

# Reporting breaches of the Code of Practice for Statistics



Version: 3.0, February 2018  
Owner: GSS Good Practice Team  
Date of next review: February 2019

## Introduction

Being open about breaches of the Code of Practice for Statistics enhances the transparency and public accountability of the statistical system. Transparency about the circumstances when things go wrong and drawing attention to the improvements made consequently are positive ways to improve trustworthiness.

The UK Statistics Authority has an statutory obligation under the [Statistics and Registration Service Act 2007](#) to promote and safeguard good practice in relation to official statistics. Producers support and uphold this principle by reporting breaches of the Code of Practice for Statistics. This guidance:

- offers advice on what might constitute a breach.
- sets out the steps to take when a producer suspects that a breach may have occurred.

## How do I decide if a breach has occurred?

The Code of Practice sets out the principles and practices that ensure that official statistics demonstrate trustworthiness, quality and public value. If these practices are not followed then a breach of the Code may occur. Potential breaches should be discussed as soon as possible with the departmental Head of Profession for Statistics or Lead Official to decide whether further action is required. Breaches should then be reported to the National Statistician via the GSS Good Practice Team. This applies to National and official statistics, including experimental statistics.

Here are some examples of breaches, alongside the relevant sections of the Code of Practice. Breaches of the Code in respect of orderly release are the most commonly reported. For example:

### Principle T3 – Orderly Release

### Example of breach

**Practice T3.3, T3.4** - content of a statistical report has been shared before publication with someone not on the relevant pre-release access list.

Someone on the pre-release list supplied a copy of the statistics to a third party not on the list.

**Practice T3.4** – Statistical content has been made public or supplied to parties not essential for statistical production without prior permission for access, through accidental or wrongful release.

Statistics are made available through the media and /or other channels prior to the pre-announced time of publication.

Statistics are provided to a single user, or group of users, in advance of being published.

**Practice T3.6** - statistics not released at the scheduled time of 09:30am (early or delayed publication)\*

A statistical report, or part of a report, was accidentally made live on a website before the scheduled 9.30am time.

Publication of a statistical report is delayed because of issues with the publication system

\* **Release just after or just before 09:30:** There are instances when statistics are published shortly before or after the 09:30 release time due to a minor technical issue or manual oversight. A breach report should still be completed in such cases. However, where the delay relates to a non-

market sensitive statistical report, corrective action was taken quickly (within 30 minutes) and there was no significant impact on users, the reporting process should be very straightforward.

Breaches may occur in other areas of the Code of Practice, for example in respect of the principles and practices underpinning trustworthiness. We have included some examples of what might constitute a breach below.

### **Principle T2 – Independent decision making and leadership**

**Practice T2.1** – *The Chief Statistician / Head of Profession for Statistics should have sole authority for deciding on methods, standards and procedures and on the content and timing of the release of regular and ad hoc official statistics.*

### **Example of breach**

The Head of Profession / Lead Official is put under pressure to release data before they are ready and /or when they are of poor quality.

Statistics are leaked (wholly or partially) to the press or another third party prior to the scheduled publication time.

### **Principle T1 – Honesty and Integrity**

**T1.2** *The collection, access, use and sharing of statistics and data should be ethical and for the public good. Those producing and releasing statistics should be free from conflicts of interest, including political and commercial pressures, that may influence the production, release and sharing of the statistics and data.*

### **Example of breach**

A statistical team is asked to move the release date of official statistics to reduce the likelihood of negative media coverage.

An individual uses information to be published in a forthcoming market sensitive statistical report to, for example, play the stock market.

### **Principle T6 – Data governance**

**Practices T6.1, T6.2, T6.3 and T6.4**  
*Confidential (disclosive) information is inadvertently / inappropriately made available to unauthorised persons.*

### **Example of breach**

Raw data files with identifiable information are accidentally uploaded to the internet and become publicly available.

A disk containing disclosive statistical information is left on a train by a departmental employee.

Disclosive information is sent in error to another government department.

## **How do I report a breach?**

The producer responsible for the statistical release should ensure that the relevant Head of Profession (HoP) or Lead Official (LO) is notified of a potential breach straight away. This may mean alerting the HoP / LO in more than one department or the Chief Statistician of one or more devolved administrations. The GSS Good Practice Team can advise producers on whether a breach may have occurred.

### **Informing the National Statistician**

The producing department should contact the GSS Good Practice Team (GPT) by email to [goodpracticeteam@statistics.gov.uk](mailto:goodpracticeteam@statistics.gov.uk) on the day of the potential breach or as soon as is practically possible. The GPT will provide support and advice and can confirm whether it is necessary to submit a breach report. They can also provide advice on what level of detail should be included.

