

## Report of a breach of the Code of Practice for Statistics

### Core Information

Information needed	Response
Title and link to statistical output	Mental Health of Children and Young People in England 2020-follow-up to the 2017 survey <a href="https://digital.nhs.uk/data-and-information/publications/statistical/mental-health-of-children-and-young-people-in-england/2020-wave-1-follow-up">https://digital.nhs.uk/data-and-information/publications/statistical/mental-health-of-children-and-young-people-in-england/2020-wave-1-follow-up</a>
Name of producer organisation	NHS Digital
Name and contact details of person dealing with report	Steve Barber-Hayes, NHS Digital Sunita Wilkhu, NHS Digital <a href="mailto:stephen.barber1@nhs.net">stephen.barber1@nhs.net</a> <a href="mailto:Sunita.wilkhu1@nhs.net">Sunita.wilkhu1@nhs.net</a>
Name and contact details of Head of Profession for Statistics	Chris Roebuck <a href="mailto:Chris.roebuck@nhs.net">Chris.roebuck@nhs.net</a>
Link to published statement about the breach (if relevant)	N/A
Date of breach report	26 October 2020

### Circumstances of breach

Information needed	Response
Relevant principle(s) and practice(s)	<b>Trustworthiness: T3:</b> Accidental or wrongful early release (Practices T3.3, T3.4)
Date of occurrence of breach	22 October 2020

The Mental Health of Children and Young People in England 2020 was due for publication by NHS Digital (NHSD) on 22 October 2020. Pre-release briefing was sent to colleagues in the Department for Education (DfE) on 21 October 2020 in line with NHSD's latest pre-release access list.

One of those DfE recipients had recently changed role and after receiving the pre-release briefing emailed the DfE briefing coordinator to alert them to this. They also asked if they could forward the pre-release e-mail to the new person in role (but not on NHSD's pre-release access list). No response was given and no action was taken at this point. No information was forwarded. The email was not picked up by DfE's briefing coordinator until 8.20am on 22 October 2020.

DfE contacted NHSD's Statistical Governance team by phone and email at 8:27am on 22 October (the day of release) to enquire whether the pre-release access form could be amended, to include the new contact name. At 8.52am NHSD's Statistical Governance team declined this request as the publication was going live that same day at 9.30am.

DfE contacted the new person in role via e-mail on 22 October 2020 at 8:50am to pre-warn them that a publication was due to be published at 9:30am. As part of this email alert DfE mistakenly forwarded the original briefing email that included a single line summarising the headline findings (although the attachments and data had been removed). DfE spotted this error at 8.52am and alerted the recipient straight away stressing that they must not share this finding more widely. No further information or findings were shared until after the 9:30am embargo. The breach was reported by email to NHSD Statistical Governance team on 22 October 2020 at 3.18pm.

## Impact of the breach

The Department of Education forwarded a pre-release email (containing one headline summary of the publication's findings) to a colleague not included on the approved pre-release access list approximately 40 minutes before the publication went live. The breach was spotted promptly, and the colleague was emailed straight away and did not share that information further.

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

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

NHSD's Statistical Governance has stated on every document like the PRA form, on every confirmed PRA form e-mail, including the 24-hour pre-release e-mails that are sent out that this information is not to be shared outside of the approved PRA list, as this will be a breach.

NHSD has spoken to DfE to make them aware of the process and the importance of adhering to the Code of Practice for Statistics. It has been agreed that for future releases DfE will review the pre-release access list before submitting this to NHSD's Statistical Governance team for approval, ahead of the pre-release date, to ensure that the contact list is up to date.

DfE will remind the contacts that are listed on the pre-release access list of the pre-release protocol and not to forward any information relating to the publication unless they have been approved on the pre-release access form. DfE will liaise with NHSD Statistical Governance on any additional guidance that is required going forward.