



## ***The information authority***

Paper 8: *The information authority secretariat report*

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Date: 24<sup>th</sup> November 2008

## **1 What are we asking the board to do?**

This paper gives a status update on the work of *the information authority* secretariat. Decisions are required on four items; the remainder of the paper is for information.

## **2 Introduction**

This status report covers work by the secretariat since the board meeting on 1<sup>st</sup> October 2008 and that planned before the next meeting on 4<sup>th</sup> March 2009.

## **3 Decisions to be taken / items to be noted by the board**

The following decisions are required:

### **3.1 Governance of success rates**

At the last board meeting, an update was presented on the work of harmonising success rates. The board was asked to endorse the formation and membership of the Qualification Success Rate (QSR) Harmonisation Group, and to give its support to the introduction of a formal governance procedure for setting and revising QSRs to maintain harmony once it has been established.

A proposal for governance of QSRs is attached at Appendix A.

**The board is asked to confirm its agreement to the proposed governance procedure, including the role of the *information authority* for setting and revising Qualification Success Rates.**

### **3.2 Data security guidance for providers**

Over a number of months providers have been coming to the secretariat with issues and questions related to data protection and data security. These have arisen when bodies other than the LSC have asked providers to send them sensitive data.

The secretariat held a workshop with providers and data protection / security specialists to explore the issues. There is a lot of guidance available to providers from a wide variety of sources. However, it is often not clear to providers where they should start and what are the key questions they should ask to ensure that someone has the right to access data.

The secretariat has asked the LSC's Data Protection team to draw up some guidance for FE providers which would be available via *the information authority* website. In addition, the secretariat is clarifying with DIUS whether it would sponsor work from Becta on data security guidelines on similar lines to that provided to schools.

**The board is asked to confirm that it is content with this work progressing.**

### **3.3 Follow up to the Data Burden report**

#### **Awarding body data**

The Data Burden report had identified data issues in exchanging data between learning providers and awarding organisations for examination entry and results notification. Following a number of months work with a range of stakeholders, the secretariat has produced a document outlining the overall picture, identifying gaps which will continue to drive data burden, and making recommendations for further work.

The final version of the document will be sent to Ofqual, DIUS and DCSF by the end of November. The next step is a round table discussion with Ofqual, DIUS, DCSF, the Federation of Awarding Bodies (FAB) and the Joint Council on Qualifications to agree a way forward.

FAB will be making its formal response to the Data Burden report at the board meeting on 3<sup>rd</sup> December.

The secretariat has also proposed that the Information Standards Board sponsors development of a common data standard to support examination entry and results notification.

**The board is asked to confirm its ongoing support for this work on awarding data and in particular that it is willing to provide funds from within *the information authority* budget to data standards development.** (Once a costing has been obtained, this will be agreed with the chairman).

### **3.4 Appeal procedure**

Following the operation of an appeal against a decision made on an ILR change at the last board meeting, a more detailed appeals procedure has been drafted. This is detailed at Appendix B.

**The board is asked to provide comment and approve this appeals procedure.**

Points for noting by the board:

### **3.5 Follow up to the Data Burden report**

#### **LSC response**

The LSC's response to the Data Burden report was presented at the last meeting. The LSC has nominated Caroline Kempner to act as the owner of its action plan; the plan is currently awaited.

#### **Reducing paper learner records**

A study on reducing / eliminating paper learner records began on 6<sup>th</sup> October. The Project Initiation Document (PID) has been produced and agreed with the LSC. Following meetings with a range of stakeholders e.g. providers and auditors, the current situation has been documented. Next steps are to

investigate options and make recommendations for change. A final report is expected in January 2009.

### **3.6 Top Down Reporting study**

The Top Down Reporting study is sponsored by *the information authority* on behalf of DIUS and is being undertaken by David Mason Associates. The study was commissioned following comments in the Foster report on the use of information in Further Education. The aim is to compare the use of information in FE with other sectors, to highlight best practice in FE in the use of data and technology, and to identify information gaps which prevent good decision making e.g. in advice and guidance for learners or performance management of a learning provider.

A number of workshops have been run to identify the availability of information to support key decisions points e.g. on the learner journey. The results of these are currently being analysed. Next steps are to compare the use of data in other sectors, to identify best practice within FE and to seek further input on information availability for groups such as employers and Regional Development Agencies.

