



Department
for Education

Star Chamber Scrutiny Board

Department for Education

**Annual report: November 2017 to
October 2018**

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Star Chamber Scrutiny Board tenth annual report

The following is a summary of the activity of the Star Chamber Scrutiny Board (the board) during its tenth year of operation, covering the period November 2017 to October 2018.

Purpose

This report is written to provide an annual update on the work of the board for a range of stakeholders both in the department, local authorities, and representative bodies across the education sector. It is also shared with the Ministry of Housing, Communities and Local Government (MHCLG), 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 via email:

StarChamber.MAILBOX@education.gov.uk

History

The Star Chamber was established in 1999 by 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 with respect to any proposed changes to be made to data collections. It was re-launched as the Star Chamber Scrutiny Board (the board) on 1 November 2008. This is the tenth annual report following the re-launch of the board.

The board usually meets monthly, primarily to consider data collection business cases put forward by policy areas across the department. 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. The board's service has been recognised by other bodies including the National Audit Office who have previously consulted the board for advice about their proposed collections.

As part of the overall drive to manage data burdens that central government place on local authorities, MHCLG operates a scrutiny process for mandatory data collection proposals impacting on local government. However, after reviewing the terms of reference and operation of the board, it was agreed by the two departments that the DfE would continue to lead on scrutiny of proposals around schools and children's services.

Cases scrutinised

Some 18 business cases were submitted to the board regarding data collection from schools and local authorities. This is a reduction of one compared to the number of business cases submitted in 2016-17. In previous years there has been a trend of reducing numbers of business cases for consideration from a high of 77 in the first year of operation. This number is likely to remain stable with only modest changes to existing collections due to:

- the maturity of the main departmental data collections
- the limited numbers of one-off surveys as part of efforts not to add unnecessary burden on schools and local authorities

Of the business cases presented for consideration in the reporting year:

- 8 were fully approved
- 4 were approved with conditions
- 2 were approved following amendment
- 4 were rejected in their entirety

Further information on the cases considered can be found in [Annex 2](#).

For more complex data collection proposals or where there is more than one possible solution to a data requirement, the board may be asked to review proposals at an early stage of development and prior to the submission of a formal business case. The board reviewed four such proposals during this reporting year. This discussion with the policy teams enabled members to have direct input into the proposals and ensured that the burden and the practicalities of data collection were considered early.

There were a total of four business cases rejected during the reporting year (none of which were presented for early discussion with members). Of these four business cases, one was from another government department that was unfamiliar with Star Chamber processes and two of the cases were presented as a linked proposal. This clearly demonstrates that, where early engagement / dialogue is initiated, this can help to limit the rejection of business cases.

As well as scrutinising changes to data collections, over the year the board has also tendered very useful advice about proposed methods for data collection, which has been most beneficial. This advice has led to:

- data sponsors changing their data collection proposals
- adjusting their timings or sampling methods
- re-designing their methodology

thereby ensuring better quality data was received from the front-line and with fewer burdens on supplying local authorities, schools and academies.

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 the department (and across government) to calculate the compliance cost of each data collection and is based on the time taken to complete the return together with the grade of staff making the return.

Of those business cases considered by the board within this reporting year, the additional compliance costs and therefore the burden imposed totalled £81,179. As this burden is imposed across the entire school and local authority sector it is very low per respondent and is £550,894 less than the additional burden imposed in the previous year. Whilst the additional burden was particularly low within the reporting year, this was due in part to the nature of the requests that involved low numbers of respondents and should not be viewed as indicative for future years.

The compliance costs of those business cases rejected by the board totalled some £123,115. These compliance costs were high compared to other business cases in the reporting year as they sought additional data at a child level. Rejection of these proposals directly prevented this burden being placed on the sector.

Appeals

An appeals process exists for policy teams who believe that they have strong grounds for exemption or a relaxation of the board's guidance, or have good reason to believe that the board has not acted reasonably in carrying out its functions.

No appeals were raised during this reporting year.

A second level of appeal to a designated Minister is also available should the initial appeal be challenged. However, as there were no appeals raised within the reporting year, this function was not required during the 2017-18 reporting period.

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 and schools 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 departmental policy colleagues who are considering new policy initiatives. This work 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.

Reviews of existing data collections are undertaken to ensure that data collections remain fit for purpose and that the benefit continues to outweigh the burden. In this reporting year, the board and departmental policy colleagues reviewed the following data collections:

- schools admissions appeals
- school preferences
- exclusions reviews

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, the board have continued to act as 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)
- send data to DfE

Membership and meetings

The board is normally chaired by the Head of Education Data Division which forms part of the department. During the reporting year Rebekah Edgar has chaired all meetings of the board.

The board operates with 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 within the reporting year which resulted in the appointment of two new members.

