Office for
Statistics Regulation

UK Statistics
Authority

Code of Practice for Statistics Consultation

Response Report

December 2017

Code of Practice for Statistics Consultation Response Report

Summary

The Office for Statistics Regulation (OSR) has completed a review of the Code of Practice for Statistics including a formal consultation on a draft version of the second edition of the Code of Practice. This report sets out the findings from the feedback provided during the course of the consultation and outlines our approach to addressing the feedback in the second edition of the Code of Practice:

- We will apply the framework of Trustworthiness, Quality and Value
- Recognising the feedback that the content in the draft Code was repetitive because it addressed both mandatory and voluntary applications, we will focus the final Code on the mandatory practices required of official statistics
- The Code will be accompanied by a guide for the voluntary application of the Code
- We will describe our regulatory approach with respect to official statistics, as well as to other statistics
- We will provide guidance that provides clear illustrations of the application of the Code to statistical practices and an interactive version of the Code
- We will clarify each of the principles, emphasise independence and transparency, and better address data governance and the application of the Code to all data types
- We will remove our observations about the risk to public confidence from pre-release access and focus on the practices of orderly release

Why refresh the Code?

The Authority published the first edition of the *Code of Practice*[1] in January 2009. Since then it has formed the basis of the production of official statistics across the UK, including all Whitehall Departments, the ONS, arms length bodies, and in the governments of Scotland, Wales and Northern Ireland. The Code has remained unchanged but supported by additional guidance, such as about the Standards of Statistical Releases[2] and Quality Assurance of Administrative Data[3].

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[1] https://www.statisticsauthority.gov.uk/osr/code-of-practice/
[2] https://www.statisticsauthority.gov.uk/news/standards-for-statistical-reports/
[3] https://www.statisticsauthority.gov.uk/osr/monitoring/administrative-data-and-official-statistics/

We now have almost a decade of experience of applying the Code as a regulator. The world is continuing to evolve in its production and use of data in all parts of society. The refresh of the *Code of Practice* is the culmination of a process of building an understanding of the future requirements of the Code to achieve public confidence in data and statistics through our *Code Stocktake*[4]. We have undertaken a wide programme of engagement with statistics producers and users, testing our thinking through focus groups, seminars, conversations and the consultation itself. We are grateful to the many people who have contributed their ideas and comments about the Code throughout this process.

Our ambition

We are seeking to better reflect what is required to produce and release data and statistics in today's evidence-rich environment, while being flexible enough to accommodate tomorrow's changing and advancing technologies and opportunities.

We are encouraging the application of the Code by other producers and publishers of data and statistics. We believe the fundamental components which form the basis of the Code can act as guidelines for all producers to meet society's wider needs for valuable information.

Next steps

We are finalising the second edition of the Code as we take into account each of the individual responses received through the consultation. The Authority Board of the UK Statistics Authority will review and confirm the final version of the Code, before we lay it before Parliament. It is our aim to publish the new Code in early 2018.

We are developing an interactive version of the Code for our website at the same time as we publish the new Code. The interactive version should offer its users an alternative way to engage with the Code and easily navigate through the pillars, principles and practices. It should integrate the Code with existing guidance on best practice in the production and release of data and statistics. We are developing a programme for new guidance to be available through the website and also a strategy for maintaining and updating these materials in the longer term.

We are preparing additional resources that will accompany the Code, including the data diagnostic tool and materials that help explain the Code for different audiences.

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[4] https://www.statisticsauthority.gov.uk/wp-content/uploads/2016/12/Code-Stocktake-Report.pdf

The Consultation

Characteristics of respondents

The Code consultation ran between 5 July and 5 October 2017. We received 78 questionnaire responses, of which 27 were completed online with the remainder emailed to us directly. Of these, 17 responses were from individuals, 26 responses were from producer organisations, 18 responses were from user organisations, and 10 responses were from international bodies – national statistical institutes for other countries (the remaining 7 responses were anonymous and could not be categorised). We received 20 additional informal responses through emails or conversations with us. Details of organisations that formally responded to the consultation are available in Annex A.