## **4 Further information**

The appendices to this report include:

- Proposal on governance procedure for Qualification Success Rates (Appendix A)
- Draft appeals procedure for *the information authority* board (Appendix B)
- Progress report for the period October 2008 to February 2009 (Appendix C)
- Financial performance for 2008/09 (Appendix D)
- Risks and issues (Appendix E)

## **5 Contact Details**

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## **Appendix A**

### **Governance of Qualification Success Rates**

#### **1 What are we asking the board to do?**

At its meeting on 1<sup>st</sup> October 2008, the board requested a paper on the new arrangements for the governance of Qualification Success Rates (QSRs). The board is asked to note the contents of this paper particularly with regard to the role of *the information authority* in the new arrangements.

#### **2 Background**

The LSC's governance arrangements for Qualification Success Rates have changed. The detail of the Ofsted arrangements is not yet finalised because of Ofsted's restructure. This paper presents the new arrangements as currently proposed.

#### **3 Governance arrangements**

The new arrangements for the governance of Qualification Success Rates are shown in the diagram below. These include the Success Rate Harmonisation Group attended by the LSC, Ofsted, DIUS, DCSF and *the information authority*. Please note that in parallel with the governance arrangements, consultation will take place with all interested parties including providers, DIUS, DCSF and the Data Service.

The final approval point for Qualification Success Rates will be *the information authority* board. Prior to QSR proposals being presented to the board, all other governance should have been completed e.g. within Ofsted, LSC, DIUS etc. The role of the board will be to assure itself that the consultation and sign off processes have been completed successfully and that the plans for implementation of new / revised QSRs are sound. It is not intended that the board should revisit the QSR methodology.

