

UK STATISTICS AUTHORITY

RESEARCH ACCREDITATION PANEL

Research Accreditation Panel Terms of Reference

Introduction

1. The Research Accreditation Panel (RAP) provides independent oversight of and guidance on the operationalisation of the following legal gateways which allow accredited and approved researchers to access data for research and statistical purposes:
 - i. Digital Economy Act 2017 (DEA) (Part 5, Chapter 5) which includes an important statutory framework to support the UK research community, both within government and beyond, that permits public authorities to share de-identified information with accredited researchers for the purposes of public good research. Under the DEA, the UK Statistics Authority is the statutory body that will oversee the accreditation of researchers, projects, processors and secure access environments, as set out in the [Research Code of Practice and Accreditation Criteria](#).
 - ii. The Statistics and Registration Service Act (SRSA) 2007 at s.39(4)(i) allows access to unpublished data held by ONS by approved researchers for the purpose of statistical research. The Approved Researcher gateway in the SRSA is operationalised in line with the [Research Code of Practice and Accreditation Criteria](#).
2. The RAP provides advice to the National Statistician on the ways in which these legal gateways are operationalised to ensure compliance with legal requirements and efficiency of service for research accreditation. The RAP also advises the National Statistician on work that could be undertaken by the UK Statistics Authority to maximise the impact of the Research powers within the DEA 2017.

Role and Responsibilities

Independent oversight of accreditation operations

3. All projects involving access to data for research purposes using the SRSA Approved Researcher gateway (as of 9 September 2021) and the DEA Research power will be consistently accredited using a common set of established frameworks and standards, as overseen by the RAP. The RAP will also have oversight of the established framework and standards used to accredit processing environments under the Research power in the DEA, as well as the framework and standards to both approve and accredit researchers under the SRSA and the DEA, respectively.
4. The RAP has oversight of the processes that the UK Statistics Authority operationalises to grant access to de-identified data to accredited researchers, to ensure that this is independent, consistent, and transparent. The RAP will oversee the framework used to accredit research projects, researchers and processing environments. The framework used is set out in the [Research Code of Practice and Accreditation Criteria](#).

5. Through application of the research project accreditation framework, where it is judged that independent advice and assurance is required, research project applications may be considered directly by the RAP. The RAP will act in the following capacity in the below circumstances:
 - i. Where Digital Economy Act processing environments submit projects for Panel consideration, the RAP will provide a final project accreditation decision on behalf of the UK Statistics Authority. All data owner approvals for the project must be in place before the project is considered by the RAP. The project accreditation will be published on the UK Statistics Authority website.
 - ii. Where the Integrated Data Service submits projects for Panel consideration, the RAP will provide a project accreditation decision on behalf of the UK Statistics Authority. All research projects considered for access within the Integrated Data Service will be approved under the s.39(4)(i) of the SRSA 2007, until the Integrated Data Service receives accreditation as a secure data processing environment under the DEA.
6. Regarding the accreditation and compliance reviews of accredited data processing environments, the RAP will receive regular reports and advice from expert assessors appointed by the UK Statistics Authority. The RAP will provide an accreditation decision based on the expert advice provided.
7. Regarding the accreditation of researchers, the RAP will receive regular updates from approved providers of researcher accreditation on the operationalisation of these processes. The RAP will provide advice to providers to ensure the process for accrediting and approving researchers is in line with the Research Code of Practice and Accreditation Criteria.

Independent strategic advice to the National Statistician

8. The RAP provides independent advice to the UK Statistics Authority, which is the statutory accrediting body for Chapter 5 of Part 5 of the DEA, on how the UK Statistics Authority can best support public good research through strategic improvements to the operationalisation and use of the DEA Research powers.
9. The RAP will receive reports that provide insight into the operation of the data access landscape as related to accredited processing environments, and advise the UK Statistics Authority on how it might best work with accredited processors to support improvements to the wider data access process, for which research accreditation is one part.
10. Regarding the withdrawal of accreditation, the [Research Code of Practice and Accreditation Criteria](#) sets out the circumstances in which accreditation can be withdrawn from accredited processors (at 22.1), accredited researchers (at 29.1), and accredited research projects (at 38.1). Where areas of non-compliance are identified across each of these areas which could result in the withdrawal of accreditation, the RAP will be provided with a report on the issue. The RAP will provide advice to the UK Statistics Authority Board through the National Statistician on the withdrawal of accreditation of a processing environment, researcher or research project.

Meetings

11. The RAP will meet on a quarterly basis. The Chair of RAP may convene additional meetings as deemed necessary and the RAP may transact business via correspondence as necessary.
12. The workload of the RAP relating to project accreditation will be managed as follows:
 - i. Digital Economy Act Accredited Data Processing Environments and the Integrated Data Service will validate each research project accreditation application against the framework agreed by the RAP. The UK Statistics Authority will accredit research projects that prove compliant with the research accreditation framework. Projects accredited by this means will be periodically reported to the RAP for oversight and audit purposes.
 - ii. Where necessary, research project accreditation applications will be forwarded to the RAP for review, whereby the RAP will provide an accreditation decision on the project.
 - iii. In these instances, the RAP will consider research project applications by correspondence by default. The RAP reserves the right to defer the consideration of research project applications considered by correspondence to sitting meetings, should additional discussion be required.

