

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')

Secondary School and College Performance Tables, published on the 23 January at 09:30. These are published as official statistics.

<https://www.gov.uk/government/publications/secondary-school-performance-tables-in-england-2012-to-2013>

Name of Producer Organisation

Department for Education (DfE)

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

Jude Hillary, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT

2. Circumstances of breach

Relevant Principle/Protocol and Practice

Protocol 2: Release Practices

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

23 January 2014

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

Breach of the embargo on publishing data related to the performance tables before 09:30 by a small number of local news organisations; specifically the Nottingham Post, Eastern Daily Press (EDP), Oxford Mail and Stoke Sentinel (the complaint was made against the Nottingham Post). We are not aware of any previous breaches by these local news organisations.

Reasons for breach

Data was provided under embargo to named news organisations. The embargo was clearly stated within the op note (see below) and provided to news organisations when they requested pre-release access to the performance tables.

A small number of local news organisations (Nottingham Post, EDP, Oxford Mail and Stoke Sentinel) published parts of the data mainly relating to their local authority figures on the 23 January but before 09:30.

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

There has been a complaint from Nottingham local authority who felt that they were put "under pressure to release analysis and comments prior to the embargo we are placed under".

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

As the publication went live at 09:30, there was not time to contact the news organisations to remove the data.

The news organisations who published their stories before 09:30 were promptly contacted by the DfE's press office reminding them of their responsibilities when receiving pre-release access material, and the likelihood that the breach will affect future access under pre-release rules. Each of the organisations responded in a genuinely apologetic manner, reassuring the department that this will not happen again.

Given the above, the department will set out the implications and repercussions of breaching the embargo prior to the release of next year's school and college performance tables. This will be included alongside the strongly-worded op note provided below.

5. Links to published statements about this breach

N/A

6. Any other relevant supporting material

OP NOTE - NOT FOR PUBLICATION OR BROADCAST

SECONDARY SCHOOL AND POST-16 PERFORMANCE TABLES

We will be publishing the annual performance tables data for secondary and 16-18 education (Key Stage 4 and 5) at **09:30 on Thursday 23 January 2014**.

The data can be accessed early under strict pre-release arrangements from **09:30 on Wednesday 22 January 2014**.

These statistics are strictly embargoed until 09.30 on Thursday 23 January 2014. They

should not be printed or used publicly before then.

As a member of the press you have requested and been granted pre-release access.

Go to the link: <https://www.keytosuccess.education.gov.uk/transfer/presspack/>

Login: xxxxxx

Password: xxxxxxxx

(Do not copy and paste the login or password – these need to be typed in individually.)

At the moment, and until the data is available, this will take you to the sample data and a specification for the files.

The sample data will be available to download until 08.30 on Wednesday 22 January 2014. The site will be disabled for one hour to allow the uploading of the new data. Access to the website will then re-open at 09:30 on Wednesday 22 January 2014. Media will also be provided with a list of the identifying codes for each local authority.

Members of the press have been granted Pre-Release Access (PRA) to the performance tables under the provisions and restrictive conditions of the Pre-Release Access to Official Statistics Order 2008, including the embargo which prevents disclosure of the statistics prior to publication.

Any breach of the embargo may lead to an investigation and PRA may not be granted in future to any member of the press.

You should not pass the data to other members of the press except persons directly involved in the production of news stories or releases within your own news organisation, which is also bound by the conditions, including the embargo.

If you no longer require PRA then you should let us know. If in doubt or unsure about PRA, please call the DfE press office on 020 7783 8300.

If you experience any technical problems downloading the material please contact the DfE Data division on 01325 735 473.

Any other questions, including on policy, should be directed to the press office on 020 7783 8300.