

## 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

- NICE Technology Appraisals in the NHS in England (Innovation Scorecard) to June 2014, Experimental Statistics  
<http://www.hscic.gov.uk/catalogue/PUB16404>

Name of Producer Organisation

- Health and Social Care Information Centre (HSCIC)

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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### 2. Circumstances of breach

Relevant Principle/Protocol and Practice

- *Protocol 2 - Release practices*
  - Practice 7  
Subject to compliance with the rules and principles on pre-release access set out in legislation, limit access before public release to those people essential for production and publication, and for quality assurance and operational purposes. Publish records of those who have access prior to release.
  - 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

- 19 January 2015

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

- The briefing co-ordinator at NICE mistakenly issued 24-hour pre-release material to someone not on the approved list.
- The error happened when the forwarding the pre-release access email and the wrong contact was selected from Outlook's AutoComplete list.
- The mistake was noted immediately and the briefing co-ordinator contacted the HSCIC.
- The incorrect contact was a colleague within NICE itself rather than an external party.
- The materials were deleted unread from the incorrect recipient's Inbox and Deleted Items folders.

Reasons for breach

- Human error.

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

- The recipient confirmed that the email and attachment were deleted unread. The pre-release materials were not seen by any unauthorised parties.

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

- The HSCIC emphasises the confidential nature of all material granted under the Pre-release to Official Statistics Order 2008 and provides clear direction regarding what should be done in the event of a breach. This guidance was followed by the briefing co-ordinator and steps were immediately taken to minimise the impact of the breach.
- All recipients of pre-release access material are aware of the requirement to maintain confidentiality until the time of publication.
- All HSCIC pre-release access communications are identified as Official-Sensitive in accordance with the government guidance that came into effect 2 April 2014. All pre-release emails unequivocally state the restrictions under which the materials are issued; the terms under which access to pre-release material is granted are included in every pre-release communiqué.