Engagement through the consultation

During the course of the consultation period we spoke with a number of different groups to promote the consultation and talk through our thinking at that stage. This included:

- 25 seminars in producer departments presented all around the UK[5] (see Annex B)
- 6 other sessions held with different groups of stakeholders including directors of analysis[6], data science, digital communications, user groups, plus a focus group with members of the general public
- 5 meetings held with organisations interested in voluntary compliance[7]
- 3 conference presentations given to the RSS and the Government Economist and Social Researcher professional groups

Main findings

In this section we will provide an overview of the main findings and common themes coming from the consultation. We have included our response to these and how we plan to take these into account in the second edition of the Code.

Structure and presentation

While many recognised the purpose of the part 1/part 2 structure – which was aimed at different audiences for different purposes – there was a strong sense that the Code was overly repetitive across the sections. We received helpful comments on how we present information in the diagrams and tables.

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[5] https://www.statisticsauthority.gov.uk/end-of-code-consultation-reflections-on-our-road-trip/
[6] https://www.statisticsauthority.gov.uk/breakfast-in-the-boardroom/
[7] https://www.statisticsauthority.gov.uk/richard-laux-benefits-from-voluntary-compliance/

We had mixed responses on the language used within the Code; some found the language clear and understandable, however some recommended we review the language and undertake a plain English assessment.

Response: We acknowledge that the content of part 1 and part 2 is repetitive and will focus the Code on the statistical practices required of official statistics. We will accompany the Code with a guide for the voluntary application of the Code (see below). We will review the presentation of the diagrams and tables. We will undertake a plain English assessment of the second edition of the Code.

Application of the Code

Scope – there was support for the application of the principles to other uses of data but there was also a sense that the current presentation heavily focuses on statistics and official statistics in particular, making the relevance to other areas of data use less clear. Others felt it was important not to weaken the main role of the Code in maintaining the standard of official statistics.

Voluntary compliance – a number of organisations expressed interest in voluntarily complying with the Code. Some responses highlighted the need for a fuller explanation of how voluntary compliance would operate, with guidance on what it looks like to comply with the Code.

Regulatory response – there was interest in understanding how the Authority will respond as the regulator to misuse, lack of compliance by producers, as well as to those organisations which have signed up to voluntarily applying the Code. Responses highlighted that a critical part of the regulatory response is holding ministers, special advisers and senior civil servants to account.

Response: We plan to make clearer the fundamental focus of the Code on official statistics. We will do this by making clear that the Code itself focuses on the practices for official statistics. We will also include an explanation of our regulatory approach within the Code. We will provide a separate guide for the voluntary application of the Code which will cover the potential application of the Code to non-official statistics and data (such as statistical research and management information). Within that guide, we will also explain how the Code can be adopted by organisations outside central Government that might wish to comply with the principles of the Code.

Guidance

The publication of guidance was widely supported, although we were told also that understanding the Code should not be reliant on guidance. We received many suggestions about specific areas in which guidance would be helpful. Case

examples would be a helpful way of illustrating compliance. People also mentioned having an interactive Code which offers a more accessible version for less frequent users. Having guidance in a central location or that could be accessed through an interactive version of the Code was welcomed.

Response: We will provide an integrated approach to accessing relevant guidance on both understanding the nature of compliance with the Code as well as clearly signposting guidance on good practice. We will work closely with the GSS Good Practice Team and the GSS Statistics Policy and Standards Committee to develop and provide further guidance. We will continue to develop an interactive version of the Code.

Specific areas of content

Framework and Content

There was wide spread support for the three pillars of Trustworthiness, Quality and Value in articulating the elements of good practice. There were comments from a small number of people that the pillars were not entirely conceptually distinct, although these respondents also recognised the value of the overarching framework.

