

## BREACH OF THE CODE OF PRACTICE FOR OFFICIAL STATISTICS

A breach of the Code of Practice for Official Statistics occurs where one or more provisions of the Code were not followed in situations where an exemption or exception had not been approved by the UK Statistics Authority's Head of Assessment, as required in paragraph (xii) of the Code's preamble. Rules on pre-release access to statistics are covered in the relevant Pre-Release Access to Official Statistics Orders; the Code applies as if it includes these orders.

### 1 Background Information

Name of Statistical Output (including web link if relevant)

Point of first release for statistics on breeding birds – Breeding Bird Survey 2011 (Official Statistic)  
<http://www.bto.org/volunteer-surveys/bbs>

Name of Producer Organisation

Produced by the British Trust for Ornithology (BTO) under partnership contract with the Joint Nature Conservation Committee (JNCC) and the Royal Society for the Protection of Birds (RSPB). The release is hosted on the BTO Website.

Name and contact details of person submitting this report, and date of report

Peter Helm, Head of Profession for Statistics, DEFRA. 25 July 2012

### 2 Circumstances of Breach

Relevant Principle/Protocol and Practice

Protocol 2 Release Practices: Practices 7 and 8.

Date of occurrence

20 July 2012

Nature of breach (including links with previous breaches, if any)

Press releases, marked as embargoed until the publication date of 25 July 2012, were released on 20 July 2012. This was not fully picked up by JNCC until Monday 24 July 2012. The releases went to 751 stakeholder press contacts. The releases provided an indication of the statistical trend and a link to the data. The link was not live but was accessible to those who knew the http address. All the press contacts

would know this address if they chose to follow this through.

#### Reasons for breach

This was an oversight by the JNCC team responsible for publishing the statistical release and a misunderstanding by the BTO team responsible for sending out the press releases.

### **3 Reactions and Impact**

When they received the press release JNCC had to seek clarification from BTO as to whether the release had been sent or whether they had received a final copy for information. This delayed JNCC realising what had happened and seeking guidance from the Defra Head of Profession – which they did on 24 July 2012.

Because of the extent of the circulation list for the press release it was decided to bring the release forward to 24 July 2012.

A short statement was immediately posted on the JNCC website, where the release date was announced, to advise users of the change of publication date.

The release is not of high public profile and is currently not published via the Publication Hub.

JNCC are aware of one failure of the embargo - an article on the Express news website was posted on the 22 of July 2012.

<http://www.express.co.uk/blogs/post/148/blog/2012/07/22/334538/Murmur-of-hope-to-save-starlings>

JNCC has had no follow up either in reaction to the breach or to the press release.

### **4 Corrective Actions Taken (include short-term actions, and long-term changes made to procedures)**

JNCC will cease using embargoed releases for all Official Statistics. JNCC will work with the Defra Head of Profession for Statistics Office to review the guidance material provided to partners. They will provide a single page summary with very clear dos and don'ts. This will be completed before the next JNCC statistical release which is due in early September.

JNCC will ensure the guidance is provided every year, both as written guidance and by specific direction from the project officer.

The Defra Head of Profession will circulate a note to Lead Statisticians within the Department and Arm's Length Bodies to remind them against the use of embargoed

releases and raise awareness of pre-release access rules. This will be done by 4 August 2012.

In addition, Defra are reviewing how delivery of the Wild Bird Indicator is managed. Breeding Bird Survey data is used in the compilation of this indicator. The proposed changes would mean having a Defra statistician on hand will help to reinforce the protocols surrounding the release of official statistics. If agreed with partner organisations, which is very likely, this would be in place in October.

## **5 Any other relevant supporting material (including link to published statements about this breach)**

The following statement was published on the JNCC website on 24 July 2012:

‘There was an inadvertent release of the Breeding Bird Survey 2011 results to a number of parties on 20 July 2012. In consultation with the Defra Head of Profession for Statistics, it has been decided to formally publish the figures a day early at 09:30 on Tuesday 24 July 2012. The Breeding Bird Survey 2011 results are produced by the British Trust for Ornithology under partnership contract with JNCC and the Royal Society for the Protection of Birds. The release is hosted on the British Trust for Ornithology website. The breach has been reported to the National Statistician’s Office. The full breach report will replace this notification once it has been published on the Statistics Authority’s website. Steps are being taken to prevent this in future.’