

BREACH OF THE CODE OF PRACTICE FOR OFFICIAL STATISTICS

This document reports a breach of the Code of Practice for Official Statistics, or the relevant Pre-release Access to Official Statistics Orders, to which the Code applies as if it included these orders.

All breach reports are published on the UK Statistics Authority's website and need to explain (clearly and concisely) what happened to cause the breach and what is being/has been done by the statistical Head of Profession (HoP) to ensure the risk of recurrence is minimised.

1. Background information

Name of Statistical Output (including weblink to the relevant output or 'landing page')

Northern Ireland Labour Market Statistics Bulletin – National Statistics (market sensitive) output:

http://www.detini.gov.uk/labour_market_press_release_-_january_2014_final_-2.pdf

Name of Producer Organisation

Department of Finance & Personnel (NISRA)

Name and contact details of the statistical Head of Profession (Lead Official in an Arm's Length Body) submitting this report, and date of report

James Gillan, Email: james.gillan@dfpni.gov.uk; Tel: 028 9052 9573

Report Completed on 24 January 2014

2. Circumstances of breach

Relevant Principle/Protocol and Practice

Protocol 2 (Release Practices); The Pre-release Access to Official Statistics Order (Northern Ireland) 2009

Date of occurrence

Breach occurred on 21 January 2014 – it was discovered on 23 January 2014

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

DEL officials do not receive Pre Release Access (PRA) to this output as a matter of course.

DEL Minister was booked to do two media interviews on 22 January (release day) relating to unemployment in Northern Ireland.

The DEL senior statistician requested PRA under the Pre-Release Access to Official Statistics Order NI (2009) Section 3(a)(i) and Sections 5(1)(b) & (2) i.e. the Minister was required to make a statement shortly after release.

DFP agreed to provide PRA to Northern Ireland (NI) level data. No UK level labour market information was provided.

Market sensitive declarations were signed by the senior statistician responsible for providing briefing, the Minister, the Special Advisor (SPAD), the Permanent Secretary and the Deputy Head of the Press Office.

DFP granted PRA to these individuals on that basis and amended DFP documentation to reflect the new list.

The senior statistician provided briefing at midday on the 21 to those on the PRA list. SPAD then used this briefing to produce her own analysis for the Minister's further information.

During the course of producing her briefing, SPAD requested further (already published) information from the senior statistician. She then summarised and resent for validation – but included two individuals in Employment Service (ES) who were not on the original PRA list for them to verify a statement relating to ES. One of these individuals was Head of policy in ES, the other a personal secretary. This email was not circulated any further subsequently by the recipients.

In this email one figure from the unreleased material was included – the fall over the year of the long-term unemployed by 4.7%.

The senior statistician had advised the Private Office that further queries relating to the previously published material could be addressed to her deputy as she was out of the office the next day. Once SPAD's email issued including this unpublished figure which had not been in previous versions, Private Office also then forwarded to the deputy who had not been given PRA.

In summary, 3 individuals not on the PRA list received one unpublished figure as a result of the email from SPAD.

On the afternoon of Tuesday 21 pm and Wednesday 22, the senior statistician was dealing with an emergency situation relating to another project.

On Thursday 23, on returning to her emails, she discovered the breach at 12.40 and alerted DFP at 13.29 after some preliminary investigation.

Reasons for breach

Declarations were completed. The briefing from DFP was clear in terms of the market sensitive nature of the material and the consequences of not adhering to the legislation.

The briefing from the senior statistician highlighted the DFP warning in red in both the covering email and the submission to Minister.

The subsequent queries from SPAD to the DEL statistician dealt with pre-published material only. The last email for clarification from SPAD was copied to ES as it included reference to numbers moving into work. This email also included one figure from the new release – a fall of 4.7% in the long term unemployed.

This was the breach and was due to human error of the part of the SPAD who did not distinguish between already-published figures and those still subject to PRA.

3. Reactions and impact (both within the producer body and outside)

None

4. Corrective actions taken to prevent reoccurrence of such a breach (include short-term actions, and long-term changes made to procedures)

The senior statistician informed the SPAD that she would be making a breach report and spoke to DEL Permanent Secretary to make him aware.

The Chief Statistician's office was alerted at the same time as the senior statistician of the producing organisation, 45 minutes after discovery.

In the short term, guidance will be provided to the person responsible for the breach. Also, details of the breach will be included on the relevant DFP statistics website. In the long term, NISRA will review in line with any UK Statistics Authority (UKSA) / Office for National Statistics (ONS) developments of procedures used to grant pre-release and to ensure that those receiving it acknowledge their responsibilities.

The guidance will be strengthened to ensure that individuals are aware of the implications of breaching pre release. Requests for pre release access to NI data will be required at least one week in advance of the release date. Requests for pre-release access to UK will be required at least 4 weeks in advance of the release date.

The DEL statistician discussed with the DEL Permanent Secretary who requested to be kept up-to-date with the outcome of DFP's response. DEL is supportive of the legislation – this was a human error during a particularly busy period.

James Gillan (Senior Principal Statistician) and Gerard Colgan (Principal Statistician) of NISRA will be responsible for implementing the actions noted above.

The corrective actions will be in place before the next monthly publication.

5. Links to published statements about this breach

<http://www.detini.gov.uk/deti-stats-index/stats-national-statistics.htm>