

## INTER ADMINISTRATION WORKING AGREEMENT ON STATISTICS

### 1. Purpose

1.1 This document sets out an agreed framework for co-operation between the four administrations, i.e. the Scottish Government, the Welsh Government, the Northern Ireland Government (from here on referred to as the Devolved Administrations) and the UK Government (UK Government Departments and Agencies) in relation to the production of official statistics<sup>1</sup>. The UK Statistics Authority plays a role in overseeing the quality and comprehensiveness of official statistics across the four nations that is set out in its Statement of Strategy published on 14 February 2013  
<http://www.statisticsauthority.gov.uk/news/statistics-authority-statement-of-strategy.pdf>.

1.2 The framework includes the

- aims
- key principles which will underpin all work between the administrations
- roles and responsibilities
- working level arrangements including dispute resolution.

1.3 The framework replaces the Concordat on Statistics which formed part of the 2001 Memorandum of Understanding.

### 2. Scope

2.1 The Framework is not intended to constitute a legally enforceable contract or to create any rights or obligations which are legally enforceable.

2.2 'Reserved' and 'devolved' are terms defined in the Devolution Acts<sup>2</sup> in the case of the former and in the latter case also in section 66 of the Statistics and Registration Service Act 2007 (the 2007 Act). However the position with regard to statistics is not always clear as they may serve both reserved and devolved purposes. Likewise the definition of "wholly devolved" statistics used in the 2007 Act may not always be clear. Where it is necessary to determine into which category particular statistics fall, the emphasis will be on reaching agreement between the administrations though more formal resolution may be sought if necessary.

### 3. Aims

3.1 The aims of this Agreement are to:-

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<sup>1</sup> Included in the scope of this Agreement are National Records of Scotland (part of Scottish Government), Northern Ireland Departments, who are represented by the Northern Ireland Statistics and Research Agency, and the arm's length bodies of the devolved administrations specified in Official Statistics Orders.

<sup>2</sup> The Scotland Act 1998, the Northern Ireland Act 1998 and the Government of Wales Act 1998.

- ensure effective co-operation on statistical work within the United Kingdom in support of each administrations' policy and business objectives;
- support user needs across the four administrations; and,
- ensure efficiency, effectiveness and continuous improvement.

#### **4. Principles**

4.1 All arrangements will comply with the principles of the devolution settlements and the 2011 Memorandum of Understanding, the Code of Practice for Official Statistics and all relevant legislation.

4.2 The administrations will work together to ensure the provision of coherent, reliable, consistent and timely statistics about the UK and the four countries as far as possible where it is agreed it is appropriate to do so, and will ensure that collective needs are met in an efficient and effective way. They will agree mechanisms which ensure that these statistics are readily available to all four administrations, international organisations, users, and the public.

4.3 The administrations will work together to ensure that any collective arrangements do not hinder the meeting of the needs of other administrations. The need for different approaches and different responses will be fully recognised.

4.4 Where concordats, working arrangements or service level agreements exist between two or more administrations or their departments or agencies on statistical matters they must be consistent with this Agreement.

4.5 The administrations recognise that information they produce or hold may be required for statistical purposes by another administration. They will share this information with each other as far as possible subject to availability, agreements about cost sharing and relevant legislation. Administrations will not be required to provide information to each other about the statistical advice which has been given to policy makers or Ministers (although they may agree to do so).

4.6 Subject to the terms of the concordats on EU and international relations, the National Statistician, as head of the GSS will retain responsibility for the fulfilment of UK statistical obligations to the EU and international bodies and for EU/international liaisons and co-operation on statistical matters. In the exercise of the UK's statistical obligations to the EU, it is expected that UK government departments will adhere to the principles and practices for dealing with the devolved administrations as set out in Annex 1.

4.7 Whilst re-use of already published information is unrestricted, where a statistical product makes substantial or significant use of statistics that are the responsibility of another administration, agreement of that administration will be sought, if possible on an annual basis. The content of such products will be checked with the other administration for quality assurance purposes.

