
Chair of the UK Statistics Authority, Sir Michael Scholar KCB

Alexandra Frean
Education Editor
The Times
1 Pennington Street
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7 January 2009

Dear Ms Frean

PRE-RELEASE ACCESS TO SCHOOL PERFORMANCE DATA

Thank you for your letter of today on behalf of education correspondents and editors.

The release of statistical information under embargo ahead of publication is constrained by the *Pre-Release Access to Official Statistics Order 2008* which came in to force on 1 December 2008. Under the *Statistics and Registration Service Act 2007*, the Statistics Authority is precluded from determining the rules for pre-release access. The lead responsibility for the Order rests with the Government; in this matter, the Cabinet Office.

You will see from the text of the Order (clause 14) that there is, in effect, no room for exceptions to be made to the 24 hour maximum. Bearing in mind the statutory nature of the prohibition, there is little that the Department for Children, Schools and Families, still less the UK Statistics Authority, could offer by way of flexibility.

The view of the UK Statistics Authority, following best international practice, is that there should be equal access for all to statistical information, both at the time of publication and subsequently. It follows from that view that we would not favour arrangements which gave access to selected media bodies a week or more ahead of Parliament or the public.

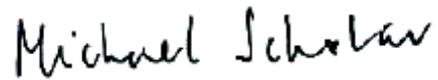
In view of the foregoing, I suggest that you should initiate a discussion with the DCSF and the Cabinet Office to consider further the best form and timing for the release of these statistics that will support the media and other users of statistics.

While I can understand your frustration with this change in the rules, the Statistics Authority does not have the statutory responsibility for, or power to determine, the rules on pre-release access to statistical information. Under the legislation, this is entirely a matter for Parliament to determine, and the current rules relating to embargoed access reflect the outcome of parliamentary consideration in 2008.

I understand that the Government will undertake a review of the new pre-release arrangements during the course of the next twelve months, and we will express our considered view at that time when the Authority will itself undertake its own review.

I am copying this letter as yours and also to David Deaton at the Cabinet Office. I will also make arrangements for your letter and this reply to be published on the Authority's website.

Yours sincerely

A handwritten signature in black ink that reads "Michael Scholar". The signature is written in a cursive, slightly slanted style.

Sir Michael Scholar KCB

Copies to:

David Bell, Permanent Secretary, DCSF

Malcolm Britton, Head of Profession for Statistics, DCSF

Lee Bailey, DCSF

David Deaton, Cabinet Office