

REPORT OF A BREACH OF THE CODE OF PRACTICE FOR STATISTICS



1. Core Information

Title and link to statistical output	Outcomes for Children Looked After by Las: 31 March 2017 and additional tables on outcomes of children in need published at Characteristics of Children in Need 2016 to 2017
Name of producer organisation	Department for Education (DfE)
Name and contact details of person dealing with report	Alison Butler alison.butler@education.gov.uk
Link to published statement about the breach (if relevant)	Not applicable
Date of breach report	27 March 2018

2. Circumstances of breach

Relevant pillars, principle(s) and practice(s)	<p>T3.3 Access to statistics before their public release should be limited to those involved in the production of the statistics and the preparation of the release, and for quality assurance and operational purposes.</p> <p>T3.4 The circulation of statistics in their final form ahead of their publications should be restricted to eligible recipients</p>
Date of occurrence of breach	27 March 2018

1. The pre-release documents (text, methodology document and tables) were circulated at 09:30 on Wednesday 27 March 2018 to named colleagues with agreed pre-release access as per usual DfE processes. This email included in bold, red font, the following information at the top of the email:

RESTRICTED UNTIL PUBLISHED AT 9:30AM ON WEDNESDAY 28 MARCH 2018

You must not forward this email or discuss the contents with people it has not been sent to – this includes indications such as “favourable” or “unfavourable”. If you think that somebody else needs to have Pre-Release Access (PRA) to these statistics, please contact [statistical publication lead contacts and DfE Head of Profession contact] to discuss.

Any correspondence containing figures from these statistics before publication must replicate this text and be restricted to those on the PRA list

At 10:39 one recipient forwarded the pre-release email and all its attachments to 7 members of her policy team, 6 of whom were not on the pre-release list. The colleague who was on the pre-release list identified the breach and notified the statistical publication producers. Note that policy colleagues had been asked (well in advance of publication) who should be on the pre-release access list for briefing purposes and these individuals had not requested early access.

The recipient did not attend the pre-release meeting to discuss the findings. At this meeting, we reiterated that figures were not to be shared more widely and that any subsequent briefing emails throughout the day were to contain the restricted banner above.

2. At 13:31, a press office contact copied a colleague (who was not on the agreed pre-release access list) into draft press and policy lines. These lines included summary statements on the key findings. The lead statistical producer identified the breach as they were monitoring the email copy list.

3. Impact of the breach

1. The 6 colleagues receiving the information all work in children in need policy within the department. The information was deleted, recalled and unread and was not circulated further.

2. The colleague copied into press and policy lines works in the department on children's social care. The information in the email was confirmed as deleted and not read.

No statistics were publically released in advance of publication.

4. Corrective actions (taken or planned) to prevent re-occurrence

Short term:

1. The person forwarding the pre-release information was contacted and made aware of the consequences. They recalled the email at 11:05 and confirmed copies (all unread) were deleted prior to recalling.

2. The recipient of the press and policy lines was contacted immediately by the statistical publication producer. At 13:53 she confirmed she had deleted the email and its contents without reading it. The statistician responsible for the children looked after release recirculated a reminder to all people with pre-release access that they should treat all information as restricted until published and should not circulate the findings to others in advance of publication.

Long term:

We are continuing a programme of training across the department on statistics regulation including PRA – and have worked with the Office for Statistics Regulation (OSR) on the materials used. Following the two most recent breaches we will now look at making this training compulsory for individuals getting PRA access. In any cases of the same individual breaching PRA we will remove them from future PRA lists for a fixed period of time.

We are reviewing our processes for granting pre-release access to make sure those with access are aware of their responsibilities, including requiring all individuals to sign a declaration before they are granted early access. We are also updating our guidance materials and individuals will be required to read these materials before being granted access.

We are trialling using restricted file sharing software to share statistics under pre-release access, instead of using email attachments, to remove the risk of restricted statistics being copied to those not on the pre-release access list.