Reporting

13. The RAP will report to the Board of the UK Statistics Authority through the National Statistician.
14. The RAP will operate transparently. The RAP's discussions during meetings will be made publicly available on the UK Statistics Authority website. A list of projects accredited under the Research framework overseen by the RAP will be published on the UK Statistics Authority website, including projects accredited under the Research strand of the Digital Economy Act 2017 from October 2019 onwards, and projects approved under Section (39)(4)(i) of the Statistics and Registration Service Act 2007 from 9 September 2021 onwards. Summary information on applications rejected by the RAP and the reasons for the rejection will be published.
15. The RAP may resolve to publish additional reports which communicate the work of the RAP and other relevant matters at any time.
16. At least seven days prior to its meetings, the RAP will receive reports as it requires.
17. When required, research project applications will be submitted to RAP members via correspondence on a rolling basis. Members may receive up to four project applications via correspondence per month.

Appeals

18. Researchers and potential processors will have a right to appeal the processes and procedures of the RAP. An appeal can be considered if sufficient evidence

has been provided that the RAP's assessment was not conducted in accordance with the RAP's standard procedures and processes or some other material irregularity related to the assessment process has occurred.

19. Appeals must be submitted to the UK Statistics Authority within 28 working days of the RAP's initial decision.
20. If the appeal fulfils the criteria set out above the appeal will be considered by an Appeals Panel. The Secretariat will inform the National Statistician (or their nominee) and the National Statistician will convene an Appeals Panel including the Chair of the RAP, an independent member of the RAP, and the Chair of the National Statistician's Data Ethics Advisory Committee. The Appeals Panel have the option of including an independent subject matter expert on the Panel, depending on the nature of the project. Where an appeal is received from a processor (or applicant as a processor), the Panel will also include the ONS Chief Security Officer. Members of the Appeals Panel can appoint a delegate to attend the Appeals Panel in their place.
21. The Appeals Panel will convene a meeting within 15 working days after the submission deadline for the appeal. In reaching a decision the Appeals Panel will have access to all documents needed to reach a decision.
22. The RAP Secretariat will inform the appellant of the conclusion of the Appeals Panel within 15 working days of the Appeals Panel reaching a decision.
23. The Appeal Panel's judgement is final and cannot be subject to further appeal.

Membership and role of members

24. The members of the RAP will include:
 - i. an independent Chair (appointed by the National Statistician);
 - ii. at least three representatives of data providers in the UK Government and the Devolved Administrations;
 - iii. a senior representative of the National Statistician; and,
 - iv. at least four independent members which should be senior researchers from different areas of specialism (e.g., social science, statistics, economics and data science) from a variety of different sectors (e.g., academia, commercial and third sector).
25. The Chair may invite other relevant experts as appropriate to advise the RAP.

Quorum

26. The RAP meetings will be considered quorate when at least four or more members are present including the Chair or the Chair's delegated nominee, and at least one independent member.
27. Substitutes will not be permitted to attend meetings, unless with the invitation of the Chair.

28. When conducting business via correspondence, the RAP's discussion and decisions will be considered quorate when at least four or more members provide written response, including at least one independent member.
29. Those research project accreditation applications that are formally considered by correspondence must be approved to all assigned RAP members. The RAP will not conduct project accreditation through passive agreement.

Secretariat

30. The Authority's Data Governance, Legislation, and Policy team will be responsible for the RAP's secretariat, overseeing the appointment of members, organising meetings and ensuring that the RAP operates transparently. Digital Economy Act Accredited Processing Environments and government departments will be responsible for providing technical support to the secretariat including liaising with applicants, reviewing the research project accreditation applications, and applying the RAP's project accreditation framework.

Review

31. The RAP will review the effectiveness of its meetings and its terms of reference annually.

Membership as of 19 August 2022

32. The membership of the RAP is currently:
 - i. Chair: Professor Paul Boyle
 - ii. Independent lay/expert members: Tricia Dodd, Chris Dibben, Andrew Garrett, Alex Singleton, Roger Halliday and Ann Berrington.
 - iii. Representative of the National Statistician: Sarah Henry (Director, Methods Data Research, Office for National Statistics)
 - iv. Representative of UK Research and Innovation: Emma Gordon
 - v. Representatives of data providers: Mark Brewin (HMRC), Paul Lodge (DWP)
 - vi. Representatives of the devolved administrations: Siobhan Carey (NISRA), Alistair McAlpine (Scottish Government), Stephanie Howarth (Welsh Government)
33. The RAP is also supported by:
 - i. Secretariat: Sophie Gwilym & Lily O'Flynn (Data Governance, Legislation & Policy, UK Statistics Authority)
 - ii. Advisors: Jason Riches (Legal Services, UK Statistics Authority), Andy Wall (Chief Security Officer, ONS), Simon Whitworth (Data Ethics, UK Statistics Authority), and Ross Young (Data Protection Officer, UK Statistics Authority).