

# Assessment of compliance with the Code of Practice for Official Statistics

## Statistics on Abortions

*(produced by the Department of Health)*

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### **About the UK Statistics Authority**

The UK Statistics Authority is an independent body operating at arm's length from government as a non-ministerial department, directly accountable to Parliament. It was established on 1 April 2008 by the *Statistics and Registration Service Act 2007*.

The Authority's overall objective is to promote and safeguard the production and publication of official statistics that serve the public good. It is also required to promote and safeguard the quality and comprehensiveness of official statistics, and good practice in relation to official statistics.

The Statistics Authority has two main functions:

1. oversight of the Office for National Statistics (ONS) – the executive office of the Authority;
2. independent scrutiny (monitoring and assessment) of all official statistics produced in the UK.

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## ASSESSMENT AND DESIGNATION

The *Statistics and Registration Service Act 2007* gives the UK Statistics Authority a statutory power to assess sets of statistics against the *Code of Practice for Official Statistics*.

Assessment will determine whether it is appropriate for the statistics to be designated as National Statistics.

Designation as National Statistics means that the statistics comply with the *Code of Practice*. The *Code* is wide-ranging. Designation can be interpreted to mean that the statistics: meet identified user needs; are produced, managed and disseminated to high standards; and are explained well.

Designation as National Statistics should not be interpreted to mean that the statistics are always correct. For example, whilst the *Code* requires statistics to be produced to a level of accuracy that meets users' needs, it also recognises that errors can occur – in which case it requires them to be corrected and publicised.

Assessment reports will not normally comment further on a set of statistics, for example on their validity as social or economic measures. However, reports may point to such questions if the Authority believes that further research would be desirable.

Assessment reports typically provide an overview of any noteworthy features of the methods used to produce the statistics, and will highlight substantial concerns about quality. Assessment reports also describe aspects of the ways in which the producer addresses the 'sound methods and assured quality' principle of the *Code*, but do not themselves constitute a review of the methods used to produce the statistics. However the *Code* requires producers to "seek to achieve continuous improvement in statistical processes by, for example, undertaking regular reviews".

The Authority may grant designation on condition that the producer body takes steps, within a stated timeframe, to fully meet the *Code's* requirements. This is to avoid public confusion and does not reduce the obligation to comply with the *Code*.

The Authority grants designation on the basis of three main sources of information:

- i. factual evidence and assurances by senior statisticians in the producer body;
- ii. the views of users who we contact, or who contact us, and;
- iii. our own review activity.

Should further information come to light subsequently which changes the Authority's analysis, it may withdraw the Assessment report and revise it as necessary.

It is a statutory requirement on the producer body to ensure that it continues to produce the set of statistics designated as National Statistics in compliance with the *Code of Practice*.

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# 1 Summary of findings

## 1.1 Introduction

- 1.1.1 This is one of a series of reports<sup>1</sup> prepared under the provisions of the *Statistics and Registration Service Act 2007*<sup>2</sup>. The Act requires all statistics currently designated as National Statistics to be assessed against the *Code of Practice for Official Statistics*<sup>3</sup>. The report covers the set of statistics reported in *Abortion Statistics, England and Wales*<sup>4</sup> (*Abortion Statistics*), produced by the Department of Health (DH).
- 1.1.2 Section 3 of this report adopts an ‘exception reporting’ approach – it includes text only to support the Requirements made to strengthen compliance with the Code and Suggestions made to improve confidence in the production, management and dissemination of these statistics. This abbreviated style of report reflects the Head of Assessment’s consideration of aspects of risk and materiality<sup>5</sup>. The Assessment team nonetheless assessed compliance with all parts of the *Code of Practice* and has commented on all those in respect of which some remedial action is recommended.
- 1.1.3 This report was prepared by the Authority’s Assessment team, and approved by the Board of the Statistics Authority on the advice of the Head of Assessment.

## 1.2 Decision concerning designation as National Statistics

- 1.2.1 The Statistics Authority judges that the statistics covered by this report are readily accessible, produced according to sound methods and managed impartially and objectively in the public interest, subject to any points for action in this report. The Statistics Authority confirms that the statistics published in *Abortion Statistics* can be designated as National Statistics.

