



Department  
for Education

# **Star Chamber Scrutiny Board**

## **Department for Education**

**Activity Report: November 2020 –  
October 2021**

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# Star Chamber Scrutiny Board activity report

The following is a summary of the activity of the Star Chamber Scrutiny Board (SCSB) during its thirteenth year of operation, covering the period November 2020 to October 2021.

## Purpose

This report is written to provide an 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 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](mailto: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.

This report details activity from the November 2020 to October 2021 reporting period.

The Star Chamber Scrutiny 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, something that is supported by HM Treasury. 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, 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 Star Chamber Scrutiny Board, it was agreed by the two departments that the Department for Education would continue to lead on scrutiny of proposals around schools and children's services.

## Cases Scrutinised

In the 2020 to 2021 reporting period, 15 business cases were submitted to the Star Chamber Scrutiny Board regarding data collection from schools and local authorities.

This is on par with the number of business cases submitted across 2018 to 2020. 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 now likely to remain stable with only modest changes to existing collections due to (1) the maturity of the main DfE data collections; and (2) the limited numbers of single time surveys introduced, which is in an effort not to add unnecessary burden on schools and local authorities.

Of the business cases presented for consideration:

- 10 were fully approved
- 3 were approved with conditions
- 2 were approved following amendment

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

The Star Chamber Scrutiny Board has also considered seven of these 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, consult with colleagues to help feed in comprehensive thoughts, ensured that the burden and the practicalities of a collection were considered early and did not result in complete rejection of any business cases.

As well as scrutinising changes to data collections, over the period 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 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, originally developed by the Office for National Statistics (ONS), is used by DfE and across government to estimate the compliance cost of each data collection and is based on the time taken to complete, and the grade of staff making the return. As compliance costs are estimated, they should not be relied upon as a definitive figure and should be used in conjunction with other information available to understand the burden of data collection.

Of those business cases considered by Star Chamber in the 2020 to 2021 reporting year, the additional compliance costs and therefore the burden imposed totalled £1,153,981. As this burden is imposed across the entire school and local authority sector it is very low per respondent, although it is £254,885 more than the additional burden imposed in the previous year (2019 to 2020). One of the reasons for the additional burden appearing to be so high is due to additional data being required for the school census to identify where pupils are in receipt of elements of education recovery – this accounts for £288,145 which if divided by the number of schools in scope is equal to compliance costs of £13.07 per school.

## 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 period.

Where required, a further level of appeal exists to a designated Minister but this was not necessary during 2020 to 2021.

## 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. 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, the Board have acted as stakeholders and have provided valuable feedback and support during the development of new digital services including Get information about pupils (GIAP) and automating the collection of pupil attendance data.

In addition, as part of the Department for Education's ongoing work to help manage the burden on educational and care settings following the Covid-19 pandemic, all data collections continue to be reviewed to ensure that they remain both necessary and feasible at this time. The Star Chamber Scrutiny Board have played a substantial part in supporting this aim by providing ongoing sector feedback via the Data Collection Panel for data collections and services due to be undertaken by schools and local authorities in this reporting period.

Although the usual governance process and approval for the Educational Setting Status Form does not lie with the Star Chamber Scrutiny Board, following its inception, the Board has supported the department in reviewing proposed changes and question design throughout this reporting period. These ongoing reviews have added value and ensured understanding across the sector, ultimately improving the quality of the data set.

## **Membership and meetings**

The Board is chaired by Jamie James, Head of Data Operations Division which forms part of the Department for Education.

Paul Hirst, the senior leader responsible for sector data collections and burdens, is co-chair and has responsibility for the day-to-day operation 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.

- There are normally eleven meetings each year, once each month, other than August. In the 2020 to 2021 reporting period, the Board met on ten occasions because there was no business requirement for meetings in January 2021.

## Members would like to call attention to following points of note

*The following comments and opinions are provided by the external members of the Star Chamber and do not necessarily reflect the DfE position.*

The board welcome the continuing trend of policy colleagues attending Star Chamber to discuss their proposals before they submit their business cases. This has allowed a more thorough consideration of the merits of the proposal and how best to achieve an outcome that minimises the burden, whilst providing DfE with the data & information needed for policy, and bringing some benefit to the sector. The longer lead in to the final Star Chamber decision and the engagement with the board of policy colleagues has also allowed individuals & sub-groups of the board to help develop the proposals between meetings, so avoiding unnecessary delay but creating the conditions for the proposal improvement.

