

# Scottish Government Statisticians Group

## Corporate Policies and Procedures for Official Statistics

Policy: Guidance for Public Bodies

Update: August 2014

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1. Producers of official statistics should follow the <sup>1</sup>[Code of Practice for Official Statistics](#) as far as possible; however, it is a statutory requirement for National Statistics to comply with the *Code of Practice* at all times. Producers must also meet the requirements of the <sup>2</sup>[Pre-release Access to Official Statistics \(Scotland\) Order 2008](#).

2. Attached are a series of short guidance notes on the key requirements of the code and pre-release access Order. These requirements support the principles that the format, content, timing and methodology of official statistics should all be determined objectively and free from political interference or the perception of such.

3. This guidance is available on the Scottish Government Statistics website at:

<http://www.scotland.gov.uk/Topics/Statistics/About/guidancenote>.

If you require any further information please get in touch with your Scottish Government Analytical Service Division contact.

4. You are encouraged to sign up to the ScotStat <sup>3</sup>[Public Sector Analyst Network](#). The network is for staff from Local Government and other Public Bodies as well as academics who have an interest in analytical issues. This can range from choosing appropriate indicators for measuring performance to complex analysis of survey results. The network organises demand-led local workshops and short-lived working groups. The network members decide what workshops and groups would be of most value and how they should be run.

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

<sup>2</sup> <http://www.legislation.gov.uk/ssi/2008/399/contents/made>

<sup>3</sup> <http://www.scotland.gov.uk/Topics/Statistics/scotstat/analystsnetwork>

## **Guidance note 1. - Pre-Announcement**

### *Key requirements*

- Official Statistics publications should be pre-announced in 2 stages.
- Planned publications should be announced 12 months ahead, together with the planned month of release.
- The exact date of publication should be announced at least 4 weeks in advance. This is intended to prevent perception of political interference in the timing of release of the data but is also of considerable assistance to users who then know when new figures are due to be published.
- Any change of date must be published in the forthcoming publication schedule together with the reason for the change.

### *Guidance*

- Pre-announcement is handled through a central system operated by the Office of the Chief Statistician and Performance (OCSP) within Scottish Government. Analytical Services Divisions (ASDs) complete a spreadsheet each month with details of their forthcoming publications and send this to OCSP. OCSP collate responses and send a summary to Ministers. The schedule is then published on the SG statistics website at: <http://www.scotland.gov.uk/Topics/Statistics/Search/Forthcoming>
- Public bodies should provide publication dates and the other details included in the schedule (see below) to your SG Analytical Services contact. These can then be included in the Scottish Government's schedule.
  - Title of publication
  - National Statistics Theme - your ASD contact can advise which is the relevant theme
  - Publication date (12 months in advance for 'month and year' and 4-6 weeks in advance for exact date of publication)

- Short Synopsis
  - Contact name and telephone number
  - Frequency of statistics – i.e. how often they are published
  - Quality assurance access details - for example, statistics and policy colleagues in Scottish Government.
  - Publication type - this will generally be 'Statistical Publication'.
- See <http://www.scotland.gov.uk/Topics/Statistics/Search/Forthcoming> for a link to the latest pre-announcement schedule on the Scottish Government Statistics website.
  - The schedule is published around the middle of each month. So, for example, the schedule in which exact publication dates for June would be included is issued at the end of March for completion and return by mid April.
  - The schedule is sent to Ministers for information and is then published on the SG Statistics website by the end of that month.
  - The UK Statistics Publication Hub provides a link to National and Official Statistics published across the UK. See: <http://www.statistics.gov.uk/hub/index.html>. If you would like your publications made available please do let us know and we will discuss the arrangements with you.
  - You should consider also making publication dates available on your own websites.
  - In election years, additional guidance will be available on pre-announcing. The general rule is that as long as you have pre-announced before the pre-election period starts, publications can be published as normal.
  - Pre-announced dates should only be changed for statistical reasons and never for political reasons. Changes to dates require Head of Profession (HoP) clearance and must be documented.

