

REPORT OF A BREACH OF THE CODE OF PRACTICE FOR STATISTICS

1. Core Information [\[guidance\]](#)

Title and link to statistical output	Passenger rail performance 2019-20 Q4 statistical release https://dataportal.orr.gov.uk/statistics/performance/passenger-rail-performance/
Name of producer organisation	Office of Rail and Road (ORR)
Name and contact details of person dealing with report	Lyndsey Melbourne Lyndsey.melbourne@orr.gov.uk
Name and contact details of Head of Profession for Statistics/Lead Official	HoP: Lyndsey Melbourne Lyndsey.melbourne@orr.gov.uk
Link to published statement about the breach (if relevant)	n/a
Date of breach report	21 May 2020

2. Circumstances of breach [\[guidance\]](#)

Relevant principle(s) and practice(s)	Trustworthiness: Principle T3 – orderly release Practice T3.4
Date of occurrence of breach	
<p><i>Give an account of what happened including roles of persons involved, dates, times etc</i></p> <p>ORR circulated via email to the Department for Transport (DfT) rail statisticians (4 people) in accordance with our published pre-release list on Wednesday 20 May the “<i>Passenger rail performance 2019-20 Q4 statistical release</i>”. The lead statistician then produced associated briefing and circulated to the other eligible pre-release recipients in DfT This was all as per usual process.</p> <p>At 6.48pm a DfT press officer circulated an email “<i>DfT media forecast: Wednesday May 2020</i>” to a blind copy list of 485 recipients (internal DfT senior staff and a number of external Arm’s Length Bodies). This email included a summary of the results on train performance contained in the statistical release ORR were due to publish at 9.30am on Thursday 21 May. This was identified at 7.04pm by the Deputy Director of Rail Analysis as she was a recipient of the email, and she alerted press office and the lead DfT statisticians at that time.</p> <p>The HoP at ORR was informed of this pre-release breach via email at 8.06pm.</p> <p>Once the email recipient list was obtained from the DfT duty press officer the Head of Rail Statistics sent a replacement email at 9.23pm to all removing the information from the statistical release and asking all recipients to not open the original email and to delete it.</p>	

3. Impact of the breach [\[guidance\]](#)

Provide details of the impact of the breach both inside the producer body and externally

These are not market sensitive statistics so the impact is minimal.
We are unaware of how many people opened and read the summary of the statistics in advance of publication the next day.

4. Corrective actions (taken or planned) to prevent re-occurrence[\[guidance\]](#)

Describe the short-term actions made to redress the situation and the longer term changes to procedures etc

As detailed above, a replacement email was distributed to all involved as soon as possible after the breach was identified.

The Head of Profession at DfT has followed up with the Press Office senior leadership team (SLT) to request a review of the processes and training and guidance of staff. The underlying issue was a new member of staff making a human error in what was included – there will be further training in the media team, although this is very much seen as a one off issue. The whole SLT is aware and have clear procedures in place for what should happen, and will be updating how they train new starters.

Given the actions above ORR are reassured that the risk of re-occurrence of a pre-release breach is low. We will discuss progress on actions at our regular bilateral meetings.