

# REPORT OF A BREACH OF THE CODE OF PRACTICE FOR STATISTICS



## 1. Core Information

Title and link to statistical output	Energy Performance of Buildings Certificates – Q2 2019 - To view click <a href="#">here</a>
Name of producer organisation	Ministry of Housing, Communities and Local Government
Name and contact details of person dealing with report	James Denman <a href="mailto:James.denman@communities.gov.uk">James.denman@communities.gov.uk</a> Tel: 030 344 44193
Link to published statement about the breach (if relevant)	Not relevant
Date of (original) breach report	1 <sup>st</sup> August 2019

## 2. Circumstances of breach

Relevant principle(s) and practice(s)	Pre-release Access to Official Statistics Order 2008 – Section 6(1)c – ‘ <i>An eligible person who receives pre-release access must not disclose the statistic,...or any suggestion of the size or direction of any trend indicated by that statistic, until after the official statistic has been published.</i> ’ Code of Practice for Statistics – Practice T3.4 – ‘ <i>No indication of the statistics should be made public</i> ’
Date of occurrence of breach	31 <sup>st</sup> July 2019
<p>About 45 minutes before publication of the Energy Performance of Buildings release at 09.30 on 31<sup>st</sup> July, the Department’s Head of Profession for Statistics was informed that at 7.34am the Secretary of State had tweeted a headline figure from the release using his personal Twitter account. In the 45 minutes preceding official release, officials discussed whether to delete the tweet. Due to two factors – the proximity of the publication threshold and the risk that deletion would raise our impact assessment above ‘minimal’ – it was decided that the tweet should not be deleted. By the evening of the same day the tweet had generated 133 retweets and 355 likes.</p>	

## 3. Impact of the breach

<p>Minimal. The release in question is not high-profile because it relates to a specialised area of the housing market and rarely generates widespread press coverage except in those instances where commentators judge that the contents of the release provide an early pointer to other aggregates such as the trend in housebuilding.</p>
--

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

<p>The breach occurred shortly after a new Secretary of State had arrived in the department and officials did not sufficiently draw his attention to the detailed briefing on the statutory basis of the UK statistical system and the Code of Practice, and in particular, his obligations with regard to the UK Government’s <i>Pre-release Access to Official Statistics Order 2008</i>. The Minister has now received full briefing on all obligations under the pre-release access legislation, and officials have changed their processes to ensure their error is not repeated – clearly marking embargoed statistics at all points when they are being referred to.</p> <p>Ministerial offices have been briefed on the use of official statistics and this will be incorporated into induction for new staff. All MHCLG Ministers and their Private Offices will receive detailed briefing on the statutory framework for official statistics, particularly with regard to their obligations under the statutory rules governing pre-release access.</p>
---