The fruit of this approach is that no business cases were rejected outright in this period, a testament to the commitment of all involved.

As we stated last year we feel this definitely demonstrates the value of early, constructive consultation and is beneficial to departmental representatives, board members and, ultimately, to schools and local authorities.

Last year we set out some areas where we believed there was further potential for improvement and increasing the board's effectiveness:

### **Strengthening links with other stakeholders operating in this space**

The links with the Children's Services National Performance and Information Management Group (CS NPIMG) and the ADCS Standards, Performance and Inspection Policy Committee (ADCS SPI) continue to strengthen the connection between the board and the performance & data community in local authorities and deliver the insight and benefits described in last year's report.

We aspire to develop similar links with other key stakeholders but progress in this area has been slowed by other factors, not least the global Covid-19 pandemic. In 2021 to 2022 we hope that it will be possible to develop some of these links.

### **Principle of one-in-one-out**

Last year we urged policy colleagues to consult widely within the Department to see if there are any data collections, research or other information already available that could be used to inform the initiative being considered.

We understand that this is starting to happen but we feel that there are still further levels of progress that could be achieved in this area. The nature of the civil service

(but also the impact of the pandemic and the necessity to divert resources to this area) mean that there are some policy areas where subject matter expertise has not been developed or retained. This can lead to Star Chamber members having a greater understanding of the evolution of a policy area. We would recommend that the department consider how policy area knowledge can be retained despite the inevitable turnover of staff. We believe that this would improve the efficiency of work in these areas and aid future policy development.

### **Recognition of continuing reduced resources in local authorities and schools**

We continue to see a reduction of performance and data staff in a number of local authorities and schools across the country. There also does not appear to be any slowdown in the rising demands for data. With the increased pressure on local government, economic pressures and the need to 'recover' from the impacts of the continuing Covid-19 pandemic we cannot see this abating, perpetuating increasing demands falling on a reducing resource.

The Centre of Data Ethics and Innovation (CDEI) report ['Local Government Use of Data during the Pandemic'](#) recognised that the use of data played 'an important part in cushioning the impact of the crisis' and DLUHC funding through the 'Covid-19 challenge fund' is a welcome injection of some resource into this vital area. However unless policy representatives recognise these resource constraints (or there are further and more substantial boosts to resources in this area), we are concerned that the quantity and quality of responses, particularly to voluntary collections, will, through sheer necessity, wane. The consequence will be that decisions are being made on less comprehensive and robust data with the inherent risk of making poor or worse, wrong, decisions.

### **Consideration of the resource requirements in monetary terms**

We are still not satisfied that we are accurately measuring the burden of data collection. We had hoped to make progress in this area but unfortunately, this was not achieved. In particular the cumulative burden of the key data collections, which have seen continuing expansion, is something for which we would like to have a better understanding of.

Given that it was only recently that we received the clarification from the CLIP group that the time taken to collect the information and get it in a form ready to be submitted should also be part of the resource calculations (something not always previously included), a recalculation of these cumulative burdens is long overdue. We feel that this is necessary to enable an honest and transparent discussion about data burdens and the cost of them to the public purse.

We would like to do further work in this area in 2021 to 2022.



## **Responses to emerging situations**

As stated last year, we understand and fully support the need for new and immediate data in exceptional circumstances. However, our recommendation is that this is done in collaboration with the sector and not independently from and then imposed on it. We hope that the evidence outlined in this report, of the benefits of a collaborative approach with the sector and its representatives like ADCS, NPIMG and Star Chamber will guide any further course of action should a similar existential threat to society arise.

### **Footnote**

The board wish to express their profound gratitude to the secretariat, for the continued exceptional support of its work. The management of the facilities, coordination of policy colleagues virtually attending Star Chamber and tenacious pursuit of additional or supplementary information requested by the board has been excellent and enabled us to put our focus on the cases presented in ideal conditions.

Despite the Covid-19 related restrictions, the secretariat has maintained on-line meetings superbly. As a result meetings have continued with the same efficacy and purposefulness as ever. Something that ultimately this benefits the children and their families for whom we all work.

