

UK STATISTICS AUTHORITY
RESEARCH ACCREDITATION PANEL

Minute

Tuesday 6 December 2022

Present

Committee Members

Paul Boyle (Chair)
Ann Berrington (Independent Member)
Mark Brewin (HM Revenue & Customs)
Michael Chapman (NHS Digital)
Andrew Garrett (Independent Member)
Emma Gordon (Independent Member)
Roger Halliday (Independent Member)
Paul Lodge (Department for Work & Pensions)
Alexander Singleton (Independent Member)

Advisors

Andy Wall (Legal Advisor, ONS)
Simon Whitworth (Data Ethics Advisor, UK Statistics Authority)
Ross Young (Data Protection Officer, UK Statistics Authority)

In Attendance

James Evans (ONS) for Item 1
Petros Saravakos (UKSA) for Item 1
Alison Pritchard (ONS) for Item 2
Tony Chapple (ONS) for Item 2
Roland Potts (ONS) for Item 2
Bill South (ONS) for Item 2
Mary Cowan (OSR) for Item 5
Shayda Kashef (ADR-UK) for Item 5

UK Statistics Authority

Sophie Gwilym
Lewis Hopcroft
Natasha Kong
Lily O'Flynn

Apologies

Chris Dibben (Independent Member)
Tricia Dodd (Independent Member)
Sarah Henry (ONS)
Stephanie Howarth (Welsh Government)
Alistair McAlpine (Scottish Government)

1. DEA Processor Accreditation: ONS DEA Accreditation Annual Review Update

- 1.1 James Evans (ONS) and Petros Saravakos (UKSA) presented the Panel with a follow-on review of the Office for National Statistics' (ONS) 2022 DEA accredited processor annual review report, first discussed at the June RAP meeting. At the June meeting, several areas relating to the ONS's capability evidence submission were highlighted as requiring improvement. Therefore, the Panel requested an interim accreditation review of the ONS in these highlighted areas in November 2022 to understand progress made by ONS in improving capability maturity in these areas.
- 1.2 James Evans informed the Panel of the progress made by the ONS, actions undertaken and set out how ONS has significantly improved its reporting frameworks for DEA processor accreditation compliance reviews moving forwards. The presentation focused on the following improvements:
- i. Better structuring of the evidence collection for accreditation reviews.
 - ii. Development of improved training in some areas for colleagues supporting data preparation activities.
 - iii. More broadly identifying an owner for DEA accreditation activities within ONS that is responsible for the implementation of recommended actions.
- 1.3 Petros Saravakos (DEA Processor Accreditation Capability Assessor, UKSA) reported to the Panel contentment with the progress made by ONS in addressing recommendations made in June 2022 against the highlighted data capability controls. In preparation for the next accreditation review of ONS, it was agreed that the progress made in this interim period will be translated into clear, specific, and relevant evidence submitted under the new data capability accreditation framework, which would allow for improved collaboration between DEA data capability assessors and ONS staff.
- 1.4 The Panel supported the progress made by ONS colleagues against the agreed actions previously committed to at the June RAP meeting following the ONS's 2022 DEA processor accreditation annual review.

ACTION: The ONS to ensure improvements evidenced as part of this interim processor accreditation review are translated into relevant evidence submitted under the new DEA data capability processor accreditation framework for the next accreditation review of ONS in February 2023.

2. DEA Processor Accreditation: Integrated Data Service (IDS) Update

- 2.1 Alison Pritchard (Deputy National Statistician and Director General for Data Capability, ONS) presented the work ONS has been doing to deliver the Integrated Data Service (IDS) with support from Bill South (ONS), Roland Potts (ONS) and Tony Chapple (ONS). The IDS is planning to apply for accreditation as a DEA accredited processing environment in early 2023, providing a cross-government service which securely enables co-ordinated access to a range of high-quality data for both government analysts and external accredited researchers to inform policy decisions and improve public services.

2.2 The DEA Research Strand will be the primary legal gateway that enables access to data in the environment and the DEA Research Code of Practice and Accreditation Criteria provides the framework to govern data access under the DEA within the environment. The UK Statistics Authority (UKSA) is the statutory accrediting body named within the DEA Research Strand, responsible for accrediting secure environments, research projects and researchers under the legislation. The UKSA has appointed the Research Accreditation Panel to advise on and discharge these functions on its behalf. At the September RAP meeting, the RAP requested an update from the ONS setting out, first, the data access proposals it is working on to reduce what the IDS regards to be friction in the IDS data access process and, second, evidence of how IDS operations will be compliant with the DEA Research Code of Practice and Accreditation Criteria.