## **Guidance note 2 - Release practices**

### *Key requirements*

- Official Statistics should be published as soon as they are judged ready so that there is no opportunity, or perception of opportunity, for the release to be withheld or delayed for political reasons.
- All official statistics must be published at **9.30am** on the day of publication.
- All official statistics should be announced by a statistical press release and this must not include any political commentary.
- Action must be taken to guard against leaks. Leaks include giving an indication of the direction of change e.g. if results were favourable.
- Colleagues granted pre-release must not share the data with anyone else – even members of their own team.

The above arrangements provide important assurances to the public of the integrity of the release process, and they are also a useful discipline for producers.

### *Guidance*

- For examples of the statistical news releases issued by Scottish Government see News/statistics section of the Scottish Government website at: <http://www.scotland.gov.uk/News/Releases/By-Topic/Q/Topic/27>. Key points are:
  - The statistical press release should be short, outlining the main findings. The purpose is to alert the media and public to the statistics and provide a link to the full publication for those who are interested.
  - Try to set the main findings in context e.g. is the most recent trend similar or different to past trends.
  - You should put at the top of the statistical news release, "**An Official Statistics Publication for Scotland**". For National Statistics, the National Statistics kitemark should be used. A high resolution version can be provided on request.



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  - Statistical news releases should say “released today by statisticians at [name of your organisation]”.
  - Statistical news releases should include internet links to the full relevant publication. Within Scottish Government we generally do this via an embedded link in the introductory sentence of the release.
- If you become aware of a leak of the statistics prior to publication, you should advise your SG contact as soon as possible. Preventative action should be taken to prevent a re-occurrence. Leaks of National Statistics have to be reported to the UK Statistics Authority and details provided on the Authority’s breach report template, available on the Authority’s website at: <http://www.statisticsauthority.gov.uk/assessment/code-of-practice/index.html> (except in minor cases – see below for the definition of a minor breach.) Leaks of official statistics must be reported if the leak occurs as a direct result of providing pre-release access.
  - To assess whether a breach is minor or significant you should consider the following factors:
    - **Effect** – if the breach has resulted in a public leak of the information (or there is a significant risk that it could do so), or has resulted in any detriment to public trust in the integrity of official statistics, then the breach should be considered significant.
    - **Who was involved** – if the information was leaked beyond the Public Body publishing the statistics or the Scottish Government, except where access has been allowed for partner bodies under the provisions of the pre-release Order), then this should be

classed as a significant breach. An internal leak should be assessed in view of the other factors.

- **Scale** – this should be considered in relation to the risk of a public leak of the information, rather than simply the number of people involved.
- **Handling** - how quickly and effectively the breach was handled – in terms of preventing anything further happening.
- **Repeat offenders** - if the individual (or organisation) responsible for the breach is a repeat offender, then the breach should be reported.

### **Guidance note 3 - Unbiased commentary and presentation**

#### *Key requirements*

- The format and presentation of the statistics must be unbiased.
- The statistics must be published separately from any policy or Ministerial statement.
- However, the policy and operational context of the statistics should be explained objectively in the publication – for example by noting any government or performance targets informed by the data. Statements or comments on performance should be issued separately, for example in a ministerial press-release and/or a policy document published at the same time or after the official statistics publication.

#### *Guidance*

- In certain circumstances where it would be very difficult to separate policy or more interpretative commentary from the data, alternative arrangements may be possible. You should discuss with your SG contact.
- Guidance on publication styles, data presentation methods etc. is available upon request.
- You should discuss with your ASD contact whether a ministerial statement is required for the statistics. Ministerial statements are generally drafted by the relevant policy branch within Scottish Government.
- The Board of your organisation may also wish to release a separate statement on the statistics. This must not be before the official release of the statistics.