4.8 Permission for the Office for National Statistics (on behalf of the UK Statistics Authority) to publish devolved statistics<sup>3</sup> is subject to section 20 of the 2007 Act.

4.9 The administrations will work together to reduce the total burden on data providers whilst seeking to ensure that each administration has access to the information that it needs.

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<sup>3</sup> where the definition of official statistics encompasses all types of official statistics including all statistical releases, bulletins, articles, short stories, ad-hoc requests and any others.

4.10 The administrations will share statistical expertise and development to promote best practice. They will agree to share specific development tasks, both to maximise the use of available specialist expertise, and as a means of cost sharing.

4.11 The administrations will work together to devise, develop and implement appropriate methods of planning that will support this Agreement. Each administration will produce its own statistical plan which will be shared in order to encourage cooperation and collaboration where possible.

4.12 In addition each administration will inform and seek comment from the others about any proposed significant changes to existing activity, or proposed release of statistical information, which might be considered relevant to other administrations.

4.13 The administrations will contribute to the work of the Governmental Statistical Service, promote its values, support its continuing development and ensure the full involvement of devolved administrations including NISRA on an appropriate basis.

4.14 The recruitment, development, movement and promotion of Government Statistical Service professional staff will be based on a common set of professional competences and in accordance with appropriate elements of the GSS People Committee's People Strategy and associated workplan (though it does not extend to Northern Ireland).

## **5. Roles and responsibilities**

5.1 Overall responsibility for implementing and developing this Agreement will rest with the GSS Inter Administration Committee (IAC) chaired by the National Statistician and including the Chief Statisticians from the Devolved Administrations, the ONS Director General and the ONS key account holder for the Devolved Administrations. Representatives from other government departments will be invited to attend meetings as appropriate.

5.2 The National Statistician is the UK Statistics Authority's principal adviser on matters related to official statistics (excepting those where the 2007 Act places obligations on the Head of Assessment), their Chief Executive, a member of the Authority's Board and the Head of the GSS. The National Statistician is therefore well-placed to advise the Authority about matters affecting the administrations such as the development of statistics on a comparable or non-comparable basis, funding for such statistics and their place within the wider statistical system.

5.3 In its role of co-ordinating the work of the GSS, the National Statistician's Office will invite statistical staff from across the administrations (including those who are not members of the GSS) to participate in, and keep them informed about, GSS activities, and consult with them about issues of statistical policy and methodology.

5.4 The National Statistician's Office will provide the GB administrations with advice and support on a range of professional, technical and personnel services, including brokering transfers, recruitment of Fast Stream Assistants and advertisement of posts across the GSS.

5.5 To ensure that the administrations are fully aware of impending European and UK legislation and are able to assess the impact upon their budget allocations, for each IAC meeting, the National Statistician's Office will provide a report on the latest international developments impacting upon the UK and Devolved Administrations.

## **6. Specific arrangements and dispute resolution**

6.1 Existing arrangements for cost sharing will continue until one or more parties propose a change. Any party may propose a change where new demands are made, where the costs to the providers change, or where circumstances change. Any new arrangements are expected to comply with the Statement of Funding Policy found here [http://www.hm-treasury.gov.uk/pbr\\_csr07\\_statement\\_of\\_funding\\_policy.htm](http://www.hm-treasury.gov.uk/pbr_csr07_statement_of_funding_policy.htm).

6.2 Under the governance arrangements agreed by the Chief Statisticians and Heads of Profession, Theme Leaders will carry out work to identify and prioritise statistical requirements from a UK wide perspective. This work, with input from all administrations, will include identifying and prioritising inter administration issues and agreeing where it is desirable to produce harmonised data and where it is preferable to explain differences such that each administration's data relates to the relevant policy context. Additionally, Theme Leaders are expected to consider issues that are viewed as impacting upon data harmonisation, quality, reliability and comparability or are considered barriers to data sharing, comparison of GVA across administrations etc.