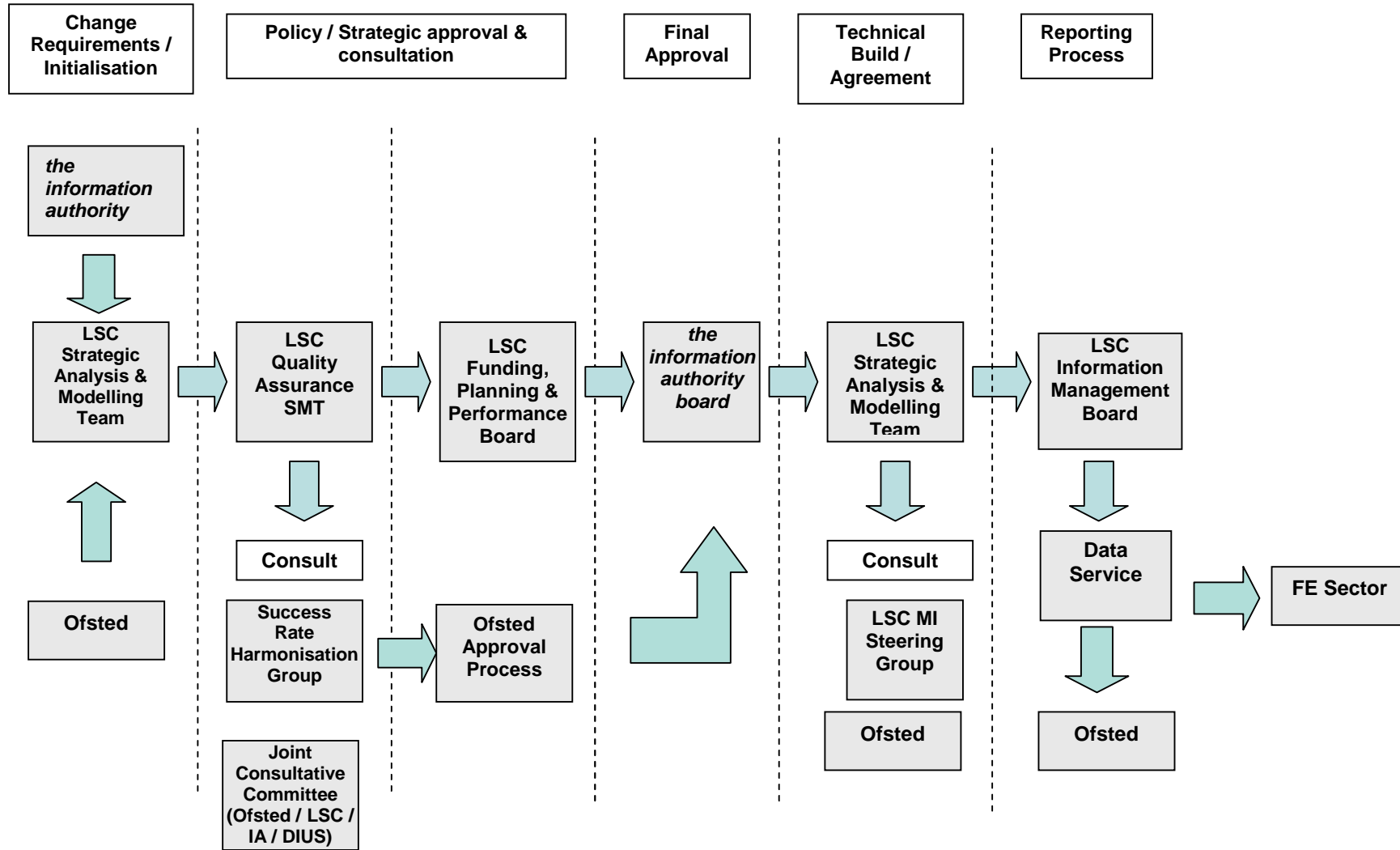
#### **4 FE Sector Implications**

The sector will benefit from the availability and use of qualification success rates that are harmonised across qualification types and across Government and its agencies.

#### **5 Next Steps**

*The information authority*, the LSC, Ofsted, DIUS and DCSF will work to agree and produce a common methodology for the calculation and reporting of Qualification Success Rates for the FE system – particularly Apprenticeships and Train to Gain.

### Governance arrangements for Qualification Success rates



## **Appendix B**

### **The appeals process for *the information authority* board**

#### **1. Introduction**

This guidance document outlines the process that *the information authority* will follow in the management of appeals against decisions taken at its board. It provides an explanation of the roles and responsibilities of stakeholders, along with the timescales for the process.

#### **2. Grounds for appeal**

Appeals against decisions can only be made under the following circumstances:

- a. A key sector target cannot be measured as a result
- b. A key initiative cannot progress as a consequence of the decision
- c. In the event of an ILR or other change request, procedures were not followed correctly during the change request process.
- d. There were procedural irregularities leading up to the decision which could have affected the outcome.
- e. The board did not take into account crucial information e.g. a significant policy change

**It is important** to note that if a decision of the board is to be challenged, it should normally be done at the next available full board meeting. Appeals will only be considered outside this if the request is time critical. In these circumstances an appeals panel will be convened.

#### **3. Process for the appeal**

1. The appeal against a decision made by the board must be made in writing to *the information authority* secretariat by the person/team that submitted the original request and must have the support of the appellant's organisation. If the appellant's organisation is represented on *the information authority* board, then the board member must provide explicit support for the appeal.
2. Board decisions will be communicated by telephone and followed up by email within three days of the board meeting
3. Appeals must be lodged with the secretariat no later than ten working days after notification of the decision by the secretariat.
4. On receipt of the request for appeal, *the information authority* secretariat will send an acknowledgement to the appellant within two working days.
5. The head of the secretariat (or deputy) will set up an appeals panel if there is a need for a decision in advance of the next board meeting.
6. The appeals panel will be made up of at least three *information authority* board members (including the chair of the board) and the appeal will be held within 15 days of receipt of the appeal
7. In the case of an appeal, any supporting documentation will be forwarded to the appeals panel five working days before the panel is due to meet.
8. The appeals panel will meet the individual(s) making the appeal and two members of *the information authority* secretariat will attend in order to record document the discussion and decision(s) made and provide advice if required.

9. The appeal panel will make a decision at the meeting. The chair of the board will have a second or casting vote, and all votes will be made public.
10. The decision will be formalised in writing within ten working days of the appeal panel decision.

## **4. Roles and Responsibilities**

### **4.1 The Appeals Panel**

The appeals panel will consist of at least three *information authority* board members; including the chair of the board and where possible and feasible, a member with specialist knowledge of the area under review and the impact of the appeal, and a member who was not involved in the original decision. The panel will be responsible for:

- Reviewing the appeal submission prior to the appeal
- Hearing the appeal
- Making a final decision
- Formal endorsement of the documented minutes (by email) prior to their circulation to the board for information

### **4.2 The Appellant**

- The appellant(s) will be responsible for the production and submission of the grounds for appeal within seven working days of being informed of the initial decision to reject the change request.
- The appeal documentation must be provided at least five days prior to the appeal taking place.
- The appellant(s) must be able to present their case to the appeals panel and provide clarity on the grounds for appeal.

