

Statistics Commission



Report No. 35  
Proposals for a Code of Practice  
for Official Statistics

October 2007

# Statistics Commission

Report No. 35

Proposals for a Code of Practice for  
Official Statistics

Report by the Statistics Commission

October 2007

Statistics Commission  
Artillery House  
11-19 Artillery Row  
London SW1P 1RT  
020 7273 8008  
[www.statscom.org.uk](http://www.statscom.org.uk)

© Crown Copyright 2007



# Contents

Part 1: Introduction	1
Part 2: Proposals for a Code of Practice for Official Statistics	9
Preamble	9
Principle 1: Integrity	11
Principle 2: Relevance	12
Principle 3: Sound methodology and assured quality	13
Principle 4: Value for money	14
Principle 5: Communication	15
Principle 6: Presenting statistics	16
Principle 7: Accessibility	17
Principle 8: Confidentiality	18
Principle 9: Proportionate burden	19
Principle 10: Adequate resources	20
Annex A: Guidance on release practices	21
Annex B: Guidance on consultation	23
Part 3: Report on the Commission's consultation	25

*Official statistics that meet the test of practical utility are to be compiled and made available on an impartial basis by official statistical agencies to honour citizens' entitlement to public information.*

UN Fundamental Principles of Official Statistics

# Part 1: Introduction

**This report sets out the Statistics Commission's recommendations on the content of a revised Code of Practice for official statistics. It builds on an earlier consultation and on the contributions of a number of national and international experts.**

- 1.1 The Statistics and Registration Service Act 2007<sup>1</sup> creates a new Statistics Board and gives it the objective of 'promoting and safeguarding the production and publication of official statistics that serve the public good'. One of the statutory requirements on the Board is to prepare and publish a Code of Practice; and, subject to the agreement of relevant authorities, to assess whether the Code has been complied with in relation to any official statistics. The concept of official statistics is defined in the Act.
- 1.2 Official statistics which the Board assess as being compliant with the Code are designated as 'National Statistics'. Once statistics are so designated, the body responsible for their production is under a statutory duty to comply with the Code. And the Board must re-assess from time to time whether those statistics continue to be Code-compliant. Thus the Code of Practice, in the form that the Board will determine, will play a central role in the fulfilment of the Board's statutory objective of ensuring that official statistics serve the public good.
- 1.3 There is however already a National Statistics Code of Practice<sup>2</sup> which sets standards for statistical work in government; and the Statistics Commission, which will be wound up when the Board comes fully into effect, has sought to ensure compliance with it. In doing this, the Commission has noted weaknesses in the current Code and, in 2006, undertook to review it and offer independent advice on how it might be improved. The requirement that the new statutory Code should form the basis for a formal assessment process also necessitates some rethinking of the structure and language of the current Code.
- 1.4 In December 2006 the Commission published an interim report and initiated a public consultation<sup>3</sup> on a revised Code of Practice. In response, we received valuable input from a wide range of experts. This report draws together the results of that consultation and sets out amended recommendations in the form of a draft Code of Practice. We recognise that it will be for the new Statistics Board to take final decisions on the content of the Code but we hope that this report will assist in that process.

<sup>1</sup> *Statistics and Registration Service Act 2007*, 26 July

<sup>2</sup> *National Statistics Code of Practice, 2002*, TSO

<sup>3</sup> *A Code of Practice for National Statistics – Interim Report for Consultation*, Statistics Commission Report No 31, December 2006

This report is in three parts:

**Part 1: Introduction** and background

**Part 2:** Proposals for a **Code of Practice**

**Part 3:** A **report on the consultation** carried out between December 2006 and February 2007.

## Evolution of the statutory arrangements

- 1.5 In March 2006, following an earlier announcement by the Chancellor of the Exchequer<sup>4</sup>, the Government published a consultation paper, *Independence for statistics*<sup>5</sup>, setting out proposals to establish, through legislation, an independent Statistics Board with oversight of official statistics. Among the proposals was to give the Code statutory backing “by legislating to make the development and maintenance of the Code the specific responsibility of the board”<sup>6</sup>.
- 1.6 In July 2006 the House of Commons Treasury Committee published a report *Independence for Statistics*<sup>7</sup>, in response to the Government consultation. Referring to the Code of Practice, the Treasury Committee said:  
  
“The introduction of a new statutory code of practice would offer the opportunity to establish a code which is unambiguous, able to be understood by a wide range of readers and sufficiently precise as to be readily enforceable.”
- 1.7 In November 2006, the Government published the Statistics and Registration Service Bill<sup>8</sup> which received Royal Assent in July 2007. The Act establishes the Statistics Board and, among other things, requires it to prepare and publish a Code of Practice.