There was broad support of the principles within the draft Code; however, two points arose repeatedly through the consultation. Firstly trade-offs within the Code were raised, such as balancing quality and timeliness, innovation and coherence, and value for money and the public benefit of statistics production and publication. Secondly some people highlighted the fact that the application of the practices needs to be proportionately applied given the trade-offs identified and depending on the nature and complexity of the statistics. People felt these issues had not been clearly recognised in the Code.

We received some feedback on where there may be gaps in the principles of the Code or areas to strengthen, including honesty, independence, and international cooperation.

Many comments highlighted how the Code of Practice references and links to other codes and guidelines. These include making sure the Code reflects provisions in the new *Digital Economy Act* and *General Data Protection Regulation*. People largely felt that the Code fits with the Nolan Principles; however, we did receive some feedback on how the Code could more clearly refer to the Civil Service Code and Ministerial Code.

Some comments highlighted that practices can be relevant to a wider group than the statisticians and analysts producing statistics. It was felt we should be clearer on who the audience is for these practices.

Response: We recognise the need to explain the pillars more clearly, including the basis for their construction. We aim to be clearer on areas of overlap or cross-cutting themes and explain these more fully. We also acknowledge the issues of trade-offs and proportionality and will consider how best to address these issues within the Code. We will also consider providing guidance on areas where statisticians and analysts will have to use professional judgement in these situations.

We welcome the feedback on the others areas of content. To address these we will review the code content in these areas. We will seek advice from experts on the links with other Code and legislation such as DEA. We will also ensure the wording of the practices apply to all data types. We will further strengthen the Code to clarify the relevance to everyone working within the producer organisations and explore ways to be clear on the wider responsibilities of staff working for producer organisations.

Trustworthiness

Orderly release and the Authority stance on pre-release access (PRA) received considerable attention – a number of respondents felt that it was unhelpful to have the description of the Authority's view about PRA in the Foreword and Introduction. There was a mixture of views about the practices themselves, reflecting different organisational approaches and culture around release; for example, some welcomed a more flexible approach to the release calendar, while others felt that specifying a 12-month release calendar was important. The importance of strengthening the Code in relation to independence and openness and transparency were also emphasised by some respondents. We received mixed comments regarding releasing statistics at 9.30am, with some people asking us to further consider this requirement.

Respondents supported the strengthened role of the Head of Profession (HoP) but there was a request to limit the statement regarding the HoP's authority over other numerical information, seen as too broad.

Responses suggested that we should consider the practices addressing consent and the privacy of information further, in the context of the forthcoming changes in data protection and sharing legislation. The availability of data from a wide variety of sources, and the greater ability to link data, now presents new challenges to the concepts of privacy and confidentiality. We would benefit by more fully addressing data governance issues and widening the applicability of the Code to data more broadly.

Response: We will clarify the practices on orderly release and remove our observations about the risk to public confidence from pre-release access. We agree that the Code will benefit from a greater emphasis on independence, openness and transparency. We will further clarify the role of the Head of Profession and others.

We will also extend the focus on confidentiality to encompass data governance issues more comprehensively.

On the release at 9.30am, we do not intend to make any changes to this practice at this time.

Quality

Quite a few people commented that the definition of Quality differs from that in the *European Statistics Code of Practice*[8]. In particular, international observers noted that the framework of TQV treats quality differently from the European Statistical Systems' quality framework with the dimensions of: relevance, accuracy and reliability, timeliness and punctuality, coherence and comparability, accessibility and clarity. But overall the feedback from these national statistical institutes was very positive, some particularly welcoming the focus on public value.

Respondents widely supported the emphasis on coherence but with some clarification sought on aspects of practice. Coherence was one of the areas which was identified as overlapping across the pillars.

The Quality pillar needs further reflection as it appears to better address administrative data than other data types such as from survey and new modes such as web-scrapped sources. Overall we need to better represent the data-rich world – the means and challenges facing the preparation and communication of data and statistics.

