

Annual Review of Authority Casework 2018/19

September 2019



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Introduction

The Statistics and Registration Service Act 2007 places a statutory requirement on the UK Statistics Authority to promote, monitor and safeguard the production and publication of official statistics that serve the public good. The Authority's casework function plays an important role in building public confidence in the production and use of official statistics and thus supports the Authority's statutory requirements to operate for the public good.

What is casework?

One of the Authority's key roles is to use our voice to stand up for statistics and to represent the public, monitoring and reporting publicly where we have concerns about the dissemination and use of statistics and highlighting good practice. Casework is the tool that best allows us to be responsive and investigate issues quickly as they arise.

There are two main routes to an issue becoming casework:

- we identify the issue
- someone brings the issue to our attention

The Authority's interventions guidance¹, published in 2017, explains how cases are brought to our attention and the factors we consider in determining if and how to intervene. The topics covered by casework can be varied, for example, around misuse of statistics, or questions may be posed about an aspect of the quality or presentation of a set of statistics.

The role of the Office for Statistics Regulation

The Office for Statistics Regulation (OSR) was established in 2016 following the Bean Review of Economic Statistics. OSR operates independently of the Office for National Statistics, separating the role of assessing and monitoring statistics from the Authority's production arm. In addition to its assessment and monitoring role, OSR sets the Code of Practice for Statistics, and is responsible for investigating casework.

2018/19 in Casework

Over the past year, the Authority investigated 104 pieces of casework. This represents an increase in the total volume of casework processed by the Authority compared with previous years, however the subject and impact of our correspondence has been largely consistent.

As the following analysis sets out:

- 52 per cent of cases were regarding the use/misuse of statistics; the remaining 48 per cent were in relation to the Code of Practice for Statistics².
- approximately a quarter of all concerns were regarding health and care data;

¹ [The Authority's role in making public interventions on the use of statistics, October 2017](#)

² [Code of Practice for Statistics](#)

- iii. following Sir David Norgrove's letter to the Education Secretary in October 2018, there was a marked increase in references made to the Authority's casework in Parliamentary debate, particularly regarding the Authority's criticism of that Department's statistical practice.

This is the second Annual Review of Authority Casework report to be published by the Authority and has been produced in the interests of providing greater transparency around the casework process. This is part of an overall intention to provide more information and clarity around casework.

Analysis

Quantity and substance of issues raised

1. A total of 837 substantive issues have been raised with the Authority during the period 1 April 2008 to 31 March 2019. **Chart 1** shows the trend over this period.
2. A total of 104 issues were investigated by the Authority between 1 April 2018 and 31 March 2019. This is a 22 per cent increase compared with the previous year, and 37 per cent higher than the 2008-2019 average (mean).
3. The number of concerns investigated by the Authority climbed over the course of the year; from 33 between April and September (inclusive), to 71 between October and March.
4. 19 per cent of cases were self-generated and raised internally. This represents 20 cases for the year, 70 per cent of which were concerning the use/misuse of statistics, almost entirely by Parliamentarians and government. The remaining 81 per cent of casework was raised by external parties.

Casework complaints are broadly split into two categories – use/misuse of statistics, and compliance with the Code of Practice for Statistics.

Use/misuse is the most common issue – where statistics have been used inappropriately or incorrectly in public debate (whether deliberately or not).

Code compliance assesses whether official statistics have been produced and presented in a way that the Code of Practice would expect. If not, we'll make recommendations for improvement.

5. 52 per cent of issues raised related to use/misuse of statistics, with the remaining 48 per cent in relation to compliance with the Code. As Chart 2 shows, of the casework that related to Code compliance, 'Quality, Reliability and Trustworthiness' and 'Presentation' were the themes most commonly raised, representing 70 per cent of cases.
6. Of the 104 issues investigated by the Authority, 13 were upheld in full. Approximately half of all cases were judged to have at least some merit, and were either upheld, partially upheld or resulted in the Authority making recommendations for change to the aggrieving party/organisation. 14 cases were dismissed following investigation. There was also a small number of cases that were judged by the Authority as out of the scope of its remit following initial investigation.

