

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 web-link to the relevant output or 'landing page')

ONS Quarterly Public Sector Employment Bulletin Q2 2013 - National Statistic

Name of Producer Organisation

Office for National Statistics (ONS)

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

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2. Circumstances of breach

Relevant Principle/Protocol and Practice

Protocol 2 release practices

Practice 8: "Ensure that no indication of the substance of a statistical report is made public, or given to the media or any other party not recorded as eligible for access before publication. Report to the National Statistician immediately any accidental or wrongful release, and investigate the circumstances."

Date of occurrence

10 September 2013

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

A Press Officer in Cabinet Office sent an email to three colleagues, two of whom were not named on the pre-release access list, stating that there had been a slight increase in Civil Service employment numbers. Civil Service numbers are National Statistics contained within the Public Sector Employment Bulletin and therefore providing an indication of their direction of travel was a breach of pre-release protocols.

Reasons for breach

Cabinet Office has informed us that the Press Officer was asked by a colleague not on the access list for information relating to the pre-release statistics to feed into another piece of work. The Officer is aware that the statistics and the report were restricted and should not have been shared with anybody not on the access list but was less confident of the rules around supplying any indications of the content of the report.

The breach occurred despite the pre-release email sent by ONS stating that these were restricted statistics until 09.30 the following day. There were some issues with the pre-release email sent to Cabinet Office as the original email sent at 09:30 was quarantined by the Cabinet Office security firewall. This was due to a change in processes as the Public Sector Employment release was classified as Market Sensitive at the start of the year and additionally materials were added to the pre-release access pack that could not be password protected individually. The team sent a password protected zip file so that all elements of the release could be password protected. This zip file was quarantined. A second email had to be constructed at short notice containing only those elements that could be password protected separately to enable Cabinet Office to access the pre-release materials. The second email stated that the statistics were restricted until 09:30 the following day but, unfortunately, did not contain a specific warning, contained in the original email, stating that only those on the access list could see them and that wrongful release includes indications of the content. However the briefing materials sent to the press officer by the statistician at Cabinet Office did contain this warning.

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

The subject Statistician at Cabinet Office contacted the Statistician at ONS on press release day to inform us that the breach had occurred and to discuss the circumstances surrounding it. He assured us that he was confident that the breach was internal and did not involve the public or media. We informed the Departmental Security Officer of the breach.

The subject Statistician at Cabinet Office drafted the breach report and checked the wording with the Statistician at ONS prior to sending to the National Statistician's office.

The ONS output manager reviewed the pre-release emails that had been sent and the reasons for the specific warning not being included on the second email.

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

Processes for sending the pre-release access emails has been reviewed. The separate e-mail for Cabinet Office will be set up in advance and checked to ensure that all elements relating to pre-release access rules are included.

Pre-release e-mails are sent to all recipients with the following text:

“The National Statistician has asked me to emphasise that you have privileged access to these statistics in advance of their public release.

Until the time of the release, you must treat this information as 'RESTRICTED - STATISTICS', in accordance with Cabinet Office guidelines about information security.

Attempting to benefit from this information, or encouraging others to do so, could constitute an abuse of privilege and lead to criminal prosecution. You must report any accidental or wrongful release to me immediately. 'Wrongful release' includes indications of the content, including descriptions such as 'favourable' or 'unfavourable'.”

Pre-release access refresher training will be organised for all output managers for 2014. Director General's (DG) Office will also be working with the Departmental Security Officer to review the process for sending pre-release statistics to identify areas for improvement.

Cabinet Office have informed us that:

The Head of Profession at Cabinet Office will draft a note for the Chief Press Officer to cascade to all communications staff explaining the rules surrounding pre-release access to Official Statistics emphasising the importance of not providing any indications of the content of the report to anyone not on the pre-release access list.