

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')

Primary Care Workforce [Survey](#) Scotland 2015

Name of Producer Organisation

Information Services Division (ISD) of NHS National Services Scotland (NSS)

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

Scott Heald, Head of Profession (HoP) for NSS.

Email – scott.heald@nhs.net

Tel: 0131 275 6370

Date of report 14 June 2016

2. Circumstances of breach

Relevant Principle/Protocol and Practice

Protocol 2, Practice 8

Date of occurrence

Tuesday 14 June 2016

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

A journalist from Scottish Television (STV) emailed the Scottish Government at 09:22 on the day of publication (Tuesday 14 June 2016) with an attachment press release from the Royal College of General Practitioners (RCGP) that contained the 09:30 embargoed data and commentary of the Primary Care Workforce Survey 2015. The journalist asked the Scottish Government to comment on the data. The journalist also stated in her email to the Scottish Government that she had been sent the press release by the RCGP.

At 10:35, the Statistical Governance Team in ISD was informed by the Scottish Government that there had been a breach of the Code of Practice relating to an earlier 09:30 publication as evidenced by the RCGP handing over a press release to an STV journalist before the scheduled 09:30 publication time. However, no data entered into the public domain prior to the publication time of 09:30.

Reasons for breach

The RCGP press department should not have provided embargoed material to a journalist.

Therefore, there was an indication of the substance of a statistical report given to the media which was in breach of protocol 2, practice 8 of the Code of Practice.

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

The Scottish Government received the email from the journalist 8 minutes before publication time and they were surprised that a journalist would be in possession of embargoed material from the RCGP that ISD was about to publish.

The producer body (ISD) reacted by contacting the RCGP to make them aware of the breach. There was no public impact because no data was in the public domain prior to 09:30.

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

The RCGP were notified verbally of the breach immediately, and this was followed up in writing from the HoP within NSS to the Chair of the RCGP in Scotland. The HoP explained the breach to the RCGP and sought assurances that such a breach would not happen in future. The RCGP have subsequently replied, apologising for the breach and taking responsibility for it. They have undertaken their own internal investigation and have given assurance that they have taken steps to ensure that an pre-release access to statistics will be treated in line with requirements of the Code of Practice.

A follow-up workshop to talk through the Code of Practice has been arranged (19 July) between statistics officials in NSS and officials in the RCGP in Scotland, with a particular focus on Pre-Release Access (PRA) protocols and to increase their awareness of the statistics publication process.

Within NSS we are re-examining the names and contact details of all individuals who have early access and PRA to all our official statistics products, to assess appropriateness of the access.

5. Links to published statements about this breach

<http://www.isdscotland.org/Health-Topics/General-Practice/>

6. Any other relevant supporting material

Preliminary investigation on Tuesday 14 June 2016 determined that members of a Scottish Government appointed stakeholder group for national primary care workforce information were given early access to the data for quality assurance (i.e. data not in its final form for publication) by the ISD analytical team responsible for producing the statistics. This was because the stakeholder group had been involved in developing the publication and their comments for quality assurance of the output were deemed to be valuable.

Two members of the stakeholder group are also members of the RCGP.

The ISD team of analysts that provided the stakeholder group with the early access data had explained and regularly reiterated the conditions of early access to the stakeholder group.