### **4.3 The Secretariat**

*The information authority* secretariat will be responsible for:

- Operating and documenting the appeals process including keeping the board informed.
- Ensuring the head of the secretariat or deputy is present at the appeals panel.
- Providing resource to record the discussion and agreed decisions and to circulate to the attendees for final approval.
- Circulating the minutes to all *information authority* board members for information.
- Acting upon the decision made and communicating to the wider community.

## **5. Criteria for assessing the appeal**

- Were the procedures, where appropriate, followed correctly?
- Was the original request assessed fairly?
- Has further information become available which would cause the original decision to be questioned?

- Was the decision perverse in any other way?

## **6. Reaching the decision**

- Where the appeal is heard at an *information authority* board meeting, the normal board meeting procedure shall apply
- Where the appeal is heard by an appeals panel, the members of the panel may question the appellants and each other about issues relevant to the appeal
- Where considered necessary, the chair may take the appeal panel into private session which will include the head of *the information authority* but not the appellants.
- If opinion is split after further private discussion, the chair will take a vote in accordance with paragraph 3.9
- The decision will be communicated in accordance with paragraph 3.10

## **Appendix C**

### **Progress report**

#### **Activities for last period (October to November 2008)**

##### **1. Stakeholder engagement**

Key points: the communication strategy and plan for *the information authority* has been rewritten and updated; the authority was represented at the FAB, ALP and AoC conferences

##### **Events held:**

- *information authority* advisory groups (x 4)
- Data security workshop – 13<sup>th</sup> October
- Four stakeholder consultation workshops held across the country addressing data burden, improving the ILR change request process and the impact of enforcing hard closing dates for collections – commencing 17<sup>th</sup> November

##### **Other events attended:**

- North West CMIS Group, presentation by Una Bennett and Pete Ashton – 10<sup>th</sup> October
- FAB conference; conference stand and talk by Una Bennett on awarding body data issues – 14<sup>th</sup> / 15<sup>th</sup> October
- ALP conference; workshops held on support for 2008/09 ILR returns and reducing data bureaucracy; stand at conference – 27 / 28<sup>th</sup> October
- Graham Jones hosted a breakout session and the authority had an exhibition stand at the AoC conference – 18<sup>th</sup> to 20<sup>th</sup> November

##### **Other meetings / contacts:**

- DIUS regular contacts
- Self regulation/Single Voice - regular contacts
- Contacts on awarding data issues – FAB, Ofqual, QCA
- Success rates harmonisation group – 13<sup>th</sup> October
- DCSF and Data Services Group – 16<sup>th</sup> October
- AoC NILTA – 4<sup>th</sup> November
- LLUK – regular meetings
- LSC – regular contacts
- MIAP – programme board (8<sup>th</sup> October) plus regular contacts
- 'Whitehall and Westminster World', discussion on use of government data – 13<sup>th</sup> November
- Data Service – regular contacts including Steering Group
- Various provider visits
- An online survey has been sent to participants in the ILR change request process asking for suggestions for improvement
- Various communications activity, including a presentation to the LSC's Information Management and Architecture Team

##### **Media**

- A press release was issued w/c 17<sup>th</sup> November following the publication of the annual report

### **Website and community portal**

- Work has been commissioned on the **feconnect** portal to provide closed community groups and to integrate it more closely with the corporate website.
- Work has continued on improvements to *the information authority* corporate site e.g. navigational structure.

### **2. Secretariat team**

- The secretariat has been working with the LSC's HR team to agree role profiles for the six new posts and to revise existing roles in the light of the new structure – four of the new roles are now complete.
- Contract resource is being used to supplement the permanent team pending recruitment of new staff.