CHART 1: ISSUES RAISED WITH THE AUTHORITY, 2008/09 - 2018/19 (NUMBER OF CASES)

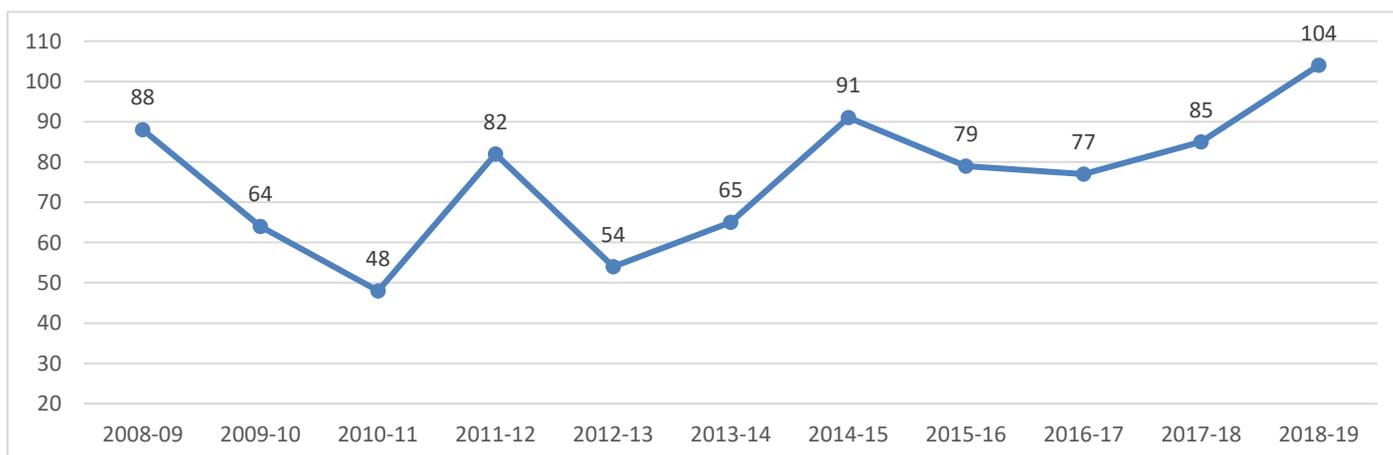
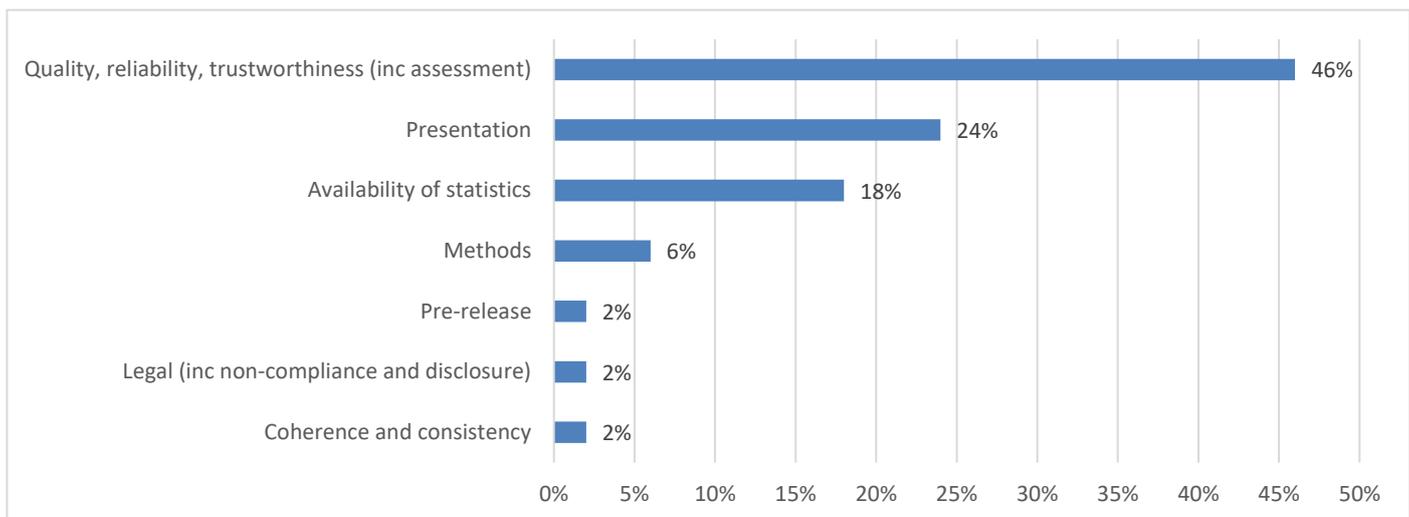