2.3 At this December meeting, the paper presented included ONS's approach to obtaining processor accreditation. Alison confirmed the IDS's commitment to submit a DEA processor accreditation application by January 2023. The paper also set out the proposed approach for managing data access for analysts using the IDS. The Integrated Data Programme (IDP), which is delivering the IDS, is assessing the potential for various changes to the way in which DEA research accreditation is currently operationalised, with these changes aiming to improve access to data for analysts from central and devolved government departments in the first instance, including:

- i. Delegating the DEA research accreditation decision for most government data from the RAP and the UKSA to chief analysts within government departments.
- ii. Streamlining the information government analysts provide about their data use to obtain DEA research accreditation.
- iii. Accreditation of macro research projects, or programmes of research, that would enable smaller pieces of analysis to go ahead under approved themes at pace which is managed via cross-Whitehall data governance mechanisms supported by accredited data stewards, without further requirement for lower-level research project accreditation undertaken by the UKSA.
- iv. Delegating DEA researcher accreditation decisions to chief analysts within government departments for those government analysts that form part of a government analytical profession.
- v. Entrusting government departments with responsibility for statistical disclosure control of outputs from DEA accredited projects within the IDS, where this responsibility has typically sat with the accredited trusted research environment (TRE) providing access.

2.4 The Panel has been supportive of making improvements to the service provided to researchers accessing data under the DEA Research Strand across all DEA accredited TREs, with the RAP and UKSA driving improvements to research accreditation practices in recent years. The RAP was clear that, in the absence of legislation changes, any future improvements made to DEA research

accreditation practices must continue to adhere to the safeguards underpinning data access under the DEA, as set out in the Research Code of Practice and Accreditation Criteria, approved by Parliament in 2018. Therefore, the Panel requires assurance that each of the IDP's above proposed changes to research accreditation operations are compliant with the DEA's Research Code of Practice and Accreditation Criteria. The RAP asked the RAP Secretariat to support this work as it develops to ensure that compliance with DEA Research Code of Practice and Accreditation Criteria is upheld.

ACTION: Alison Pritchard and IDP to demonstrate to the RAP how each of the proposed changes to current DEA accreditation operations are compliant with safeguards set out in the DEA Research Code of Practice and Accreditation Criteria at their earliest convenience. This work is to be shared with the RAP Secretariat team for consideration before proposals are circulated more widely.

2.5 The Panel requested assurance from the IDP that data-owning government departments are supportive of the changes to DEA accreditation operations that the IDP is proposing, as the DEA Research power is permissive and therefore must be supported by those government departments wanting to use it. The Panel noted that current research accreditation processes have already been streamlined, with support from government departments. There is a concern that introducing additional flexibility into the research accreditation system could introduce additional risks into the data sharing process that government departments may not be comfortable with. Potentially, this could elongate research accreditation approval times or, in a worst case, result in government departments refusing to provide access to the data they hold.

ACTION: Alison Pritchard and IDP to work with government departments looking to share data with the IDS under the DEA Research powers to understand the extent of support for proposed changes to existing DEA research accreditation operations, and present this to the RAP at the earliest convenience alongside demonstration of how such proposals comply with the requirements within the Research Code of Practice and Accreditation Criteria.

2.6 The Panel noted that there are currently 11 existing DEA accredited TREs, which are already making government data available under the DEA Research powers using existing DEA research accreditation operations. The Panel stressed that any proposed changes to streamline research project accreditation for government analysts will need to be workable for the wider network of DEA accredited processors. This is important to ensure that, in the long-term, the system is using a single set of practices that are consistently applied to provide the research community with access to data via the DEA, and to maintain existing public acceptability for the DEA Research powers and data sharing more widely. The RAP Secretariat supports DEA accredited processors in implementing existing DEA research accreditation operations, and therefore is well-placed to support the IDP with work in this area.

ACTION: Once the above actions have been taken forward, the RAP Secretariat to facilitate a dialogue with DEA accredited TREs to understand the extent of

support for the IDP's proposed changes for research accreditation practices to ensure that proposed changes are workable for all DEA accredited TREs. This work to be presented to the RAP at the earliest convenience.

3. DEA Project Accreditation: Transparency Requirements for Publication Exemptions

3.1 Sophie Gwilym (UKSA) presented the Panel with the transparency requirements for project publication exemptions set out in the DEA Research Code of Practice and Accreditation Criteria and requested guidance from the RAP on which circumstances exemptions from compliance with the DEA's publication transparency requirements may be considered and granted.

