy colleagues who are considering new policy initiatives. Fifteen discussion papers were presented to the Board during this reporting year covering things including accountability for funding allocations and data collection communication routes. This has been undertaken outside of the normal activity of the Board and continues to provide a

valuable resource of expertise and local knowledge to enable early and meaningful consultation.

The Board has a secondary role discussing and monitoring developments in education and children's services data including changes to the ways of collecting and presenting data. For instance, in this reporting year the Board were invited to be stakeholders and have provided valuable feedback and support during the development of new digital services including Analyse School Performance (ASP), Get Information About Schools (GIAS) and Data Exchange.

Membership and meetings

The Board is normally chaired by the Head of Education Data Division which forms part of the Department for Education. During the reporting year, Caroline Kempner, Gary Connell and Rebekah Edgar have chaired the Board.

The Board operates on a basis of membership remaining open-ended and based on the ongoing commitment provided by members to attend meetings and to take an active role in its operation. Natural change in the group ensures that the turnover of membership happens seamlessly. Local authority representatives are nominated via the Association of Directors of Children's Services, and head teacher / school principal members via the National Association of Head Teachers and the Association of School and College Leaders.

The department recognises the need to ensure that the Board reflects the current educational landscape and that it has the necessary skills and expertise to consider the proposals put before it. To further satisfy this aim, a recruitment exercise with a particular emphasis on encouraging applications from individuals within multi-academy trusts was undertaken in the reporting year.

There are normally eleven meetings each year, once each month, other than August. During this reporting year, the Board met on eight occasions. The following meetings did not take place:

- February 2017 – no business

- May 2017 – business cases scrutinised via correspondence / telephone conferences

- June 2017 – cancelled due to a clash with the 2017 general election

Issues

The Board continue to be pleased with the positive attitude taken by policy areas whose business cases come to them for scrutiny. The number of formal discussions and consultation exercises continues to increase which helps to improve the quality of business cases and subsequently the likelihood of proposals being accepted without

conditions or amendments being required. Discussions have invariably been productive and beneficial to both DfE representatives, Star Chamber Scrutiny Board members and, consequently, to those working on data in schools and authorities.

The Star Chamber Scrutiny Board have identified potential areas for improvement and increase the effectiveness of the Board, including:

Increasing links with the Children's Services National Performance and Information Management Group (CS NPIMG)

The links with the CS NPIMG, linked to the ADCS Standards, Performance and Inspection Policy Committee (ADCS SPI) have been maintained over the reporting year. The Board continues to share details of business cases where possible (subject to confidentiality issues), in an effort to seek further feedback and stakeholder engagement in the decision making process. This has supported members with additional insight in to issues affecting the wider LA sector and therefore supports the Department in the development of data collection

Principle of one-in-one-out

The Board have requested that policy representatives consider the principle of one-in-one-out when developing business cases. This is particularly important where the proposed increased burden is significant and there are opportunities to off-set that burden with the removal of data that no longer holds as much value.

Members will continue to undertake reviews of data collections (agenda dependent) but this type of consideration will join-up these processes.

Recognition of reduced resources in Local Authorities & Schools

The Board have often raised the issue of reduced number performance and data staff in LAs & Schools across the country. As demands for data increase, so do the demands on this reduced resource. The Board requests that policy representatives recognise this and consider how their requirements could be most efficiently met with regard to the current demands on LA & school staff, in particular, the timing for completion of requests.

Consideration of the resource requirements in monetary terms

The Board have long been concerned with the cumulative burden on the sector of the requests for data from the DfE, whilst recognising their importance and necessity. There has been a recurring discussion about this within this period and in previous years. It has been agreed that this facet of the evaluation of data collection proposals, will be considered more fully in the coming year. This will include taking advice from colleagues in relevant other government departments, on what should be taken into account when assessing the resource implications of proposals.

Footnote

The Board wish to record thanks to the secretariat for the continued smooth support of its work during the year. In particular the organisation of the facilities necessary, the coordination of policy colleagues attending the Star Chamber (in person or by conference call) and the pursuit of additional or supplementary information requested by the Board has been excellent and enabled the board to focus on its work in ideal conditions.