CHART 2: CASES RELATING TO CODE COMPLIANCE, PRIMARY SUBSTANCE, 2018/19 (PERCENTAGE)

Casework response times

You'll see on our website that we publish a lot of formal letters in relation to our casework. But this isn't the only way we respond.

We also follow up privately on a lot of issues, either writing or emailing with stakeholders and departments, or finding resolutions through meetings and discussions.

We maintain a record of our casework on the [Issues Log](#) on our website.

7. The mean response time in 2018/19 for the 90 pieces of casework for which there was a written outcome was 30 days, which is slightly above (although consistent with) previous years. Since 2008, the average time to respond to an item of casework has been 28 days, and in 2017/18 the average time to respond was 29 days.
8. As shown in **Table 1** below, by percentage of total cases to which a response was sent, the majority of cases (64 per cent) were resolved in 30 days or less, with 23 per cent responded to within 10 days.
9. The mean number of days taken for a response by letter was 42 days if the letter was also published on the Authority website, whereas a letter that wasn't published took an average of 30 days to send to a correspondent. An unpublished email response took on average 22 days.
10. Different types of issues raised with the Authority take varying amounts of time to fully investigate and respond to. Issues relating to statistical methodology took the least amount of time for the Authority investigate and respond to, averaging 22 days, whereas issues around quality, reliability and trustworthiness took the longest with a mean of 38 days. Casework concerning the use/misuse of statistics, the most common issue type, took an average of 26 days.
11. The time taken to respond to a piece of casework can relate to a number of factors, such as complexity and urgency of the issue. A delay to a response can also be the result of external factors, for example, waiting for an upcoming publication before a judgement can be made, or the requirement to conduct a wider compliance check or review.
12. The shortest response times typically relate to frequently raised subjects, or specific issues on which OSR has already conducted much of the investigation previously. Examples of this include a case on inpatient waiting-time statistics in Scotland and another on claims relating to the number of children in good or outstanding schools (see paragraph 25). In addition, cases raised with the Authority that, after

short investigation, are found to lie beyond the scope of its remit are also closed shortly after they are opened.

13. The longest response times typically relate to cases where the issue is very complex, where engagement during the investigation stage is held up by slow replies to the Authority, or where full closure of the case is delayed by a recommended change to statistical policy.
14. If a piece of casework is likely to require a significant investigation time – such as over a month – the team will usually issue a holding response, and where appropriate, provide incremental updates on the case investigation. The days to respond measure applies to the date that the final response is sent, and the case is considered closed.

