

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)

Energy Performance of Buildings Certificates – Q2 2015 (Experimental Official Statistics)

Name of Producer Organisation

Department for Communities and Local Government

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

Katherine Higley (Tel: 030 344 41793) via David Fry (Head of Profession for Statistics (Tel: 030 344 42316))

2 Circumstances of Breach

Relevant Principle/Protocol and Practice

Protocol 2, Practice 8 – 'Report to the National Statistician any accidental or wrongful release'.
More specifically, Section 4 of the UK Government's *Pre-release Access to Official Statistics Order 2008* (treated as an integral part of the Code) which restricts pre-release access to the 24-hour period immediately preceding publication.

Date of occurrence

29 July 2015.

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

Pre-release access to this release was mistakenly granted to the relevant DCLG Ministers and officials during the 48-hour, rather than 24-hour, period immediately

preceding publication, thus breaching Section 4 of the UK Government's *Pre-release Access to Official Statistics Order 2008*.

Reasons for breach

Human error. In preparation for the publication of the Energy Performance of Building Certificates statistics, a Pre-Access e-mail was programmed to be automatically sent out by setting up a delayed (by 24hr) automatic e-mail. However, incorrect use of the function meant that the delay function was not set properly resulting in the Pre Access e-mail being sent out immediately. The instant sending of the e-mail was not identified in time to recall it from recipients' mailboxes.

3 Reactions and Impact

Minimal (if any).

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

- Immediate notification to Head of Division and Head of Directorate.
- The incident will be discussed at a meeting to be held between the Task Manager and the Job Holder.
- Implementation of a checking system for future EPB stats releases

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

Because of the accidental nature of the breach and its minimal impact, it was decided that a Statement was not necessary.

6 Additional information

The checking system referred to in section 4 is as follows:

- The pre access release e-mail to Ministerial and Special Advisers will specifically highlight that contents of e-mail should only be disclosed to Ministers and Special Advisers no more than 24 hours before the statistics are published.
- The pre access release e-mail to Ministerial and Special Advisers will be cleared to be sent by a Grade 6.
- The pre access release e-mail to Ministerial and Special Advisers will not be sent in advance by delayed e-mail, but will instead be e-mailed in 'real-time' by a named individual.

- Desk instructions and a project plan for publishing quarterly statistics will be produced making it clear who is authorised to send the pre access release e-mail and when.