



Department
for Education

Star Chamber Scrutiny Board

Department for Education

**Activity Report: November 2022 to
October 2023**

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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 fifteenth year of operation, covering the period November 2022 to October 2023.

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 Department for Levelling up, Housing and Communities (DLUHC), 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 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 2022 to October 2023 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, DLUHC 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 2022 to 2023 reporting period, 19 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 2020 to 2021. 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:

- 14 were fully approved
- 2 were approved with amendments/conditions
- 3 were rejected

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

The Star Chamber Scrutiny Board has also considered six 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 provide valuable and essential contributions to the development of proposals, consult with their colleagues to help feed in comprehensive thoughts, ensured that the burden and the practicalities of a collection were considered early and resulted in the approval of eight of the 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 2022 to 2023 reporting year, the additional compliance costs and therefore the burden that will be imposed will total £1,686,274. As this burden is imposed across the entire school and local authority sector it is very low per respondent, although it is £434,112 more than the additional burden imposed in the previous year (2021 to 2022). One of the reasons for increase in burden is due to additional data being required for the Mandating Attendance data project. This accounts for £445,620, which if divided by the number of schools in scope, is equal to compliance costs of £18.57 per school. It should be noted although the business case has been approved that the cost will not impact until the mandating takes effect.

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 2022 to 2023.

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 and essential 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 the

collection of pupil attendance data and the expansion of the government funded early education and childcare entitlements.

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 2022 to 2023 reporting period, the Board met on nine occasions.

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 trend of policy colleagues attending Star Chamber to discuss their proposals before they submit their business cases has continued to work well in 2023. We believe this has allowed a more thorough consideration of the merits of each proposal and provides DfE with the data & information needed for policy whilst minimising burdens and bringing some benefit to the sector. Six of the 19 business cases this year followed this route with positive outcomes for all involved.

For the coming year we would like to suggest that at the decision meeting, guidance for the data collection/changes be provided to Star Chamber (even if still in draft). This helps members of the Board have a clearer understanding of the data items being requested and may remove the need for clarification questions in the meeting that would otherwise ensue. It is also likely that without this the Board will at best only be

able to give 'conditional' approval or may ask for the proposal to come back to the following meeting with the guidance, adding delay that might be unnecessary.

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) have continued to mutual benefit this year. We have also rekindled the relationship with the LGA.

Additionally, the new members of the Star Chamber have brought a wealth of experience and knowledge from the school, both Academy and LA maintained, and Local Authority (LA) sectors including areas such as school IT and the Virtual Head role. This has considerably strengthened the expertise and knowledge of the Star Chamber, as well as ensuring there is a breadth of regional representation in the Board.

Following changes in membership the link with Ofsted has now been replaced which is welcomed. A link with the Children's Commissioner's office has not yet materialised, although not for want of trying. In 2024 we hope that it will be possible to develop these links and we will work with the department to do this.

Retaining subject knowledge in DfE

For the last few years, we have recommended that the department consider how policy area knowledge can be retained despite the inevitable turnover of staff due to the nature of the civil service. Star Chamber and DfE benefitted again this year with some familiar colleagues returning to the Star Chamber on behalf of DfE policy & data areas; generally this facilitated frank and productive discussions on the topics under discussion.

We encourage the DfE to continue to consider this issue; we believe it improves the efficiency of work in these areas and aids future policy development.

Recognition of continuing reduced resources in local authorities and schools

The reduction of performance and data staff in local authorities and schools across the country has continued this year. The need for better and more creative use of data to drive the improvement of services (visible in the government's response to The Independent Review of Children's Social Care; Stable Homes Built on Love), combines with rising demands for data, but the performance and data teams & staff relating to

Children's Services in LAs and schools still find themselves involved in frequent organisational change.

This has a detrimental impact on what data can be made available to DfE whilst increasing the per-capita burden on data folk in each LA or school. It also impacts on data quality and quantity and potentially leads to decisions being made on less comprehensive and robust data. Consequently, there is an increased risk of making poor, or worse, wrong, decisions.

As we did last year, we feel that the DfE could use its position to influence how Government, LAs and Schools see the importance of performance staff and the critical role they play in supporting the improvement in service delivery despite being 'back office' staff.

Some recent data developments; the new Children's social care data and digital strategy, and the Attendance data project may offer some mitigation in this area, but new data demands continue, each introducing a further demand on the already depleted workforce. There is a risk that at some not-too-distant point this will lead to failures in data collection or submission.

Consideration of the resource requirements in monetary terms

We still don't feel we have got this right.

We now have the ability to provide SCSB estimates of the compliance cost for most collections in order to give a sector perspective on the burden. However, this has proved challenging for us to do systematically, and we need to work out a more robust way to do this. Part of the challenge is the limited time between the issue of the business cases and the meeting at which they are discussed, sometimes a matter of a few days.

We will work on this in 2024 and hope to open a dialogue between the DfE and the sector on the managing of this increasing burden. Voluntary data collections form another element that put pressure on the system and whilst this is useful for the DfE and avoids triggering the 'New burdens' funding mechanism, voluntary collection fatigue can lead to a diminishing return from the sector, meaning the burden shouldered by respondents is not good value for money for the public purse.

Future data collection methods, future-proofing scrutiny

Stable Homes Built on Love proved a catalyst for intense activity in the sphere of children's services data. Though needed, at times the pace and burden on the sector of being involved has felt overwhelming. Coordination of the many initiatives through the Data & Digital Solutions fund has been stretched and the introduction of a series of

pilot schemes has led to data collections, sometimes at a national level, not going through the Star Chamber process due to their pilot status.