CHART 3: MEAN CASEWORK RESPONSE TIMES IN DAYS, 2008/9 - 2018/19

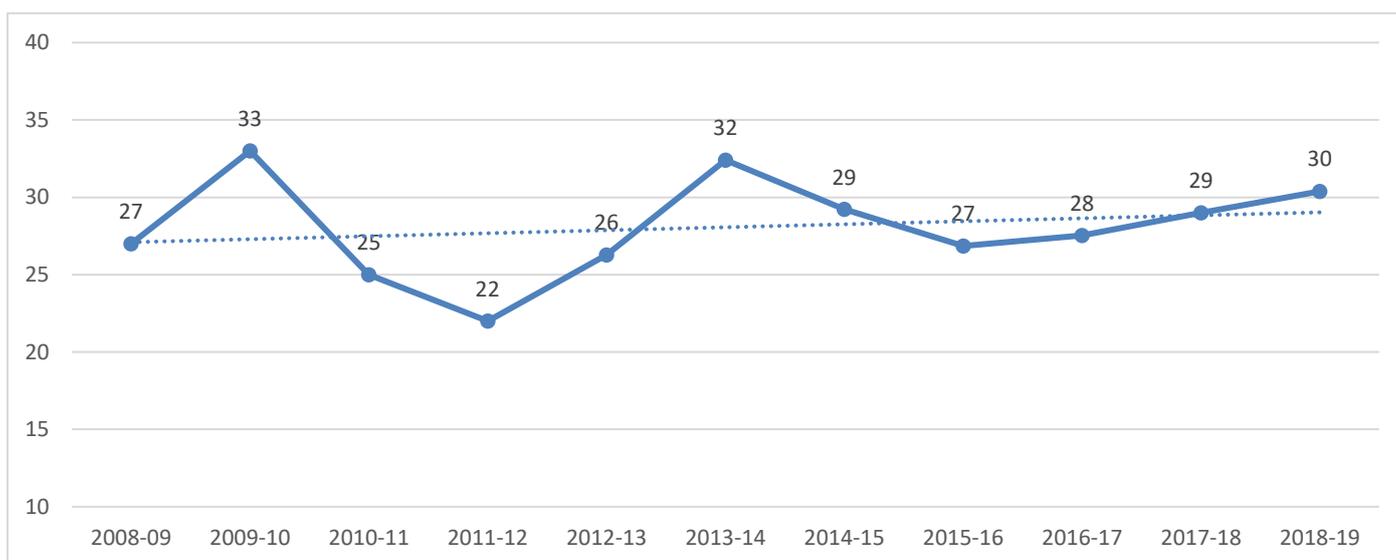


TABLE 1: BREAKDOWN OF CASEWORK RESPONSE TIMES IN DAYS (TOTALS AND PERCENTAGES)

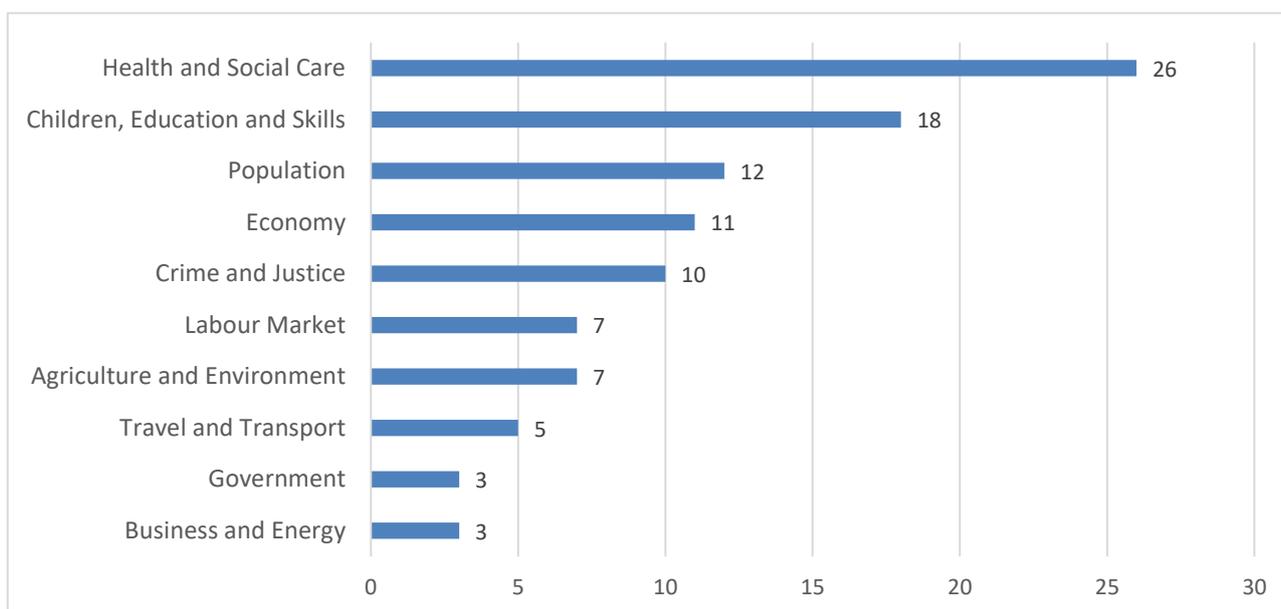
Casework Response Time (Days)	Totals	Cumulative Totals	Percentages	Cumulative Percentages
0-10	24	24	23%	23%
11-20	23	47	22%	45%
21-30	20	67	19%	64%
31-40	15	82	14%	78%
41-50	6	88	6%	84%
51-100	12	100	12%	96%
101+	4	104	4%	100%