## **Guidance note 4 - Quality Assurance**

### *Key requirements*

- You must ensure suitable process for quality checks are in place.
- A clear indication of the quality of the statistics detailing appropriate use and limitations should be provided in the release. A note of any plans to improve quality should also be included.
- Copying of draft statistics to others to assist in quality assurance, whilst to be encouraged, must be managed and records kept e.g. maintain a list of all QA recipients.
- Non-Disclosure Agreements (NDA) can help minimise the chance of leaks

These requirements are important for users but also assist producers in preventing misuse of the statistics. Judgements always have to be made about the balance between quality and the resources involved and there is no fixed level of quality that must be achieved. **The key considerations are whether the statistics are fit for purpose and providing clear guidance for users.**

### *Guidance*

- You should include information about the quality of the statistics within your publication. You should explain what the statistics can be used for and any limitations.
- You can copy draft statistics to others for the purpose of quality assurance of the figures. Access for quality assurance can occur as and when required by you, although you should announce the release date of the publication before any quality assurance of near final statistics. It is important that recipients understand their obligations and that you manage the process carefully to prevent accidental release.
- Your recipients must agree not to communicate any information

further, including not sharing with members of their own team, and not to make any other use of the information before public release. This is to avoid uncontrolled public release of unchecked or incomplete statistics which could lead to misuse and misinterpretation. If a recipient wishes to share the information with others they should contact you, as the person responsible for the statistics, and you will action their request if you agree.

- You should make all recipients of your statistics for quality assurance purposes aware of their obligations. Recipients who pass on the statistics, ignoring the rules of access, will be in breach of the Code of Practice. The use of a non-disclosure agreement is recommended and a template can be supplied on request.
- The following is some suggested wording that can be used when issuing draft statistics for quality assurance purposes:

*'I am copying this restricted material to you only for quality assurance purposes at this stage. Please treat the material and any indication of the results as restricted until public release scheduled for 9.30am on .....*

*This email is for the named individual(s) only. You must not forward the material or indicate the results to anyone else, as this would be considered a breach of the Code of Practice for Official Statistics.*

*If you think someone else should receive the statistics please let me know and I will take the necessary action. I would be grateful if you would inform me as soon as possible should any accidental release occur or should you be aware of any wrongful release as such matters must be reported.*

*Please do not save the restricted material in shared file storage.*

*Whilst we are releasing this material for quality assurance purposes at this stage, it is important that the first public release is through [the relevant body] on the above date'.*

## **Guidance note 5 - Consultation/engaging with users**

### *Key requirements*

- Users should be involved in any plans to change the data collection, methodology or release arrangements.
- You should advise users of the publication plans and the intention to publish the data as official statistics
- Ideally, you should document how user engagement has influenced what you produce.
- Document the uses made of your statistics

### *Guidance*

- There is strong emphasis throughout the *Code of Practice for Official Statistics* on user engagement and meeting user needs. You should aim to:
  - Identify users as normal course of practice
  - Document the ways you engage with users
  - Reflect on the success of this engagement – it is important to convey what the result of the engagement was.
- There are many different ways you can engage with users, such as:
  - Working groups
  - Other meetings
  - One off events such as seminars, conferences and workshops.
  - By emails or telephone
  - Via your website
  - You are encouraged to make use of the <sup>4</sup>[Scotstat](#) network and indeed many producers are already involved.
- Different forms of engagement will suit different people at different times for different purposes.

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<sup>4</sup> <http://www.scotland.gov.uk/Topics/Statistics/scotstat>

- Guidance providing examples of good practice for user engagement is available upon request.

## **Guidance note 6 - Management information**

### *Key requirements*

- Where management information is used to produce official statistics, public statements should be based on the published official statistics and not based on any similar, unpublished management information.
- Access should be given to management information and similar data when it is needed for supporting the day to day management/operation of the organisation or decision-making but it should not be used publicly before it has been published as official statistics.

### *Guidance*

- Quantitative information derived from data collected primarily for managerial, administrative or operational purposes is regularly published as Official or National Statistics. Examples of such sources, used by the Scottish Government, include agriculture and fisheries statistics, statistics collected from courts, the prison service and the police and data collected from local authorities including education, social work, housing and local government finance.
- Some points to note when dealing with this type of source data:
  - When such data sources are published they cease to be internal management information and become Official Statistics and thus should adhere to the Code of Practice and the Pre-release Access Order.
  - The first public release of the data must be through the Official or National Statistics release and must not occur any other way.
  - Production of results for management purposes does not necessarily have to coincide with the public release. For example the former may be on a quarterly basis but public release may be annual, or provisional results might be produced. You will need to have a clear justification for such differences.