### **3. Quality and standards**

- Following the board meeting on 1<sup>st</sup> October, a summary of ILR changes for 2009/10 was published and was updated on 14<sup>th</sup> November.
- The secretariat has been working to refine requests approved by the board and received one appeal for a change to the 2009/10 ILR specification. As a result:
  - New fields to identify apprenticeship pathways and to record contract number for LSC non-mainstream funded provision have been withdrawn.
  - New fields to record planned group-based and one-to-one contact hours for employer responsive funded learners have been approved.
- Work continues on the writing of the specification document for 2009/10 which is due to be published on 28<sup>th</sup> November. This will include:
  - clearer data definitions
  - identifying how each field is used in reporting and calculations and assigning ownership, and sub-ownership, of each field to a stakeholder
  - data quality standards for each field
- Further work is continuing with Ofsted and the LSC to resolve the success rate differences for Apprenticeships and Train to Gain provision.
- The secretariat has asked the success rate harmonisation group to commit to a timetable for publishing calculations for success rates for 2009/10
- The Information Standards Board (ISB) has been asked to consider sponsoring a common data standard to support examination entry and results notification. This is being taken up by the ISB's Technical Support Service (TSS).

### **4. Governance**

- *The information authority* has provided a summary of its current workplan (approved at the last board meeting) to DIUS for inclusion in the LSC's grant letter for 2009/10.
- A more detailed appeals procedure for decisions taken at *the information authority board* has been drafted.

### **5. Budget**

- Spend to date and forecast for this year (2008/9) is detailed at Appendix D. There is expected to be an under spend against budget of £205k resulting from lower than expected staff costs, reduced marketing costs and slower than expected run rate on project costs.

- *The information authority* is expected to be provided with the budget for 2009/10 in line with the original submission for the Comprehensive Spending Review period. This will be outlined in the LSC's grant letter for 2009/10.

## **6. Work in progress**

- Key risks and issues for *the information authority's* work are listed at Appendix E.

## **Activities planned for next period (December 2008 – March 2009)**

### **7. Stakeholder engagement**

- Continuing consultation workshops.
- Wider promotion of the community portal.
- Meeting between Siôn Simon, Parliamentary Under Secretary of State for Further Education, and Graham Jones to discuss the work of the *information authority*.
- Further LSC focused communications activities including a "Key Achievements" Lunch and Learn session and a presentation on key achievements and priorities at the Information Management Team awayday.
- Publicity of board decisions taken in December.
- Slot at ICES (local authorities) conference in February 2008 to introduce *the information authority*.
- Contributions to stakeholder newsletters – including the DSP bulletin issued by the DCSF.

### **8. Secretariat team**

- Following agreement of role descriptions, recruitment will commence to fill gaps in team.

### **9. Quality and Standards**

- Following publication of the ILR specification for 2009/10, work will commence on the detailed guidance for providers and validation rules
- Standards advice and support will continue to be provided to initiatives such as Skills Accounts
- Continued contribution to working groups of the Information Standards Board.
- Standards development with LLUK on the Staff Individualised Record.
- The secretariat will work with Connexions on agreeing a standard data set for their collections

### **10. Governance**

- Work will continue on embedding governance arrangements and working practices between *the information authority* and the Data Service.

**Appendix D**

**Financials – 2008/09 – Revised forecast outturn.**

Cost item	Original Budget 2008/9 (£k)	Actual spend to date	Forecast outturn Nov – March	Revised Outturn 2008/9 (£k)	Variance against budget (£k)
Permanent Staff Costs	456	209	208	417	-39
Non project temporary resource	124	69	61	130	6
Recruitment costs	25	0	15	15	-10
Training, Travel and incidentals	34	19	16	35	1
<b>Total Staff Costs</b>	<b>639</b>	<b>297</b>	<b>300</b>	<b>597</b>	<b>-42</b>
Marketing costs	138	65	53	118	-20
Meeting costs	13	4	9	13	0
<b>Projects</b>					
Data Standards	75	35	26	61	-14
Paper Based Learner Documentation	100	23	45	68	-32
Legal Costs	16	0	0	0	-16
Data Quality	0	0	44	44	44
Awarding Body standards	50	0	50	50	0
Information Standards Board definitions work	50	0	50	50	0
Unallocated	68	0	0	0	-68
<b>Revenue Total</b>	<b>1,149</b>	<b>424</b>	<b>577</b>	<b>1,001</b>	<b>-148</b>
<b>CAPITAL</b>					
<b>Buildings and Services</b>					
Staff Support costs	63	28	32	60	-3
IA Portal Development and support	87	0	32	32	-55
<b>Capital Total</b>	<b>150</b>	<b>28</b>	<b>65</b>	<b>93</b>	<b>-57</b>
<b>Total Budget</b>	<b>1,299</b>	<b>452</b>	<b>642</b>	<b>1,094</b>	<b>-205</b>