## 1.3 Summary of strengths and weaknesses

- 1.3.1 *Abortion Statistics* is a well-presented, clear and informative release. DH has published a number of other documents, for example about the use of the statistics and details of data quality checks which could usefully be incorporated into (or linked from) the release. The statistical team carried out a detailed review in 2010 of the abortion statistics collection and production process in preparation for assessment. The review identified 27 recommendations, most of which have been implemented.

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<sup>1</sup> <http://www.statisticsauthority.gov.uk/assessment/assessment-reports/index.html>

<sup>2</sup> [http://www.opsi.gov.uk/Acts/acts2007/pdf/ukpga\\_20070018\\_en.pdf](http://www.opsi.gov.uk/Acts/acts2007/pdf/ukpga_20070018_en.pdf)

<sup>3</sup> <http://www.statisticsauthority.gov.uk/assessment/code-of-practice/index.html>

<sup>4</sup> [http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsStatistics/DH\\_126769](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsStatistics/DH_126769)

<sup>5</sup> <http://www.statisticsauthority.gov.uk/assessment/assessment/guidance-about-assessment/criteria-for-deciding-upon-the-format-of-an-assessment-report.pdf>

1.3.2 Abortion statistics are unusually sensitive and of considerable interest to the media and pressure groups. DH takes great care to ensure highest levels of confidentiality protection for the statistics and is reviewing its methods for the statistical disclosure control of abortion statistics.

#### **1.4 Detailed recommendations**

1.4.1 The Assessment team identified areas where it felt that DH could strengthen its compliance with the *Code*. DH addressed these issues through the course of assessment in discussion with the Assessment team.

## 2 Subject of the assessment

- 2.1 The *Abortion Act 1967*<sup>6</sup> permits termination of a pregnancy by a registered medical practitioner and requires the certification and notification of abortion procedures. A registered practitioner is legally required to notify the Chief Medical Officer of an abortion within 14 days of the termination, whether carried out in the National Health Service or an approved independent sector service. The information is collected using electronic or paper forms and sent to DH.
- 2.2 *Abortion Statistics* is published annually in May and reports on abortions carried out in the previous year in England and Wales. Statistics on abortions were published in the *Statistical Review of England and Wales, Supplement on Abortion* published by the Office of Population Censuses and Surveys between 1968 and 1973 and in *Health Statistics Quarterly* published by the Office for National Statistics (ONS) between 1974 and 2001. In 2002 responsibility for publishing abortion statistics transferred to DH. The assessment of statistics on abortions in Scotland, produced by the Information Services Division of NHS National Services Scotland, has been published in Assessment report number 121.
- 2.3 *Abortion Statistics* contains numbers and rates of legal abortions by a range of variables including gestation length, type of abortion procedure and general demographics. Individual level data are supplied by DH to ONS under legislation to produce statistics on conceptions. ONS publishes quarterly statistics on the percentage of conceptions terminated by abortion in *Vital Statistics: Population and Health Reference Tables*<sup>7</sup> and until August 2011 also published quarterly statistics on the number and rate of abortions. The discontinuation of the table showing numbers and rates of abortions was due to lack of user demand<sup>8</sup>.
- 2.4 Abortion is a sensitive issue. Until recently DH applied the National Statistician's disclosure control guidance to protect private information about individual persons. The guidance was applied to the statistics presented in *Abortion Statistics* and to responses to Parliamentary Questions and Freedom of Information (FOI) requests. In April 2011 the High Court handed down a judgment relating to DH's application of the guidance to an FOI request for statistics on abortions associated with fetal abnormalities, and ordered DH to release the information. As a result, DH is currently working with ONS to develop a revised disclosure control protocol for abortion statistics. Until the revised protocol is published, DH is reviewing the disclosure risks associated with FOI requests for each individual case.
- 2.5 Statistics on abortions are used to inform the monitoring and evaluation of government policies and local services. Particular value is attached to statistics on the proportion of NHS-funded abortions carried out before 10 weeks

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<sup>6</sup> <http://www.legislation.gov.uk/ukpga/1967/87/contents>

<sup>7</sup> <http://www.ons.gov.uk/ons/rel/vsob1/vital-statistics--population-and-health-reference-tables/autumn-2011-update/index.html>

<sup>8</sup> <http://www.ons.gov.uk/ons/rel/vsob1/vital-statistics--population-and-health-reference-tables/autumn-2011-update/rpd-future-changes-to-tables.pdf>



gestation, repeat abortions in women aged under 25 and the under 18 conception rate. The information is also used by:

- DH and the Welsh Government - to monitor compliance with abortion legislation, including ensuring clinics are adhering to their registration authorisation;
- ONS - to derive conception statistics;
- Parliament - to review the application of abortion legislation and to assess the effectiveness of sexual health services and government policies;
- Chief Medical Officers for England and Wales - to provide medical advice to the government relating to sexual health and maternity policy and services;
- Local commissioners - to plan, develop and evaluate local sexual services, often assisted by Public Health Observatories<sup>9</sup> who undertake secondary analysis and provide further information; and
- Special interest groups and the public - to inform debate about abortion-related matters.

2.6 DH told us that it cost approximately £300,000 annually to process the notification forms and produce statistics on abortion.

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<sup>9</sup> <http://www.apho.org.uk/>

### 3 Assessment findings

- 3.1 DH has published a policy<sup>10</sup> on disclosure and confidentiality. The policy mentions abortions statistics and notes that DH follows the guidance given in the advisory report on disclosure<sup>11</sup> published in 2005 by ONS. Following the judgement by the High Court in April 2011 (see paragraph 2.4), DH has been working with ONS to develop a revised disclosure control protocol for abortion statistics and have included details in the policy on disclosure and confidentiality of when DH will provide an update for users on progress with this work.
- 3.2 *Abortion Statistics* includes some good commentary and contextual information – particularly about the relevant legislation. DH has published a document<sup>12</sup> on the use of abortion statistics but has not included any information, explaining how the statistics are used to monitor and improve sexual health services as well as monitoring compliance with the legislation, in the statistical release. DH has also published a document<sup>13</sup> describing the quality assurance checks on the data although no information about the checks is included in the release. DH should provide links to published documents on use and quality to aid user interpretation of the statistics. A link to statistics on abortions in Scotland is given in the annex of *Abortion Statistics* although the release may benefit from some comparisons with statistics on abortions for Scotland, Wales and Northern Ireland to provide a UK context. We suggest that DH consider these and other points detailed in annex 2 prior to publication of *Abortion Statistics 2011* due for release in May 2012.
- 3.3 Statisticians in DH carry out checks on the number of forms received from each clinic to determine whether they are in line with expectations, based on numbers from previous periods and known seasonality in the data. A review of abortion statistics processing carried out by DH in 2010 recommended carrying out further consistency checks with other sources of data to assess and improve quality; DH told us this work was ongoing. We suggest that DH publish a summary of the work being undertaken, and the results of this work once complete.
- 3.4 Statistics on abortions are presented by Primary Care Organisation (PCO) for England, and Local Health Boards for Wales. DH told us that as a result of health reforms, PCOs will be abolished and that it proposes to publish statistics at local authority level. DH is considering carrying out a formal consultation with users on the impact of health reforms on user requirements, particularly in terms of output geographies. We suggest that DH inform users of plans for the consultation.

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<sup>10</sup> <http://www.dh.gov.uk/en/Publicationsandstatistics/Statistics/CodeOfPractice/index.htm>

<sup>11</sup> [http://webarchive.nationalarchives.gov.uk/+/www.dh.gov.uk/en/Publicationsandstatistics/Statistics/CodeOfPractice/DH\\_4130927](http://webarchive.nationalarchives.gov.uk/+/www.dh.gov.uk/en/Publicationsandstatistics/Statistics/CodeOfPractice/DH_4130927)

<sup>12</sup> [http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_130259](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_130259)

<sup>13</sup> [http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_4063863](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4063863)

- 3.5 *Abortion Statistics* does not include name and contact details of the responsible statistician. DH have an exemption from Protocol 2 Practice 6 of the *Code* for security reasons<sup>14</sup>.
- 3.6 In 2010 DH granted 21 people access to *Abortion Statistics* in its final form, prior to its release.

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<sup>14</sup> <http://www.statisticsauthority.gov.uk/assessment/code-of-practice/exemption-requests/exemption-request---dh---191211.html>

## Annex 1: Suggestions for improvement

A1.1 This annex includes some suggestions for improvement to DH's statistics on abortions, in the interest of the public good. These are not formally required for designation, but the Assessment team considers that their implementation will improve public confidence in the production, management and dissemination of official statistics.