- All statistical collections used to provide management information should be listed in your Statement of Administrative Sources (see guidance note 7 – other requirements). Where applicable they should also be summarised as pre-release access in the 'forthcoming releases' schedules (e.g. in an annual release it might say 'additional quarterly results are made available to xx for management purposes).
- The National Statistician has produced a guidance booklet called, 'Use of Administrative or Management Information' which provides further information. This is available on the UK Statistics Authority website at: <http://www.statisticsauthority.gov.uk/national-statistician/ns-reports--reviews-and-guidance/national-statistician-s-guidance/index.html>

## **Guidance note 7 - Other requirements**

The Code sets out standards on a range of other issues such as maintaining confidentiality of personal data used for statistics, revisions arrangements, following appropriate statistical methods and classifications and managing the burden on data providers.

### *Key requirements*

- You should publish on your website, details of your arrangements for ensuring confidentiality of any personal data collected.
- If you have any outputs that are subject to scheduled revisions, you should publish a Revisions Policy explaining how these are managed.
- Publish a Statement of Administrative Sources, which lists any administrative systems which feed into your official statistics.
- Report annually the estimated cost (for example, on business, service providers, or the public) of responding to statistical surveys.
- Strive to develop methods that will reduce the cost to individual organisations or people.

### *Guidance*

- The Scottish Government corporate Confidentiality and Revisions Policies and Statement of Administrative Sources are available on the SG Statistics website at: <http://www.scotland.gov.uk/Topics/Statistics/About/NatStats>. You may find it helpful to consider these when setting down your own policies.
- Some SG Analytical Services Divisions have also published their own Confidentiality and Revisions policies which set out further details on these issues for their own publications. These are published on the relevant topic pages of the SG Statistic website.
- The Government Statistical Service has recently issued guidance on a method for measuring respondent burden. This is available on request.



## **Guidance note 8 - Scrutiny by 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 statutory 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 ensure good practice in relation to official statistics.

The UK Statistics Authority has two main functions:

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

National Statistics are those official statistics which are assessed by the UK Statistics Authority as meeting the requirements of the Code of Practice for Official Statistics. They can comment on any statistics that the public might consider official and can recommend that particular statistics are brought into scope. In practice they are only likely to do so if there is an issue about misuse which is drawn to their attention.

Producers must agree to provide information as requested by the Authority.

If you wish to put any of your statistics forward for National Statistics status and are confident that production and publication of the statistics meet the requirements of the code, you should discuss with your SG contact.

The Chief Statistician can then request that the Authority assess the statistics. The Authority will advise you when assessment of the statistics

will take place. Advice on the assessment process is available upon request.

## **Guidance note 9 - The statutory requirements of the Pre-release order (these MUST be complied with for all official statistics)**

### *Key requirements*

- Access to official statistics in their final form before they are published is restricted.
- Such access is allowed only for specific purposes set out in the Pre-release Access to Official Statistics (Scotland) Order (although there is scope for exceptions subject to due process)
- The main purpose is to ensure that those who must comment publicly at the time the statistics are produced, do so based on a correct understanding of the statistics.
- Access to draft results can be provided to individuals for the purpose of quality assuring descriptive commentary although the quality assurance of the figures themselves should have been completed much earlier.
- Access can be provided **a maximum of 5 working days** before publication (24 hours for market sensitive figures). A record must be kept of all those given access and why.

### *Guidance*

- The rules governing the provision of pre-release access to official statistics are set out in the Pre-release Access to Official Statistics (Scotland) Order, available on the UK Statistics Authority website at: <http://www.statisticsauthority.gov.uk/about-the-authority/uk-statistical-system/legislative-background/pre-release-access/index.html>.
- Pre-release access can only be granted in relation to a limited number of purposes. The purposes are:
  - (a) to ensure that Scottish Ministers and officials are able to comment on the statistics properly at the time of release without misinterpretation;**