There are normally eleven meetings each year, once each month, other than August. In this reporting year, the board met on eight occasions because:

- there was no business requirement for meetings in January or October due to the reducing numbers of business cases
- the business in March was considered by correspondence due to poor weather conditions preventing all but essential travel

Issues

The board continues to be pleased with the positive attitude taken by policy areas whose business cases come to them for scrutiny. The number of 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 departmental representatives, board members and, consequently, to those working on data in schools and authorities.

The board have identified potential areas for improving and increasing the effectiveness of the board, including:

Strengthening 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 into issues affecting the wider local authority 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 and schools

The board have often raised the issue of reduced number performance and data staff in local authorities and 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 local authority and 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 within the department, whilst recognising their importance and necessity for such requests. There has been a recurring discussion about this within this reporting 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 forthcoming 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:

Rebekah Edgar as the DfE Head of Education Data Division has chaired the board during this reporting year.

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 local authority
Philip Brocklehurst	Associate local authority member
Stephen Clark	Associate local authority member
Mathew Downs	Highcliffe School, Dorset
Chris Hill	National Association of Head Teachers
Rashid Jussa	Waltham Forest local authority
Damien Kearns	Nishkam High School, Birmingham
Adam King	Ofsted
Jeanette Miller	Thornhill Primary School, Southampton
Mike Parkin	Worcestershire local authority
Cathy Piotrowski	Associate local authority member
Gavin Sandmann	Milton Keynes local authority
Simon Utting	Hackney Learning Trust
Rowena Ward	RBKC / Westminster local authorities
Max Winters	Bromley local authority
Nigel Wright	Bohunt Education Trust

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

Penny Arcatinis (Birmingham local authority) resigned from her position in May 2018.

Annex 2

Business case number	Consideration date	Business case name	SCSB comments	Mandatory (M) or Voluntary (V)
Cases fully approved				
836	Nov-17	School Census - improvements to data held on pupils in alternative provision	The board approved this business case	M
837	Nov-17	Guaranteed first term grant	The board approved this business case	V
838	Nov-17	School Capacity (SCAP) 2018 collection changes	The board approved this business case	M
840	Dec-17	School Census - termly collection of service child indicator	The board approved this business case	M
841	Dec-17	Industrial action and school closures	The board approved this business case	V
846	May-18	Data checking exercise - Private finance schools	The board approved this business case	V
848	Jun-18	Estate management research	The board approved this business case	V
849	Jul-18	SEN2 awaiting provision	The board approved this business case	M
Cases conditionally approved				
842	Dec-17	GCSE subject choice	<p>This business case was approved subject to the following conditions:</p> <ol style="list-style-type: none"> 1. the collection would take place in October (or in June if question four is omitted); 2. non-respondents must only be chased once; 3. the proposal needs to be revisited with Star Chamber should the data collection be run again; and 4. a copy of the final form is shared with members via correspondence 	V

Business case number	Consideration date	Business case name	SCSB comments	Mandatory (M) or Voluntary (V)
843	Mar-18 by correspondence	Hospital education - local authority baseline collection	This business case was approved subject to changes: 1. in the submission date so that the work could be done at the same time as other similar work, reducing burden; and 2. to wording to increase clarity.	V
844	Apr-18	T-Levels readiness	This business case was approved subject to the following conditions: 1. one survey only is undertaken – any future surveys will need to be considered by Star Chamber and only following analysis of this one; 2. only one follow up is made to non-respondents; 3. it is possible for respondents to provide no or nil response to any and all questions; and 4. guidance must be available to schools when the survey is sent	V
852	Sep-18	SCAP additional places	This business case was agreed subject to the additional places data being collected for three years only	M
Cases approved following amendments				
835(a)	Nov-17	School Census - introduction of substantial workplacements	Proposal was agreed after a number of changes suggested by SCSB	M
845	Sep-18	Amendment to the Condition Spend data collection	SCSB requested additional research was undertaken before this business case was approved. On conclusion of that research, the proposal was accepted without change	V

Business case number	Consideration date	Business case name	SCSB comments	Mandatory (M) or Voluntary (V)
Cases Rejected				
839	Dec-17	Defining developer contributions	This business case was rejected for two reasons: 1. the data requested may already be available following work by the Greater London Authority; and 2. Further research should be undertaken first	V
847	Jun-18	Expected public law claim volumes	SCSB were not convinced that the collection of this data would lead to the stated aims and therefore the proposal was rejected	V
850	Jul-18	Changes to the Children in Need data collection	SCSB were unconvinced with the overall proposal and it was therefore rejected	M
851	Jul-18	Changes to the Children Looked After data collection	SCSB were unconvinced with the overall proposal and it was therefore rejected	M
Cases referred to appeal				
		No appeals were heard in the reporting year		



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