

BREACH OF THE CODE OF PRACTICE FOR OFFICIAL STATISTICS

This document reports a breach of the Code of Practice for Official Statistics, or the relevant Pre-release Access to Official Statistics Orders, to which the Code applies as if it included these orders.

1. Background information

Name of Statistical Output (including weblink to the relevant output or 'landing page')

Fatal injury statistics <http://www.hse.gov.uk/statistics/fatals.htm>

Name of Producer Organisation

Health and Safety Executive (HSE)

Name and contact details of the statistical Head of Profession (Lead Official in an Arm's Length Body) submitting this report, and date of report

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3 July 2014

2. Circumstances of breach

Relevant Principle/Protocol and Practice

Protocol 2, practice 8

Ensure that no indication of the substance of a statistical report is made public, or given to the media or any other party not recorded as eligible for access before publication. Report to the National Statistician immediately any accidental or wrongful release, and investigate the circumstances.

Date of occurrence

1 July 2014

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

There were two aspects to the breach, both relating to HSE's annual fatality statistics which were published at 09:30 on 2 July 2014.

(a) In the afternoon of 1 July, a ministerial submission including the statistics was sent to the Department of Work and Pension (DWP) minister who handles HSE's business. This was wrongly copied to the standard list for ministerial submissions which includes people on HSE's Senior Management Team and in DWP who are not on the pre-release access list for these statistics. HSE's Parliamentary and Secretariat Unit had confirmed over the telephone with the lead statistician that the submission would be sent to the 'usual recipients', but it was not made clear that, as for previous statistics releases, the restricted pre-release access list should have been used.

(b) Later in the afternoon, HSE press office were asked for construction sector figures by the Department of Business, Innovation and Skills (BIS) because ministers were due to speak at a construction industry summit at the time the stats were being released on 2 July. Knowing the ministerial submission had been sent, HSE press office thought it reasonable to send limited data (relating to the construction sector only) to BIS as long as the 09:30 embargo was stressed and they were asked not to share the data more widely. Hence, BIS were provided with the construction figures and related lines to take. This was unfortunately done without consulting the statistics team or Chief Statistician.

Reasons for breach

Lack of understanding in HSE about the restrictions imposed by the pre-release access order.

3. Reactions and impact (both within the producer body and outside)

No figures were put into the public domain prior to release.
As soon as the Chief Statistician became aware of the issue, she investigated the circumstances and ensured that key parties are aware of their obligations for the future.

4. Corrective actions taken to prevent reoccurrence of such a breach (include short-term actions, and long-term changes made to procedures)

HSE officials in press office and secretariat have been reminded about the conditions relating to pre-release access of official statistics and the importance of consulting fully with the statistics team.

All future ministerial submissions containing pre-release data will be sent to a restricted list of named officials.

The pre-release access email will be further strengthened to emphasise the restricted nature of pre-release access. The fact that this breach report was necessary will also be highlighted.

It will be made clear to recipients of pre-release access material that a condition of them receiving this is that they are not permitted to forward the content to anyone without the agreement of the Chief Statistician.

5. Links to published statements about this breach

When the breach report is published on the UK Statistics Authority website we will link to it from our website at <http://www.hse.gov.uk/statistics/about/index.htm>