If you are confident that a breach has occurred and that you have all the necessary information to hand, a written breach report may be completed and provided to the GPT on first contact.

## Who is responsible for reporting a Breach?

The responsibility for reporting a breach lies with the 'responsible person', usually the Head of Profession for Statistics or Lead Official of the producer department. For example, if statistics are sent to eligible persons in another department under pre-release access but the recipient disregards one of the rules or principles, the Head of Profession of the producing department must report the breach. It is their statistics that are the subject of the breach and it is that Head of Profession's responsibility to ensure that those granted pre-release access comply with legal requirements.

## Informing users

The GPT will advise if the producer needs to issue a more timely public statement explaining the breach, in advance of the publication of the breach report. This is usually good practice. Such statements would normally be released in the same place that the statistics have been / are to be published.

## If a publication is going to be released after 09:30, how should this be reported to users?

Alert users to the late release of a publication as soon as possible, with an indication of a resolution time. Consider all appropriate means of communication, including social media, sending an email to all known users (perhaps forwarding an electronic version of the statistics) and posting a statement on the relevant web page inviting users to contact the producer to receive a copy of the statistics via email. Your response should be proportionate to the nature of the breach and the affected statistics and provide appropriate reassurance to users, describing the steps that will be taken to improve the department's statistical processes.

## What happens after a breach report has been submitted?

The GPT will review the report and may make further contact with the producer to discuss the content and ask for additional information. This may include checking that the proposed corrective actions are sufficient and focussed enough to address the root cause of the Breach.

The report will be discussed with the Office for Statistics Regulation. This may result in additional information being requested. Other follow up action by the Office for Statistics Regulation will depend on the nature and severity of the Breach and the risk posed to public trust in official statistics.

## Where are breach reports published?

Breach reports are published on the [UK Statistics Authority website](#). Depending on the severity of the breach, the Office for Statistics Regulation and the Authority will consider on a case-by-case basis whether a further statement or other intervention is needed.

## Breach reporting timeline

What stages are involved in the process, and how long should each one take?

**Step 1** – The producer responsible for the statistical release should ensure that the relevant HoP or LO is notified of the potential breach and contact the Good Practice Team as soon as is practically possible, ideally on the day of occurrence.

**Step 2** – If the producer is unclear whether a breach has occurred they should contact the Good Practice Team who will confirm if further action is required.

**Step 3** – The producer department should complete a breach report. This should normally be submitted to GPT within one working day. If needed, GPT will provide advice and support on completing the breach report template.

**Step 4** – GPT will review the breach report and will request any additional information needed within two working days of receipt. GPT will liaise with the Office for Statistics Regulation as appropriate. The producer should respond to this request within two working days if possible.

**Step 5** – The final breach report will be reviewed by GPT and the Office for Statistics Regulation and, once signed off by both, will be published on the UK Statistics Authority website.

It is important to provide timely information on breaches, to ensure transparency for users and to build and maintain trustworthiness. We aim for completed breach reports to be published within **10 working days** of the initial report.

### Publishing an interim breach report

In some complex circumstances, it may take longer than usual to provide all the required information about why a breach occurred and the steps that will be taken to mitigate against recurrence. In these cases, the producer must keep in regular contact with the GPT. In rare cases, the GPT may advise the producer that an interim breach report should be completed and published to ensure transparency to users. This will be considered after 6 weeks from the initial breach notification.

### We ask that producers of official statistics:

- Be open and transparent. Discuss potential breaches with us. Transparency is the key driver during the breach reporting process.
- Provide any additional information requested in a timely manner.
- Give us feedback on the efficiency and effectiveness of the breach reporting process.
- When completing breach reports, think of your users and the information they will require to maintain trust in your statistics.

### GSS Good Practice Team commitments:

- We will provide timely advice and support to complete breach reports.
- We will review the reports we receive promptly and support producers to produce a clear, accurate and fair account of the breach.
- We will ensure that completed reports are published on the Authority's website in a timely manner.
- In cases when it takes a considerable time to collect full information for the report, we may decide to publish an interim breach report to help increase transparency.
- We will report annually on breaches to the Regulation Committee of the UK Statistics Authority and publish a summary of our findings. This will increase transparency and help to identify modifications that could improve the process and guidance.