Annex 1

List of Star Chamber Scrutiny Board members for the reporting year.

Chair

The DfE Head of Education Data Division chairs the Star Chamber Scrutiny Board:

Caroline Kempner (November 2016)
Gary Connell (December 2016 – July 2017)
Rebekah Edgar (September 2017 – October 2017)

Secretariat

Paul Hirst, Education Data Division, DfE

Members

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

Penny Arcatinis	Birmingham LA
Philip Brocklehurst	Associate LA member
Stephen Clark	Associate LA member
Chris Hill	National Association of Head Teachers
Rashid Jussa	Waltham Forest LA
Damien Kearns	Nishkam High School, Birmingham
Adam King	Ofsted
Jeanette Miller	Southampton LA
Mike Parkin	Worcestershire LA
Cathy Piotrowski	Associate LA member
Gavin Sandmann	Milton Keynes LA
Simon Utting	Hackney Learning Trust
Rowena Ward	London Tri-Borough Partnership
Max Winters	Bromley LA

Ofsted continued to work closely with the SCSB and they maintain a permanent seat.

Annex 2

Annex 2 – List of cases considered November 2016 to October 2017

The Board met on eight occasions in the reporting year.

Business Case No	Consideration date	Business Case Name	SCSB Comments	Mandatory (M) or Voluntary (V)
		Cases fully approved		
818	Nov-16	SEN reforms implementation survey	The board approved this business case	V
819	Dec-16	Changes to the social and early years census: 30 hours free childcare and disability access fund	The board approved this business case	M
820	Jan-17	Early Years National Funding Formula: assurance exercise	The board approved this business case	V
822	Mar-17	Dedicated Schools Grant: baselining exercise	The board approved this business case	V
823	Mar-17	Changing the data collection method for two year-old basis for funding in maintained schools (via the School Census)	The board approved this business case	M
826	Apr-17	Amendment to the Condition Spend data collection	The board approved this business case	V
827	May-17 by correspond-ence	Changes to the PRMA data collection	The board approved this business case	M
831	Sep-17	Funded Early Education Places	The board approved this business case	V
832	Sep-17	Changes to the CLA data collection	The board approved this business case	M
833	Oct-17	Asbestos Management in Schools	The board approved this business case	V

Business Case No	Consideration date	Business Case Name	SCSB Comments	Mandatory (M) or Voluntary (V)
Cases conditionally approved				
825	May-17 by correspond-ence	Improvements to data held on pupils in Alternative Provision	Approved with three conditions: (1) DfE commit to review the cross-overs between AP / Census / SEN2 data collections (2) only the latest AP provisions requested (3) the UKPRN is used where available instead of UPN	M
828	May-17 by correspond-ence	Public Sector Apprenticeships Target data collection	Approved on the condition that the return would be voluntary for schools in the first year	M
829	Jul-17	Children's Social Work Workforce data collection	Approved on the condition that (1) clear mapping between old and new categories was provided, and (2) a review of the long term collection plans takes place	M
Cases approved following amendments				
821	Mar-17	LA preparedness for 30 hours free childcare	Changes to the wording of one question and the addition of another led to this business case being approved	V
824	Mar-17	Early Years Census	This business case was approved following additional consultation with providers and a reduction in the burden	M
834	Oct-17	Changes to the School Workforce Census	This business case was approved following agreed changes to the codesets and validation rules	M

Business Case No	Consideration date	Business Case Name	SCSB Comments	Mandatory (M) or Voluntary (V)
		Cases rejected		
815(a)	Dec-16	Changes to the School Census	Business case rejected in its current form with a suggestion that further research and consultation/engagement take place with schools	M
835	Oct-17	Changes to the School Census - substantial work placements	This business case was rejected as members were unconvinced that the benefits outweighed the burdens placed on schools	M
		Other cases considered		
830	Jul-17	Collection of young carers data in the School Census	This business case was withdrawn prior to discussion	M
		Cases referred to appeal		
		No appeals were heard in the reporting year		

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