There is a danger of system overload and the potential for new data initiatives to be implemented whilst not fully formed. It's important that the scrutiny about what data is collected, when and for what purpose remains. To that end we see the role of the Star Chamber in scrutinising these types of data collection, as well as those through more traditional routes, as vital to ensure the proper and appropriate levels of challenge and rigour are maintained.

Following the publication of the new Children's social care data and digital strategy it seems timely to take the initial work on the evolving role of Star Chamber and craft a new governance document that can sit alongside the strategy, detailing how the scrutiny and challenge process will continue into the next government.

Footnote

Board members wish to acknowledge the responsibility, privilege and value that membership of the board brings at a personal and professional level. In addition to increasing understanding of the wider system and pressures, it also enables individual board members to involve and feedback to colleagues within their own organisations and through wider national and regional networks; in this way increasing the value of the Star Chamber to both the DfE and the wider sector.

The board also 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 attending Star Chamber in-person and virtually, and the 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.

We would also like to thank longstanding Star Chamber members who left this year; Max Winters contributed over twenty years to improving the quality of data collections for the DfE whilst minimising the burdens to the sector and also Angela Browne who provided expertise from the academy perspective. We wish them good luck in their next endeavours.

Annex 1: Star Chamber Members

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:

Nicola Berryman, Data Operations Division, DfE

Members:

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

Stuart Beck	National Association of Head Teachers
Viktorija Birmingham	Ealing LA
Angela Browne	Windsor learning partnership, Windsor
Robert Campbell	Sheffield City Council
Stephen Clark	Associate LA member
Mathew Downs	Highcliffe School, Dorset
Chloe Grier	Dorset Council
Chris Hill	Associate school member
Derek Hills	Ark School, London
Michael Howe	Ofsted
Chris Hudson	Leeds City Council

Laura Humber	Manchester City Council
Rashid Jussa	London Councils
Damien Kearns	Academies Enterprise Trust
Judith Kemp	Suffolk Virtual School
Sharon McBriarty	Kirklees LA
Jeanette Miller	St Marks C of E School, Southampton
Mike Parkin	Worcestershire LA
Daryl Perilli	Brighton and Hove LA
Cathy Piotrowski	Associate LA member
Kerry Stamp	Bursledon Federation
Simon Utting	Hackney Learning Trust
Christopher Woolf	Wellington College International
Max Winters	Associate LA member
Nigel Wright	Oakmoor school, Hampshire

Ofsted continued to work closely with the SCSB and they have the offer of a permanent seat.

The department and the sector are grateful for the work of these individuals, in particular, Max Winters who retired during this reporting year and Angela Browne who resigned her position from the board. The department also extends its gratitude to their employers.

Annex 2: List of business cases

Cases fully approved

Business case number	Consideration date	Business case name	SCSB comments	Voluntary (V) or Mandatory (M)
921	Nov 22	School Business Professionals	The board approved this business case following sight of code sets and guidance.	M
922	Jan 23	SEND Quarterly data collection	The board approved this business case.	V
923	May 23	SEN 2024 annual review	The board approved this business case.	V
924	Jan 23	2YO Yearly Survey	The board approved this business case.	V
925	Feb 23	EHE & CME data collection	The board approved this business case.	V
927	May 23	SEN 2025	The board approved this business case.	V
928	Jul 23	Young carer indicator - independent schools (SLASC)	The board approved this business case.	M
929	Jul 23	Children Looked After (CLA) data collection requirements – 2024 to 2025	The board approved this business case.	M
930	Jul 23	School census 2023/2024, 2024/2025 and 2025/2026 – expansion of the government funded early education and childcare entitlements	The board approved this business case.	M
931	Jul 23	2025 and 2026 Early Years Census – expansion of the government funded early education and childcare entitlements	The board approved this business case.	M

934	Sep 23	Expanding data collection on early years pupil premium (EYPP) and disability access fund (DAF)	The board approved this business case.	M
935	Oct 23	EY funding data collections for new entitlements 2024-25	The board approved this business case.	M

Cases approved following amendments

Business case number	Consideration date	Business case name	SCSB comments	Voluntary (V) or Mandatory (M)
932	Jul 23 and Oct 23	MATs and School Workforce census survey	Following SCSB advice in July to pilot over the summer, the business case was approved.	V

Cases conditionally approved

Business case number	Consideration date	Business case name	SCSB comments	Voluntary (V) or Mandatory (M)
926	Mar 23	Mandating attendance data	SCSB approved the business case subject to specific conditions being met.	M

Cases rejected

Business case number	Consideration date	Business case name	SCSB comments	Voluntary (V) or Mandatory (M)
920	Nov 22	School Census: Children of Prisoners	SCSB rejected the business case as it did not meet data principals. Source information via MOJ could be used to inform strategy.	M
933	Sep 23	Changes to exclusion data collection – 2024/25	SCSB rejected the business case as MIS suppliers would be unable to support schools to get in place in time and	M

Business case number	Consideration date	Business case name	SCSB comments	Voluntary (V) or Mandatory (M)
			recommended a full review of exclusion data.	
936	Oct 23	Amendments to the Early Years census to collect aggregate data on number of service children at each setting	SCSB rejected the business case. The Early Years census was not considered to be the optimal vehicle to collect this data.	M

Cases referred to appeal

No referrals made in 2022 to 2023 reporting year.



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