Themes by domain

15. **Chart 5** shows the general themes of casework from 2018/19. These themes broadly correlate to the Office for Statistics Regulation domains.
16. The theme of 'Health and Social Care' accounted for 25 per cent of all pieces of casework processed by the Authority. The proportion of cases on this subject is almost identical to that of the previous year and reflects that interest in Health and Social Care statistics has been maintained since the significant increase that was seen last year.

17. Although one in four cases brought to the Authority's attention were on the subject of Health and Social Care statistics, four of the 26 cases concerned the Department of Health and Social Care. The rest of the cases related primarily to NHS bodies, the Office for National Statistics, other Government Departments and the Scottish Government.
18. The second most common theme about which concerns were raised was 'Children, Education and Skills' (17 per cent). This was 16 per cent of all casework for the previous year, having fallen from the 3-year peak of 22 per cent in 2016/17. Nevertheless, in nominal terms, there was one more case on this subject than in 2016/17, reflecting a consistently robust interest in statistics concerning children and education. It is, however, noteworthy that 11 of the 18 cases received on the subject were either at least partially upheld or elicited recommendations for change from the Authority's judgement.
19. The proportion of casework relating to the Economy, which saw a marked decline from 21 per cent in 2016/17 to 12 per cent in 2017/18, declined slightly further again while 'Crime and Justice'-themed cases rose by a similar margin.

CHART 4: PRIMARY CASEWORK THEMES, 2018/19 (NUMBER OF CASES)

