



Mr Ed Humpherson  
Director General for Regulation  
Office for Statistics Regulation  
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2 December 2020

Sent by email: [regulation@statistics.gov.uk](mailto:regulation@statistics.gov.uk)

Dear Mr Humpherson

We are writing to bring to your attention a breach of your Code of Practice for Statistics relating to the Department for Education's survey, "Attendance in education and early years settings during the coronavirus (COVID-19) outbreak". The publication is here: <https://explore-education-statistics.service.gov.uk/find-statistics/attendance-in-education-and-early-years-settings-during-the-coronavirus-covid-19-outbreak>.

Yesterday the Department announced that they would finally be releasing regional and local breakdowns of the pupil attendance data on the 15<sup>th</sup> December. However, Branwen Jeffreys, the BBC's Education Editor, reported on this data saying that she had been given exclusive access to it, <https://www.bbc.co.uk/news/education-55145313>. We believe that this is a breach of the Department's duty to ensure their data is trustworthy through its orderly release. We believe that this release either breached paragraphs T3.3 or T3.4 of the Code.

In addition, we believe the Department failed to release this information in a timely fashion, paragraph T3.5. This information is very relevant to the public debate around the management of schools and how examinations should be managed next year.

Yours sincerely

A handwritten signature in black ink that reads "Mary W. Bousted".

**Mary Bousted**  
Joint General Secretary

A handwritten signature in black ink that reads "Kevin Courtney".

**Kevin Courtney**  
Joint General Secretary