3.2 At the September meeting, the RAP commissioned the UKSA to develop a policy on publication exemptions due to increasing numbers of publication exception requests being submitted for DEA research project accreditation applications, especially by government departments. The transparency requirements for publication exemptions are set out under s.4.1 of the DEA Research Code of Practice and Accreditation Criteria:

- i. *All parties using the Research power should adopt a commitment to transparency by default in order to maximise the potential public value of research facilitated by access to data held by public authorities... Decisions concerning whether or not to publish such information may be informed by security or other considerations where the risks of publishing such information would outweigh the potential public benefits.*

3.3 The Panel agreed that transparency by default as set out in the DEA Research Code of Practice and Accreditation Criteria must be upheld, regardless of whether analysis is being undertaken by government or the wider research community. However, the Panel recognised that there might be some circumstances in which full transparency around research outputs may not be possible. Examples of this might include research projects that do not achieve their stated public benefit, and instead produce outcomes that could result in public harm, or preliminary research that does not progress or is not feasible.

3.4 The Panel agreed that exemptions from publishing research outcomes should only be considered whereby the risks of publishing such information outweigh the potential public benefits of doing so. The Panel noted the difficulty of defining specific circumstances in which this may be the case and agreed for the UKSA to investigate this further with the aim of developing a policy and associated guidance on this issue, which is supported by wider government frameworks and guidance relating to transparency.

ACTION: The UKSA to undertake further research to develop the DEA publication exemptions policy and present this to the RAP at a future meeting.

3.5 The Panel agreed that until the publication exemptions policy is fully formed, the UKSA will work with accredited TREs and researchers requesting publication exemptions to commit to full transparency of publications. Where analysts are clear that transparency of research outputs is not possible, these projects will be escalated to the RAP for a full review and accreditation decision.

4. ADR UK & OSR's Public Dialogue Presentation

4.1 Shayda Kashef (Administrative Data Research UK, ADR UK) and Mary Cowan (Office for Statistics Regulation, OSR) presented on the findings of OSR's and ADR UK's joint report titled *Public perceptions of public good*. This was the result of ADR and OSR's partnership this year to develop a UK-wide public dialogue with online and in-person workshops, to build on existing knowledge and create a resource exploring the primary question of what do the UK public perceive as 'public good' use of data and statistics.

4.2 The presentation sets out their findings on what the public perceives as public good in data use for research and of statistics. The findings revolved around 5 main themes:

- i. Public involvement: Members of the public want to be involved in making decisions about whether public good is being served.
- ii. Real world needs: Research and statistics should aim to address real-world needs, including those that may impact future generations and those that only impact a small number of people.
- iii. Clear communication: To serve the public good, there should be proactive, clear, and accessible public-facing communication about the use of data and statistics to better communicate how evidence informs decision-making.
- iv. Minimise harm: Public good means data collected for research and statistics should minimise harm.
- v. Best practice safeguarding: Universal application of best practice safeguarding principles to ensure secure access to data should help people feel confident to disclose data.

4.3 ADR UK and OSR confirmed that they will begin to coordinate actions to take forward some of the report's findings in their own organisation's work.

4.4 The Panel thanked ADR UK and OSR for their presentation, noting that research surrounding public involvement and their perceptions of public good was important and timely. The Panel raised the following points in the discussion that followed:

- i. More could be done with engaging the public on the DEA data access process and involving the public in agreeing what should be considered as research that is for the public benefit.
- ii. The DEA public register of accredited research projects and researchers is important in maintaining public confidence and transparency in our data access processes and should be kept updated regularly.
- iii. The ADR UK and OSR may benefit from working with the National Data Guardian in this area given that some recommendations made in this report mirror work that the National Data Guardian is undertaking.

ACTION: The RAP Secretariat to consider how public opinion can be better embedded into DEA data access accreditation process and present a proposal on this to the RAP at a future meeting.

5. Any Other Business

5.1 Sophie Gwilym informed the Panel the IDS will be submitting several exploratory research project applications to host research focused on realising the full potential of England and Wales Census 2021 data to the UKSA and the RAP for consideration in due course. This research forms part of the IDS 'Early Adopter' initiative, whereby a limited number of trusted, senior analysts and their teams from Government and Devolved Administrations of the UK have been invited to obtain early access to the IDS. The projects will be accredited under the SRSA Approved Researcher gateway which is operationalised in line with the DEA Code of Practice and Accreditation Criteria, and therefore falls within the remit of the RAP's research accreditation oversight.

5.2 The Panel noted the usual report of accreditation processes undertaken by the UK Statistics Authority and overseen by the Panel in the interim period between the RAP meetings. The Secretariat noted the information provided within these reports will be reviewed to ensure the RAP is receiving the evidence it requires.

5.3 The RAP will meet next on 17 March 2022.