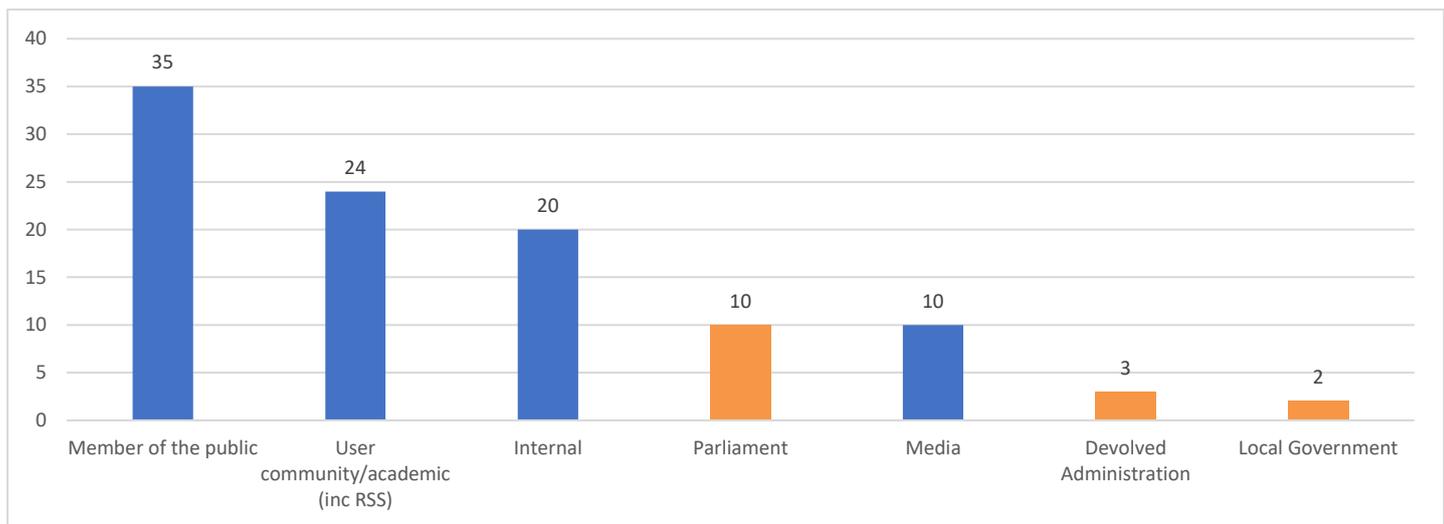


Parliament and Government

20. 10 cases were raised by parliamentarians in Westminster, including Government Ministers. In addition, there were three cases from parliamentarians from the Devolved Administrations and two from representatives of Local Government, as can be seen in **Chart 6**. In total, this represents 14 per cent of total casework, which is comparable with the previous year.
21. 53 per cent of parliamentary casework was in relation to the use or misuse of statistics. Of the remaining 47 per cent relating to Code compliance, one third of these were in relation to the quality, reliability and/or trustworthiness of statistics.
22. The most common themes in Parliamentary casework were population statistics; economic statistics; health and social care; and children, education and skills.
23. 11 of the 15 cases received a formal written letter that was also published on the Authority website, which includes all 10 of those originating from Westminster. The four other Parliamentary cases were responded by email and recorded on the Issues Log. Of the 15 cases, six were upheld or recommendations for change were made. The remaining cases were not upheld or were considered outside of the Authority's remit.

24. The Authority Chair wrote publicly to parliamentarians on 13 occasions in relation to casework raised during this period. 10 of those letters were in relation to use or misuse of statistics, with the remaining three letters relating to the presentation, quality or availability of official statistics. Of the ten cases on use/misuse, five of these upheld the complaints, with the other half not upheld or considered out of scope. Four of the upheld complaints were addressed to Labour MPs, and one to a Government minister.

CHART 5: CASEWORK BY SOURCE, 2018/19 (NUMBER OF CASES)