- This enables you to provide advice on the statistics direct to the relevant Minister and officials.
  - You should also be involved with the quality assurance of any ministerial news release – to ensure the accuracy of this in relation to the statistics and to provide any other helpful advice on interpretation. However, final decisions on the content of the ministerial news release are the responsibility of communications staff and ultimately the Minister.
- (b) to allow Scottish Ministers and officials to consider the implications of the statistics for their policies and programmes – and to comment accordingly at the time of publication;**
- This enables you to work with policy colleagues and communications to produce briefing on the policy implications or links for Ministers.
- (c) to allow Communications staff to comment on the statistical news release;**
- This enables you to seek advice from your own or Scottish Government communications staff on the statistical news release. However, final decisions on the content of the statistical news release are made by you.
- (d) to ensure that where Ministers and officials already have access to data for management purposes, this is not used in a way which would damage public trust or the business of government;**
- This could be used where you are preparing official statistics publications and identify errors in other related figures that are available directly to Ministers and others from the source of the figures e.g. health boards or local authorities. You need to be able to make Ministers aware of such issues - especially where

figures are intended to be used in decision making or in public statements. This implies that you should be pro-active in finding out about use of such management information – especially in the run up to your publication.

**(e) to ensure that related publications or other material being prepared for release at the same time as the statistics (or shortly after) are properly informed by the correct figures;**

- This provision is included to ensure that other Official Statistics publications can include the most up-to-date data. It is most commonly used to ensure that simultaneous Official Statistics publications on the same topic by other government departments are consistent. There are no timing limits for such access.
- There are occasions where you would consider providing pre-release access statistics to feed into non-Official Statistics publications (e.g. research, policy documents, etc). For example a major policy statement which quotes out of date figures is not ideal, although there may be other solutions to this problem.
- Note that the Chief Statistician has agreed that pre-release access statistics can be provided for Scotland Performs updating purposes – but only to the Scotland Performs Technical Assessment Group.

**(f) to ensure that Ministers in the rest of the UK are able to comment on the statistics properly at the time of release without misinterpretation;**

- This could be used if you were producing a compendium product comparing Scotland to the other three countries of the UK. Your counterparts in the relevant UK Government/Welsh/Northern Irish departments might wish to

brief their Ministers of the results in advance.

**(g) to enable a public body (or a public body representative of that body), whose functions are described by or are relevant to the statistics, to comment publicly on the statistics based on a correct understanding of them;**

- Public bodies supplying data: This could be used where the statistics are provided by another public body and you are pulling together a compendium comparing the body with others e.g. local authority data, police force data and the public body requires access to be able to comment at the time of release. It is for you to decide whether such bodies should get access to the full publication or just their own results.
- Representative public bodies: It is for you to decide whether access is justified in line with the purpose. However, the guiding principle that has been agreed is that pre-release access will be given where the official statistics relate to areas where the representative body is a partner or has a direct role in helping to deliver policy.

**(h) to allow access where necessary in exceptional cases provided this would not damage public trust in official statistics;**

- If you need to give access for any other reason this must be cleared with the Scottish Government's Chief Statistician (or your own Statistical Head of Profession if you have one) who must be satisfied that the risks to the integrity of the statistics do not outweigh the benefits of providing access. You should provide the Chief Statistician with the following information:
  - the statistics to which access is to be granted.
  - the individual(s) to be given access.
  - the period of time those individuals will be given access.
  - the reason for granting access.

- why you are satisfied that the risks to the integrity of the statistics do not outweigh the benefits of providing access.
- If the Chief Statistician approves this exceptional access then he/she must, as soon as possible, provide the UK Statistics Authority with the above information.
- The above purposes are enabling – they allow you to give access under those circumstances, they do not mean that you have to provide access whenever requested to do so.
- You should review in advance who you are going to send your pre-release access statistics to - you have to be able to justify pre-release access statistics' recipients in line with the purposes set out in the Order.
- You should keep clear and auditable records of pre-release access correspondence including a list of recipients.

## Information

Please get in touch with us if you would like any more information about our guidance or policies:

Statistics Customer Team

(0131) 244 0 442

[statistics.enquiries@scotland.gsi.gov.uk](mailto:statistics.enquiries@scotland.gsi.gov.uk)



Public Bodies should refer all queries to their sponsor ASD in the first instance.