

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)

National Labour Market Statistics (January 2012)

Name of Producer Organisation

Office for National Statistics (ONS)

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

Stephen Penneck, Director-General ONS

2 Circumstances of Breach

Relevant Principle/Protocol and Practice

Access to pre-release data: Protocol 2 Practice 7

Date of occurrence

17 January 2012

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

A ministerial briefing official at the Scotland Office shared the pre-release material with a member of his staff who was not an authorised pre-release recipient, and had not signed the Pre-Release Access (PRA) declaration.

Unauthorised pre-release access was given to the staff member, despite reminders from the Labour Market Statistics output manager, that he was not permitted to do this.

ONS have confirmed with the Scotland Office staff members involved that the data

were not shared further, and that pre-release access was not used for personal or political gain. The only other person the data were discussed with was the Secretary of State for Scotland, who is authorised to have pre-release access to these data.

Reasons for breach

The briefing official shared the data with his member of staff as he was unable to brief the Minister himself that day. He had not fully understood his responsibilities regarding pre-release access.

3 Reactions and Impact

ONS has found no evidence to suggest that unauthorised access to these data was given to anyone other than the briefing official's member of staff, and the Scotland Office has confirmed this.

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

Staff (including senior management) at the Scotland Office, which has no statisticians, and hence no Government Statistical Service (GSS) Head of Profession (HoP), have been reminded by ONS of their responsibilities regarding pre-release access.

The member of staff has been granted pre-release access, and has signed the ONS declaration, so that the briefing official has authorised support. The relevant Deputy Director has been named as the GSS HoP alternative, with responsibility for ensuring the security of pre-release statistics for ONS.

As there is no GSS HoP at the Scotland Office, ONS has reminded the Scotland Office that if they have any uncertainty over pre-release issues related to ONS statistics, they should contact the Director-General's Office at ONS.

The National Statistician has allowed the briefing official to continue to have pre-release access to ONS Labour Market Statistics.

5 Any other relevant supporting material (including link to published statements about this breach)

There are no published statements about this breach.