Parliamentary impact of casework

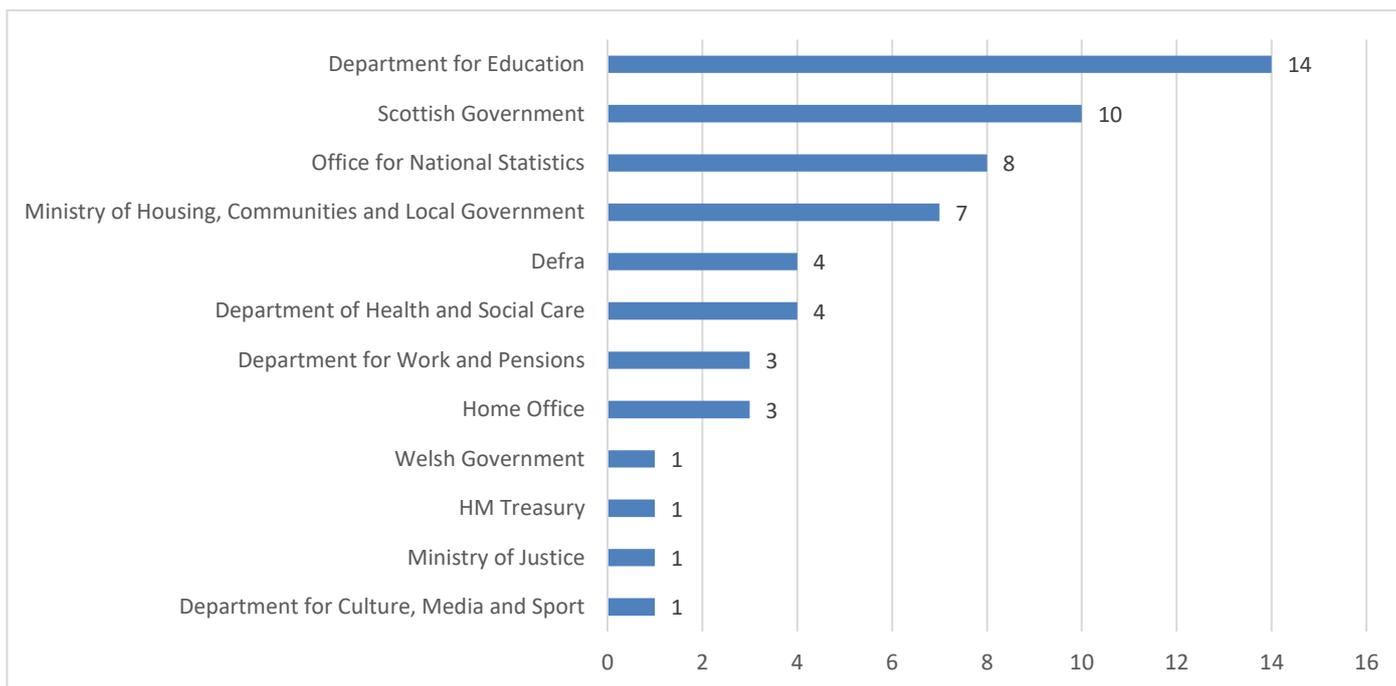
25. There was one primary high-profile intervention during 2018/19 concerning the Department for Education (DfE). This was raised internally and resulted in formal published letters being sent by the Authority Chair and Director General for Regulation to the Secretary of State³, Permanent Secretary⁴ and Head of Profession⁵ of that Department.
26. This was part of an ongoing investigation into statistics and statistical claims being made by senior representatives of the Department, the result of which included four letters sent from the Authority to raise 'serious concerns about [DfE's] presentation and use of statistics.' All four of these interventions were logged as casework outcomes for the previous annual review.
27. There have been 18 references to the letters to the Department for Education in Parliamentary business and debate.
28. A reference to the Authority's engagement with DfE was made by the Leader of the Opposition, Jeremy Corbyn⁶, in Prime Minister's Questions.
29. Mentions of the Authority's interventions on education have been present in parliamentary debates in every month from October 2018 until April 2019 (excluding December, although Parliamentary recess should be taken into consideration for this month).

³ [Sir David Norgrove to Rt Hon Damian Hinds MP, October 2018](#)

⁴ [Ed Humpherson to Jonathan Slater, October 2018](#)

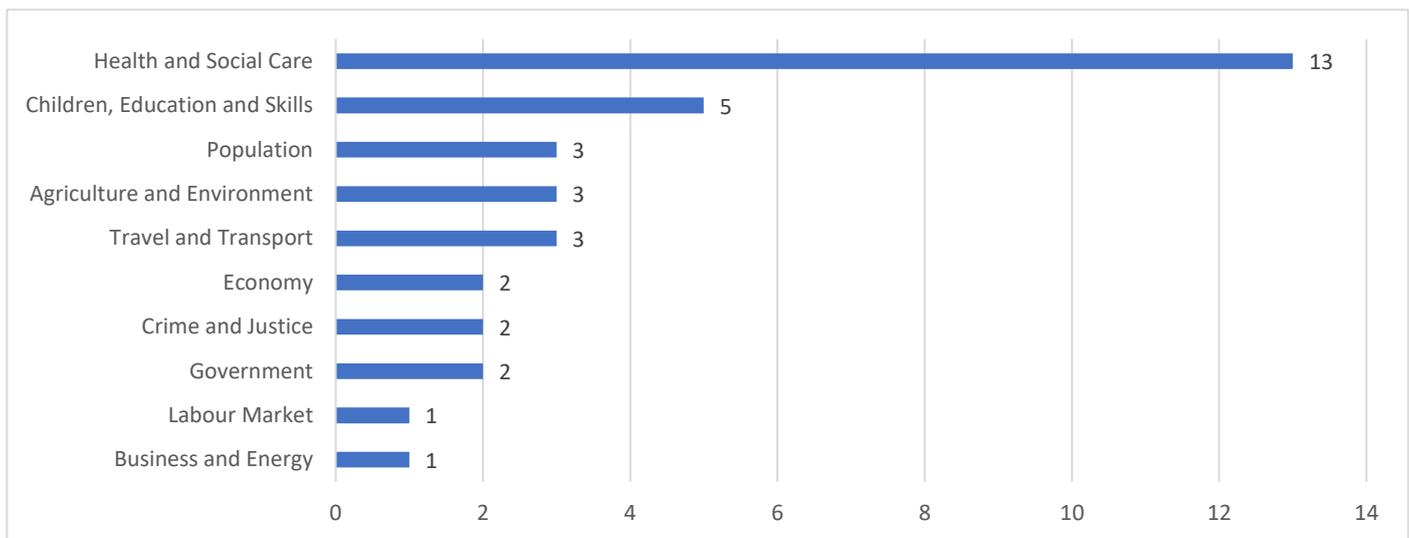
⁵ [Ed Humpherson to Neil McIvor, October 2018](#)

