

## 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)

Scottish Inpatient Patient Experience Survey 2010 National Report

Name of Producer Organisation

Scottish Government

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

Elaine Drennan  
Health Analytical Services  
Scottish Government  
B-R St Andrew's House  
Edinburgh EH1 3DG  
Telephone: 0131 244 5431;  
e-mail: Elaine.drennan@scotland.gsi.gov.uk

### 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

24/9/2010

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

NHS Boards were provided with pre-release access on Friday 24 September 2010 to the Scottish Inpatient Patient Experience Survey 2010 National Report which was published on Tuesday 28 September 2010. The pre-release access was limited to the Board chief

executives, communication leads and Better Together patient experience programme leads. The personal assistant of one of the recipients of the pre-release access forwarded the statistics to the programme's steering group within their Board in error. This steering group included Scottish Government staff (who also had pre-release access) so we were aware of the breach immediately.

#### Reasons for breach

This breaches protocol 2.8 because people had access to the statistical report that were not recorded as being eligible for access before publication.

### **3 Reactions and Impact**

There has been no impact beyond the people who were not recorded as eligible for pre-release access having access. Fortunately the breach occurred on a Friday afternoon before a local Monday holiday so most people that the statistics were forwarded to will not have seen the email until Tuesday 28 September when the statistics were published.

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

We were aware of the breach immediately and sent an email to everyone explaining that they should not have had access to the report, and asking them to delete the email and destroy any paper copies if they had printed it.

The person responsible for the breach has been reminded of their responsibilities when dealing with pre-release statistics and they will take this on board in future.

We are conducting a review of pre-release access to individuals outwith Scottish Government. In future we are planning to use a non-disclosure agreement to be signed by pre-release recipients that clearly outlines their responsibilities.

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