# REPORT OF A BREACH OF THE CODE OF PRACTICE FOR STATISTICS

## 1. Core Information [\[guidance\]](#)

<b>Title and link to statistical output</b>	
<b>Name of producer organisation</b>	
<b>Name and contact details of person dealing with report</b>	
<b>Link to published statement about the breach (if relevant)</b>	
<b>Date of breach report</b>	

## 2. Circumstances of breach [\[guidance\]](#)

<b>Relevant principle(s) and practice(s)</b>	
<b>Date of occurrence of breach</b>	
<i>Give an account of what happened including roles of persons involved, dates, times etc</i>	

## 3. Impact of the breach [\[guidance\]](#)

<i>Provide details of the impact of the breach both inside the producer body and externally</i>
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## 4. Corrective actions (taken or planned) to prevent re-occurrence [\[guidance\]](#)

<i>Describe the short-term actions made to redress the situation and the longer term changes to procedures etc</i>
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## Completing the template

If any further advice is needed, please contact the Good Practice Team via email in the first instance: [goodpracticeteam@statistics.gov.uk](mailto:goodpracticeteam@statistics.gov.uk)

### 1. Core Information

Please provide the name and contact details of the person who is best placed to deal with any correspondence relating to the breach.

Published statements about the breach may not be available at the time of reporting, in which case this box can be left blank.

### 2. Circumstances of breach

Please indicate which part(s) of the Code of Practice the breach relates to e.g. 'Principle T2, practice T2.3'. This will help us to monitor which parts of the Code the most common breaches relate to.

Provide details of the nature and circumstances of breach in a way that will be clear to a user of the statistics. You should explain clearly how and why the breach occurred, and include references to previous breaches of the same type where relevant.

The level of detail needed will depend on the exact circumstances, but for minor breaches (e.g. related to minor delays to publication) brief details will be sufficient.

### 3. Impact of the breach

Please give brief details of the consequences of the breach, covering impacts both inside and outside the producer body.

The information supplied will depend on the type of breach, but for example where the breach relates to accidental or wrongful release you should include the number of people who had access to the statistics, and whether any press reports were published before the official release.

### 4. Corrective actions

Please provide as much detail as possible to help users and the Authority to understand how the breach has been addressed and what mitigation will be put in place to prevent recurrence.

Appropriate actions will depend on the circumstances and severity of the breach; as a guide, some examples of considerations and suitable actions for the most common types of breach are below

<b>Accidental or wrongful early release (Principle T3, Practices T3.3, T3.4, T3.6)</b>	
<p>Things to consider:</p> <ul style="list-style-type: none"><li>• How sensitive are the statistics and how long is it before the scheduled publication date?</li><li>• How many people are likely to have accessed the statistics?</li><li>• Has pre-release access to the statistics been restricted? Should you ask people with pre-release access not to disclose or discuss the statistics until further notice?</li></ul>	<p>Possible corrective actions:</p> <ul style="list-style-type: none"><li>• Withdraw the data as soon as possible.</li><li>• Bring forward the time of the general release.</li><li>• Issue a statement on your organisation's website alerting users to the problem.</li></ul>
<b>Pre-release statistics shared outside the pre-release list (Principle T3, Practices T3.3, T3.4)</b>	
<p>Things to consider:</p> <ul style="list-style-type: none"><li>• How many people received the statistics in error and who?</li><li>• Are the statistics high profile or market sensitive?</li></ul>	<p>Possible corrective actions:</p> <ul style="list-style-type: none"><li>• Recall the data.</li><li>• If the statistics have been forwarded by somebody that was eligible to receive pre-</li></ul>

<ul style="list-style-type: none"> <li>• How long have the recipients had access to the data before the error was discovered?</li> <li>• Have the recipients shared or discussed the data with others?</li> <li>• Can the offending email or statistics be recalled or deleted?</li> <li>• Was the correct security marking applied to the pre-release access email?</li> </ul>	<p>release access, consider removing their pre-release access.</p> <ul style="list-style-type: none"> <li>• Remind staff about correct pre-release protocol.</li> <li>• Strengthen the wording of all text accompanying pre-release material.</li> <li>• Consider further training to educate staff on their obligations under the Code of Practice.</li> <li>• Increased management control of the processes.</li> <li>• Should stronger words be used in the text that is sent out with pre-release access?</li> </ul>
<p><b>Statistics published after 9.30am (Principle T3, Practice T3.6)</b></p>	
<p>Things to consider:</p> <ul style="list-style-type: none"> <li>• How sensitive are the statistics and how long is the delay likely to be?</li> <li>• Has pre-release access to the statistics been restricted? Should you ask people with pre-release access not to disclose or discuss the statistics until further notice?</li> <li>• Can social media channels be used to acknowledge or apologise for the delay?</li> </ul>	<p>Possible corrective actions:</p> <ul style="list-style-type: none"> <li>• Consider emailing key users a copy of the release.</li> <li>• Issue a statement on your organisation's website alerting users to the problem</li> <li>• Consider whether there is another way to publish the release.</li> </ul>