

BREACH OF THE CODE OF PRACTICE FOR OFFICIAL STATISTICS

A breach of the Code of Practice for Official Statistics occurs where one or more provisions of the Code were not followed in situations where an exemption or exception had not been approved by the UK Statistics Authority's Head of Assessment, as required in paragraph (xii) of the Code's preamble. Rules on pre-release access to statistics are covered in the relevant Pre-Release Access to Official Statistics Orders; the Code applies as if it includes these orders.

1 Background Information

Name of Statistical Output (including web link if relevant)

Deaths involving *Clostridium difficile*, England and Wales, 2011 (released 22 August 2012)
www.ons.gov.uk/ons/rel/subnational-health2/deaths-involving-clostridium-difficile/2011/index.html

Deaths involving MRSA, 2007 to 2011 (released 22 August 2012)
www.ons.gov.uk/ons/rel/subnational-health2/deaths-involving-mrsa/2007-to-2011/index.html

Name of Producer Organisation

Office for National Statistics (ONS)

Name and contact details of person submitting this report, and date of report

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2 Circumstances of Breach

Relevant Principle/Protocol and Practice

Protocol 2: Release Practices, Practice 8: Accidental or wrongful release

Date of occurrence

21 August 2012

Nature of breach (including links with previous breaches, if any)

On 21 August, pre-release access to the two Statistical Bulletins and their associated datasets was given to individuals holding the posts listed on the published pre-release access list.

After the emails were sent at 09:30, an eligible recipient of this pre-release access in the Department of Health (DH) forwarded the material to an individual not eligible for pre-release access.

Reasons for breach

In July 2012, DH provided an updated list of individuals requiring pre-release access which was assumed to be correct. This list contained the same number of posts as the published list of recipients for the previous year's release and DH made no request for additional posts to granted pre-release access.

A key member of staff at DH had been omitted from this revised list, an omission that was not noted by either DH or ONS. When the pre-release access was distributed, an individual in DH forwarded the material on to this member of staff, assuming their omission from the distribution list was a clerical error.

3 Reactions and Impact

Although access was given to an individual who had not been granted pre-release access, the effect was minimal since this individual had signed a pre-release declaration and knew not to distribute or disclose the statistics. The individual who had received the statistics notified ONS promptly.

4 Corrective Actions Taken (include short-term actions, and long-term changes made to procedures)

An agreed process for the arrangement of pre-release access exists between ONS and DH. ONS will ensure that the name of pre-release co-ordinator is included on the pre-release list and a few days prior to publication, a final list of individuals to whom access is granted is circulated for confirmation by ONS. This process will be circulated to all staff.

Should DH require access for any additional posts, they will submit a business case to ONS (controllers of the pre-release access list) to request this.

When pre-release material is distributed, either by ONS or within DH, the existing wording included in the email will be strengthened to make it clear that the material should not be forwarded and that any queries around the distribution list should be directed to ONS.