Response: The European approach helps guide our quality section. The draft version of the Code had a heavy focus on the ESS dimensions of accuracy and reliability. The final version of the Code will be extended to better represent the other dimensions of quality. However, our framework focuses to a greater extent on the conversion of data into statistics. The Code will emphasise the importance of transparency in the judgements made about the data, methods and quality issues, and the need to clearly explain the strengths and limitations of the statistics. We intend to refine the presentation of the Quality pillar to better reflect the wider focus on data of all types. We plan to integrate the area of practice around coherence with the related aspects of the Code.

Value

There was wide spread support for the Value pillar, with the emphasis on the relevance to users and accessibility. Some suggested that we need to consider importance from different user perspectives: other users don't necessarily share the

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[8] http://ec.europa.eu/eurostat/web/quality/european-statistics-code-of-practice

same view as the government of what is important. We may benefit from reviewing our conceptualisation of users to better reflect decision makers.

The introduction of the Innovative principle, with the emphasis on collaboration with users and other producers, was particularly welcomed. There were contrasting views about Experimental Statistics and their role in development.

Respondents had some specific feedback on the practices within Efficient data collection and use, including if there should be more practices in relation to value for money and efficiency across other parts of the statistics production process.

Response: We plan to clarify the Value principles and practices to better address the implications of different user perspectives. We will consider how the Code addresses value for money, as opposed to value to users and data providers, and provide clarity over these distinct issues. We will further emphasise the importance of collaboration, coherence, data sharing and data linkage across the Code, to better support data integration and re-use. We will also improve the coverage of Experimental Statistics. We will better address data services and open data across the Value principles.

Data diagnostic tool (*20 Questions for Users*)

There was positive support for the data diagnostic tool as helpful to expert users. Official statistics producers also thought it would be useful in their own use of data, with some saying that the tool is similar and consistent with a metadata template currently in development. There was also support for a simplified version for lay users.

Response: We will make the 20 Questions tool available through our website and plan to prepare a simpler tool for less experienced users. OSR will also use the 20 Questions tool in its regulatory activities to help it probe quality issues with statistics. We will also invite producers of statistics to apply the tool in their use of data.

Annex A

Organisations responding formally to the Consultation:

360Giving
Argentine Statistics Institute
Brazilian Institute of Geography and Statistics
Cabinet Office
Carnegie UK Trust
Committee on Standards in Public Life
Defend Digital Me
Department of Justice, Northern Ireland
Federal State Statistical Service of the Russian Federation
Full Fact
Gingerbread
Greater London Authority
Health Statistics User Group
INSEE, French Official Statistics Authority
Joseph Rowntree Foundation
Market Research Society (MRS) and Census and Geodemographics Group
National Administrative Department of Statistics – National Statistical System
Colombia
National Statistics Office, Malta
NHS Digital
Northern Ireland Housing Executive
Northern Ireland Statistics and Research Agency
Office for National Statistics – Business Data Operations Division
Office for National Statistics – Business Survey Research
Office for National Statistics – Good Practice Team
Office for National Statistics – GSS Harmonisation Programme
Office for National Statistics – Methodology Division, Methods, Data and Research
Directorate
Office of Rail and Road
Public Health Wales
Royal Geographical Society with the Institute of British Geographers and the
Association for Geographic Information
Royal Society
Royal Statistical Society
RPI CPI User Group
Scottish Social Services Council
Spanish Statistical Office
Statistics Canada
Statistics Norway
The Scottish Government, National Records of Scotland, NHS National Health
Services Scotland and partner agencies
UK Data Service/UK Data Archive, University of Essex
Welsh Government

Annex B

Organisations in which a Code road show presentation was given:

Department for Communities and Local Government
Department for Culture Media and Sports
Department for Education
Department for Environment Food and Rural Affairs
Department of Health
Department for International Development
Department for International Trade
Department for Transport
Department for Work and Pensions
Health and Safety Executive
HM Revenue and Customs
Home Office
Ministry of Defence
Ministry of Justice
NHS Digital
Northern Ireland Statistics and Research Agency
Office for National Statistics
Ofqual
Scottish Government and its Arms Length Bodies
Welsh Government