

Our regulatory approach: how we apply the *Code of Practice for Statistics*

The Code of Practice and the Guide to the voluntary application of the Code

1. The second edition of the *Code of Practice* focuses on the practices required of official statistics to ensure that they serve the public. It applies the three pillars of Trustworthiness, Quality and Value.
2. To accompany the *Code of Practice*, we have produced a *Guide to the voluntary application of the Code*, which sets out the ways in which non-official statistics producers of data, analysis etc can draw on the *Code's* pillars and principles as a flexible framework to guide their decisions on how to publish.
3. The two documents both apply the three pillars of Trustworthiness, Quality and Value. The *Code* sets out the specific practices that are mandatory for official statistics (supported by supplementary guidance material), while the *Guide to the voluntary application of the Code* illustrates the application of the *Code's* framework using examples.

Application by Office for Statistics Regulation/UK Statistics Authority

4. The *Code* applies to all official statistics which shall be regulated in line with existing practice. In other words, the Office for Statistics Regulation will assess compliance with the *Code* through formal assessment reports and informal compliance checks. The formal assessment reports will be reviewed by the Regulation Committee and form the basis of decisions on the National Statistics designation of individual statistics.
5. The tools of compliance therefore will remain the same:
 - Assessment Reports: published reports, reviewed by the Regulation Committee, of compliance with the principles and practices of the *Code*. These reports will lead to decisions on designation as a National Statistic, in line with the *Statistics and Registration Service Act 2007*.
 - Compliance checks: more focused reviews of aspects of compliance that are more informal. They will lead to advice to producers of statistics on aspects of improvement they should consider. While they will not typically lead to a published designation decision, in some cases we will propose a designation change on the basis of a compliance check.
 - Breaches: any breaches of the *Code*, particularly around orderly release of statistics, should be self-reported by producers and will be published on the Authority website
 - Producer assessment: in some cases, the producer itself will report to the Office for Statistics Regulation that it is no longer confident that it meets the criteria for National Statistics designation. We will typically agree to this request to suspend or remove National Statistics designation, and update the Committee at its next meeting.
 - Public interventions: When asked by a member of the public, or based on our own review, we will consider making public comment on the production and dissemination of statistics. There are separate criteria to guide the Authority's judgements on interventions¹.

Application by producer bodies

6. The *Code* applies to everyone in producer bodies. In other words, it is not a set of professional standards for Government Statisticians. It is a set of organisational commitments made by everyone involved in the production, publication and dissemination of official

¹ <https://www.statisticsauthority.gov.uk/wp-content/uploads/2015/12/The-Authoritys-role-in-making-public-interventions.pdf>

statistics. This includes Ministers, communications staff, policy makers and senior managers like Permanent Secretaries, and other analysts like economists, as well as statisticians.

Use of the Guide to Voluntary Application

7. The *Guide to Voluntary Application* is intended for any organisation that publishes data or statistics but does not seek the status of official statistics. It sets out the universal goals of Trustworthiness, Quality and Value, and explains how they could be drawn on:
 - To support the publication of data (eg as management information or open data) by Government Departments
 - To support the publication of analysis and research by Government Departments
 - To support the publication of a range of analytical outputs by non-Government entities (like research bodies, charities or commercial providers of data)
8. There will not be any mandatory elements of this wider application. We encourage any organisation that wants to draw on the *Code* to publish a short statement describing its approach to the output – the sources and quality assurance (quality); the organisational process (trustworthiness); and the purpose (value). A good example is provided by the Cabinet Office's Race Disparity Unit statement of compliance with the *Code*. Other examples are given in the Guide.
9. OSR will not undertake any proactive regulation of this wider application. We will not conduct or publish any assessments of wider application, because there is no formal official statistics or National Statistics status.
10. And, for organisations outside Government, we will publish a register of organisations that voluntarily apply the *Code*, but will only do so where we are content that the organisation has adopted an appropriate approach and is transparent about how it produces statistics, data and analysis. So to be added to the register, they would have to publish a statement that sets out how they reassure themselves, users and us how far they achieve the principles under Trustworthiness, Quality and Value.
11. There are two caveats to this light touch regulatory approach:
 - In rare cases, we will apply the standards of the *Code* to non-official statistics – where we judge that the output in question should comply in full with the *Code*. In doing so we will bear in mind the National Statistician's guidance² on management information and official statistics and our criteria for intervention. We also will wish to comment when non-official statistics reveal something not covered by official statistics.
 - Where members of the public or organisations bring concerns to our attention about the publication of wider analytical information, we will be willing to comment even though these are not official statistics. In doing so we will draw on the principles of the *Code*. This is our current practice and is reflected in our criteria for intervention³.

Ed Humpherson
Director General for Regulation
February 2018

² <https://www.statisticsauthority.gov.uk/gsspolicy/ns-guidance-management-information-official-statistics/>

³ <https://www.statisticsauthority.gov.uk/wp-content/uploads/2015/12/The-Authoritys-role-in-making-public-interventions.pdf>