**Assumptions:**

- Forecast staff costs are based on all vacant posts being filled in February 2009
- Marketing budget has been reduced by £20k, as a result of determining more cost effective approaches to targeting the FE communities.
- Temporary staff costs have increased as a result of the community facilitator role not being permanently filled. This will be advertised along with all other vacancies.
- Capital forecast outturn has reduced as a result the additional six staff support costs not being incurred until February, along with the *information authority* having selected a more cost effective solution for the corporate and community websites.
- The *Paper Based Learner Documentation* and *Data Quality* Projects include costs being incurred for this financial year. However, there will be additional costs for continuing with these activities which will be included in the budget for 2009/10.

## Appendix E

### Risks and issues

#### Key Issues

No.	Issue	Action
01	Machinery of Government changes. There is a need to assess how this might affect <i>the information authority</i> in future.	Ongoing dialogue with DIUS with requirements having been advised to the department.
02	<i>The information authority</i> needs to determine how it will engage with local authorities in the future, as a result of MoG and the changes to FE funding	LGA board representative to provide advice and support. Existing DIUS links continue to be investigated. DCSF currently engage with LAs on a formal basis via the ICES group. <i>The information authority</i> will be looking to address this group in early 2009 to raise awareness of the authority and the role it will play under the future MoG structure.
03	There are a number of resource gaps within <i>the information authority</i> . This is having an impact on the ability to deliver the work plan for 2008/9.	The new <i>information authority</i> structure has been approved and roles are being advertised during the coming weeks. It is hoped that all vacancies will be filled by February 2009 and in the meantime, temporary resource is in place to take forward specific pieces of work.
04	Provider feedback has been that early delivery of the ILR Specification is insufficient in isolation. There is a requirement to publish timetables for LAD/LIS etc. In order to progress with this there is a requirement for commitment from the LSC/DIUS etc. to deliver the requirements at the right time.	<i>The information authority</i> to commence dialogue with LSC, DIUS, DCSF and the Data Service.

#### Key Risks

No	Risk Description and Impact	Mitigating Actions
01	There may be too much confusion between LSC, Data Service and the <i>information authority</i> . This could result in a duplication of effort, an inconsistent approach being adopted and reduced confidence amongst the stakeholder community.	Ongoing work with DS/LSC to clarify roles and responsibilities.  Joint communication activity is being planned.
02	Stakeholder data users and FE System circumvent <i>information authority</i> decisions or do not come to <i>the information authority</i> for changes in information.	Continue with the programme of work to engage with stakeholders. Maintain relationships and interaction through the Community Website, Stakeholder events and ongoing communication activities.
03	There is a risk that data standards are not agreed, resulting in the continuing mismatch of data requirements. An example currently under discussion is ethnicity codes.	<i>The information authority</i> will, where possible, agree bilaterally or alternatively, via the Information Standards Board. The authority will be contributing £50k in funds towards the data standards work being led by the ISB.

04	<p>The outputs from the Data Burden Study are not addressed by the appropriate owners, recommendations are not achievable, or other LSC priorities result in the inability to address issues in timely manner.</p>	<p><i>The information authority</i> is working with different stakeholders to agree firm actions plans. Where these are not forthcoming, the secretariat will escalate to the board.</p> <ul style="list-style-type: none"> <li>- The "Reducing the paper burden on providers" piece of work is currently being led by the authority.</li> <li>-The LSC has now nominated an owner for the issues relating to LSC processes and procedures.</li> <li>- Ofqual has agreed in principle to take a lead on the awarding body issues.</li> <li>- The Bureaucracy Reduction Group is addressing the Train to Gain issues.</li> <li>- <i>The information authority</i> is currently working with Connexions to determine how data demands can be streamlined.</li> </ul>
05	<p>(Related to issue 4). Failure to resolve this issue could result in there being even more confusion when the two new agencies (SFA and YPLA) are up and running.</p>	<p>Determine what is feasible within the next 12 months and start developing relationships with new bodies as they are formed.</p>
06	<p>There is a risk that <i>the information authority</i> could be viewed as being part of the LSC, as its relationship with the Data Service (seen as part of the LSC) strengthens. It could lose its reputation for being an independent authority and therefore threaten the confidence of the FE community.</p>	<p>Continue to draw on the cross -system experience of <i>the information authority</i> board and act as neutrally as possible.</p>