⁶ [Hansard - 16 January 2019](#)

CHART 6: CASEWORK BY DEPARTMENTAL RESPONSIBILITY, 2018/19 (NUMBER OF CASES)

Casework from members of the public

30. 35 cases were raised by a member of the public in 2018/19, which equates to 34 per cent of all casework for the year. This represents a small increase in the number of cases raised by the public compared with the year before, although this is smaller than the percentage increase in the total number of cases.
31. Casework from the public generally aligned with the overall trends in casework for 2018/19. The top theme in public casework was Health and Social Care (37 per cent). 62 per cent of these were in relation to the use/misuse of statistics.
32. The average time to respond to cases raised by members of the public was 33 days, an increase of two days compared with 2017/18, but broadly comparable.
33. In the period 2018/19, 20 per cent of cases raised with the Authority by members of the public received a published formal response, and 43 per cent received a private informal (email) response which were subsequently recorded on the Issues Log.
34. By comparison, 32 per cent of total casework received a published formal response, regardless of the source, and 28 per cent received a private informal response. This reflects the tendency of the Authority to reply to casework brought by members of the public in a less public and formal manner than, for example, Parliamentarians.

CHART 7: CASEWORK FROM MEMBERS OF THE PUBLIC BY SUBJECT, 2018/19 (NUMBER OF CASES)

Internally-raised casework

A lot of our casework is brought to us by third parties.

But we don't just wait for an issue to be raised with us before we take something on as casework. This year 19 per cent of our casework was generated internally.

Internal casework is generated through our own monitoring of public debate, the media and social media. If we spot a claim or a debate that doesn't look quite right, we'll investigate it and if needs be, raise it with the relevant parties.

35. 20 out of the 104 cases brought to the Authority in 2018/19 were raised internally, which by proportion amounts to approximately one in five (19 per cent). Three of 85 cases (four per cent) were generated internally in the previous year, therefore while the total number of cases increased by 22 per cent on the previous year, the number of internal casework increased by well over 500 per cent.
36. 25 per cent of internally-generated casework related to labour market statistics, 20 per cent related to crime and justice, and 20 per cent related to health and social care.
37. The mean number of days taken for the Authority to reply to internally-raised casework was 15 days in 2018/19, which is approximately half the general average reply time for the year.
38. 70 per cent of internally-raised cases concerned the use/misuse of statistics, while 15 per cent related to statistical presentation and 10 per cent related to the availability of statistics.
39. A quarter of all internally-generated casework did not result in any further intervention by the Authority, either by letter or email, following investigation. Seven of the 20 cases resulted in formal letters being sent from the Authority, three of which were published on the Authority's website.

The media's engagement with the Authority

40. 10 cases, approximately 10 per cent, were raised by members of the media in 2018/19.

41. The issue type most commonly raised by the media in its engagement with the Authority was presentation, which accounted for 40 per cent. Use/misuse of statistics and availability of statistics accounted for 30 and 20 per cent, respectively.
42. Three of these cases were on the subject of crime and justice statistics, the most common subject for media-originated casework.