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|---------------------|--|
| <b>Suggestion 1</b> | Consider the points raised in paragraph 3.2 and other points detailed in annex 2, prior to publication of <i>Abortion Statistics 2011</i> due for release in May 2012. |
| <b>Suggestion 2</b> | Publish details of the work to develop further consistency checks on data received from clinics (para 3.3).  |
| <b>Suggestion 3</b> | Inform users of plans for a consultation on output geographies (para 3.4).   |

## **Annex 2: Compliance with Standards for Statistical Releases**

A2.1 In October 2010, the Statistics Authority issued a statement on *Standards for Statistical Releases*<sup>15</sup>. Whilst this is not part of the *Code of Practice for Official Statistics*, the Authority regards it as advice that will promote both understanding and compliance with the *Code*. In relation to the statistical releases associated with Abortion Statistics, this annex comments on compliance with the statement on standards.

A2.2 In implementing any Requirements of this report (at paragraph 1.5) which relate to the content of statistical releases, we encourage the producer body to apply the standards as fully as possible.

### **Appropriate identification of the statistics being released**

A2.3 The title of the release describes the coverage and period to which the latest statistics relate and the frequency.

A2.4 The introduction to the release explains the contents of the release and the legislative context for the statistics.

A2.5 The release includes the name of the department but no contact details for the responsible statistician.

### **Include commentary that is helpful to the non-expert and presents the main messages in plain English**

A2.6 The release contains commentary which identifies the main messages and a summary section at the beginning of the release which highlights some of the key points.

A2.7 The release includes a range of tables and charts to present the statistics. The text contains descriptive statements about recent changes in the statistics but little additional contextual information. For example, no additional information is given to explain the increase in the abortion rate since 1970 shown in Figure 1 of the 2010 release.

### **Use language that is impartial, objective and professionally sound**

A2.8 The text is impartial.

A2.9 The language used is generally clear and non-technical although the description of confidence intervals is potentially confusing as it does not explain clearly the meaning of confidence intervals around estimates which are not derived from a sample. The text uses some technical terms such as 'the observed values in this report are the outcome of a stochastic process'.

A2.10 The description of the process for age standardising abortion rates is good although no information is given about why this is necessary.

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<sup>15</sup> <http://www.statisticsauthority.gov.uk/news/standards-for-statistical-releases.html>

### **Include information about the context and likely uses**

A2.11 The release contains useful information explaining the legislative context in which the statistics have been collected. DH has published a document which explains the users and uses of abortion statistics although none of this information is included in the release itself.

### **Include, or link to, appropriate metadata**

A2.12 The release contains useful information about data quality and the methods used to produce the statistics, including an explanation of why revisions are not made and a table which shows the size of the revisions change. DH has published a document which contains detailed information about its procedures for processing and assuring the quality of the data included in the forms, although a link to this document is not provided in the release.

A2.13 A link to the statistical release on abortions in Scotland is given in the annex to the release although there is no mention of the figures for Scotland or Northern Ireland nor how they compare to those in England and Wales.

## **Annex 3: Summary of assessment process and users' views**

A3.1 This assessment was conducted from September 2011 to January 2012.

A3.2 The Assessment team – Catherine Barham and Emily Gleeson – agreed the scope of and timetable for this assessment with representatives of the DH in September. The Written Evidence for Assessment was provided on 28 September. The Assessment team subsequently met DH during November to review compliance with the *Code of Practice*, taking account of the written evidence provided and other relevant sources of evidence.

### **Summary of users contacted, and issues raised**

A3.3 Part of the assessment process involves our consideration of the views of users. We approach some known and potential users of the set of statistics, and we invite comments via an open note on the Authority's website. This process is not a statistical survey, but it enables us to gain some insights about the extent to which the statistics meet users' needs and the extent to which users feel that the producers of those statistics engage with them. We are aware that responses from users may not be representative of wider views, and we take account of this in the way that we prepare assessment reports.

A3.4 The Assessment team received 6 responses from the user consultation. The respondents were grouped as follows:

NHS	2
Devolved Administrations	1
Central government	1
Special interest group	1
Other	1

A3.5 Users were content that the published statistics meet their needs and are satisfied with the presentation of them, although there was a request for DH to publish data for local authorities. The users were positive about the nature of engagement with the producer team.

### **Key documents/links provided**

Written Evidence for Assessment document