## **Annex 1**

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

### Chair:

Jamie James as the DfE Head of Data Operations Division

Paul Hirst, Data Operations Division, DfE

### Secretariat:

Kirsty Knox, Data Operations Division, DfE

### Members:

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

Ather Abbas

The Schools of King Edward VI Foundation and King Edward VI  
Academy Trust , Birmingham

|                      |                                       |
|----------------------|---------------------------------------|
| Viktorija Birmingham | Enfield LA                            |
| Philip Brocklehurst  | Associate LA member                   |
| Angela Browne        | Windsor learning partnership, Windsor |
| Stephen Clark        | Associate LA member                   |
| Mathew Downs         | Highcliffe School, Dorset             |
| Chris Hill           | National Association of Head Teachers |
| Rashid Jussa         | Waltham Forest LA                     |
| Damien Kearns        | Nishkam High School, Birmingham       |
| Adam King            | Ofsted                                |
| Sharon McBriarty     | Kirklees LA                           |
| Jeanette Miller      | Thornhill Primary School, Southampton |
| Mike Parkin          | Worcestershire LA                     |
| Daryl Perilli        | Brighton and Hove LA                  |
| Cathy Piotrowski     | Associate LA member                   |
| Simon Utting         | Hackney Learning Trust                |
| Max Winters          | Associate LA member                   |
| Christopher Woolf    | Pinner High School, Harrow            |
| Nigel Wright         | Bohunt Education Trust                |

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

The department and the sector are grateful for the work of these individuals.

## Annex 2

### Cases fully approved

| <b>Business case number</b> | <b>Consideration date</b> | <b>Business case name</b>  | <b>SCSB comments</b>                                      | <b>Voluntary (V) or Mandatory (M)</b> |
|-----------------------------|---------------------------|--|---|---------------------------------------|
| 887                         | December 2020             | School Census Class activity   | The board approved this business case.                    | M                                     |
| 888                         | December 2020             | SEN2 Individual level collection   | The board approved this business case.                    | V                                     |
| 889                         | February 2021             | Secure childrens homes (SA1) amendment   | The board approved this business case.                    | M                                     |
| 890                         | March 2021                | Year 2 phonics 2021  | The board approved this business case.                    | M                                     |
| 891                         | March 2021                | Early years funding termly headcount   | The board approved this business case.                    | V                                     |
| 893                         | June 2021                 | CIN 2022/23 amendments   | The board approved this business case.                    | M                                     |
| 894                         | July 2021                 | SEN2 2022 changes  | The board approved this business case via correspondence  | V                                     |
| 895                         | July 2021                 | SCAP 2022 amendments   | The board approved this business case.                    | M                                     |
| 897                         | July 2021                 | School census – learner funding and monitoring                                     | The board approved this business case via correspondence. | M                                     |
| 899                         | October 2021              | Reinforced Autoclaved Aerated Concrete (RAAC) Identification and Management Survey | The board approved this business case.                    | V                                     |

### Cases approved following amendments

| <b>Business case number</b> | <b>Consideration date</b> | <b>Business case name</b>              | <b>SCSB comments</b>  | <b>Voluntary (V) or Mandatory (M)</b> |
|-----------------------------|---------------------------|--|---|---------------------------------------|
| 896                         | September 2021            | CLA 2022/23 amendments                 | The business case was approved following changes suggested by SCSB. | M                                     |
| 892                         | May 2021                  | Educational Psychology Data Collection | The board approved this business case via correspondence            | V                                     |

## Cases conditionally approved

| <b>Business case number</b> | <b>Consideration date</b> | <b>Business case name</b>                        | <b>SCSB comments</b>  | <b>Voluntary (V) or Mandatory (M)</b> |
|-----------------------------|---------------------------|--|---|---------------------------------------|
| 885                         | November 2020             | 10 year rebuilding programme                     | The business case was approved subject to being able to see guidance and get a sense of timing on any extensions/phased approach that could be taken forward.                                   | V                                     |
| 886                         | December 2020             | School census – alternative provision placements | Star Chamber approval on behalf of the sector is agreed on the basis of the 1st year of the changes being implemented on a voluntary basis which would then become mandatory from the 2nd year. | V                                     |
| 898                         | July 2021                 | School led tutoring financial return             | The business case was approved subject to seeing final questions to review and add value  | M                                     |

## Cases rejected

No cases were rejected in the 2020 to 2021 reporting year.

## Cases referred to appeal

No appeals were heard in the 2020 to 2021 reporting year.



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