

## 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')

Provisional Monthly Hospital Episode Statistics for Admitted Patient Care, Outpatient and Accident and Emergency data April 2015 - May 2015; Special topic - Treatment of NHS patients in Non-NHS hospitals (to be published on the 25<sup>th</sup> August 2015) at:

<http://www.hscic.gov.uk/pubs/hesapr15may15>

Name of Producer Organisation

Health and Social Care Information Centre

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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25 August 2015

### 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

25 August 2015

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

The Senior Policy Advisor at the Department of Health issued a draft press line based on 24-hour pre-release material to someone not on the approved list (sent with the purpose of checking the line).

The individual became aware that this was against the Code of Practice rules, and notified the HSCIC immediately on realising this.

The person who had sight of the materials has now deleted the material. We have received confirmation of this from the recipient together with confirmation that this has not been shared with any further individuals.

Reasons for breach

Human error occurred despite the instructions in the email, which clearly stated that the material must not be shared, circulated, published or otherwise discussed with anyone not on the approved list prior to the official publication date and time.

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

The statement was not circulated any further in advance of the publication date and time and thus the figures were not made available before their official release.

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

Ensure the DH Head of Profession has been advised about the breach so that he can consider whether more emphasis is required in the Department about the importance of complying with the Code when handling pre-release access material.

Discussed the breach with the briefing co-ordinator and sought assurances that this will not recur.

We will reiterate our concerns when all future pre-release access requests ( new and changes to existing) are received, with all material sent out with the relevant summary of the Code of Practice