6.3 It is the responsibility of each producer organisation to notify the devolved administrations of their intention to publish new disaggregated data. When doing so, sufficient time must be allowed for submission and approval of any requests for pre-release access to be granted. To facilitate these arrangements, there is an Outputs Coordination Group (OCG) on which each administration is represented. The OCG is required to submit an annual report to IAC.

6.4 In all cases where it is not possible for producer organisations to reach agreement, the Inter Administration Committee will act as final arbiter. Where it is not possible for the IAC to reach agreement or it does not have the competency to do so, the matter may if the IAC so decides be referred to the Joint Ministerial Committee. In addition, the UK Statistics Authority will be consulted if it is appropriate to do so.

## **7. Arrangements for review**

7.1 This agreement will be formally reviewed by the IAC after one year, and thereafter every five years or as requested by any party.

7.2 An assessment of the operation of the agreement will be conducted every year.

**October 2013**

## CONTEXT

1. The Memorandum of Understanding and Supplementary Agreements<sup>4</sup> between the UK Government, Scottish Ministers, Welsh Ministers and the Northern Ireland Executive Committee, agreed in September 2012, sets out the principles which underlie relations between the four administrations. It distinguishes between policy matters which are not devolved in Scotland, Wales or Northern Ireland which are the responsibility of the UK Government and vice versa. The Memorandum is supplemented by four Agreements intended to ensure uniform arrangements for relations between the UK Government and the devolved administrations:-
  - i. Agreement on the Joint Ministerial Committee (JMC)
  - ii. Concordat on Co-ordination of European Policy Issues
  - iii. Concordat on Financial Assistance to Industry
  - iv. Concordat on International Relations.
2. As a matter of law, international relations and relations with the EU remain the responsibility of the UK Government and UK Parliament. The UK Government recognises that the devolved administrations have an interest in policy making related to devolved matters and relevant arrangements are set out in ii and iv.

## PRINCIPLES

3. The Government Statistical Service (GSS) is to be guided by the following principles:-
  - The UK Government has undertaken to provide the devolved administrations with information, as early as possible, on all business within the framework of the EU which concerns devolved matters or non-devolved matters which appear likely to be of interest to them.
  - The devolved administrations are responsible for implementing and complying with EU obligations which concern devolved matters. In law, UK Ministers have powers to intervene to ensure the implementation of these obligations.
  - Any financial penalty imposed on the UK as a result of a failure of implementation or enforcement by a devolved administration on a matter falling within its responsibility is to be borne by the administration(s) responsible.

## PRACTICE

4. In practice, the implementation of these principles means that :-
  - The starting point is that where an EU statistical requirement falls, or is likely to fall, on the UK, compliance is a matter for all four countries. It is important to establish at the outset whether a requirement concerns a devolved or non-devolved matter and for the lead UK government department to be appraised. Guidance and advice on devolved and non-devolved matters is available from International Relations in the National Statistician's Office.

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<sup>4</sup> <https://www.gov.uk/government/publications/devolution-memorandum-of-understanding-and-supplementary-agreement>

- The lead UK government department is expected to ensure that liaison with the devolved administrations at official level takes place at the earliest opportunity from the first notification about the relevant statistical matter whether it relates to a proposed Regulation, the implementation of existing Regulations, compliance or any other related issue. In doing so, the department should work in tandem with the GSS International Committee and International Relations in the National Statistician's Office. It should offer support throughout the time that the statistical matter is under consideration.
- Coordination of activities related to EU statistical issues is fundamental to helping the National Statistician fulfil her role on behalf of the UK and is undertaken by her International Relations team. Statisticians and others working in the GSS have a responsibility to alert that team directly, or via the International Liaison Officer network, of any statistical issues pertaining to the EU.