<sup>4</sup> On 28 November 2005, the Chancellor of the Exchequer announced plans to introduce legislation to create a more independent statistical service.

<sup>5</sup> *Independence for statistics: A consultation document*, March 2006, HMSO.

<sup>6</sup> *Independence for statistics: A consultation document*, March 2006, HMSO, p.21

<sup>7</sup> *Independence for Statistics*, 26 July 2006, House of Commons Paper No. 1111, Treasury Committee's Tenth Report of Session 2005-06.

<sup>8</sup> *Statistics and Registration Service Bill (Bill 8)*, Parliamentary copyright, House of Commons, November 2006, TSO.

## The review

1.8 The Statistics Commission initially examined the existing Code and concluded that the proposed statutory arrangements would require a code that, whilst covering much the same ground, would be different in some important respects:

- It should be shorter, simpler and more imperative in style – partly in order that individuals might find it easier to understand and remember, and partly so that bodies that produce statistics would more readily be able to tell if their practices were compliant.
- As far as possible, it should provide an unambiguous and structured basis for independent assessment and audit.
- It would benefit from being closer in style, structure and content to the European Statistics Code of Practice<sup>9</sup>, introduced in 2005, compliance with which is expected of all EU national statistics offices. That Code seemed to us more suited to the process of assessment than the existing UK one.
- It should be drafted to apply to government departments and agencies that produce official statistics – including their ministers and senior managers – not just to statistical staff or to the statistics themselves. That is, it should apply to the body that is publicly accountable.
- Unlike the current Code, it should not set out exceptions and exemptions to the Code in the text itself. Instead, another mechanism should be adopted for agreeing and documenting necessary exceptions and special cases in order to avoid overburdening the text. This change substantially shortens the Code.
- It should be drafted so that its principles are applicable to all official statistics whether branded as ‘National Statistics’ or not.

1.9 In carrying out the review, each part of the current Code was closely studied and its essential requirements identified. Thus, the Commission’s amended draft flows directly out of the existing Code and is, in large measure, a clarification and simplification of it. In some cases, however, additional principles and practices have been introduced, mostly based on concepts in the European Code or in other models such as the UN Fundamental Principles for Official Statistics<sup>10</sup>.

<sup>9</sup> *European Statistics Code of Practice: For the national and community statistical authorities*, Eurostat, adopted by the statistical programme committee on 24 February 2005. The European Statistics Code is based on 15 principles. Governance authorities and statistical authorities in the European Union commit themselves to adhering to the principles in this code covering the institutional environment, statistical processes and outputs.

<sup>10</sup> *Fundamental Principles of Official Statistics*, UN Statistics Division, United Nations 2006.



1.10 A full mapping of the provisions of the proposed Code against the current one is not practicable. However, three key differences are:

- The adoption of a principle (Principle 10) on resources. This broadly follows the model of the European Code and is appropriate for one that will apply to a number of largely autonomous organisations.
- The requirement on producer bodies under Principle 2 to investigate and document the use made of existing statistics and the types of decisions they inform, and the key areas of emerging demand and unmet need. We see investigation of these things as fundamental to effective planning and quality assurance.
- The substantial shortening of the text and the requirement that exceptions and exemptions to the application of the Code will be by agreement with the Statistics Board (see Preamble to the Code, paragraph ix).

## Assessment against the Code

1.11 The Act refers to assessment of whether the Code has been complied with in relation to 'statistics', without defining exactly what this means. The Statistics Commission interprets it to mean that the Board will assess against the Code all the relevant activities of government bodies that produce National Statistics. Speaking in a debate on the Bill in the House of Lords, Lord Davies, the relevant government Minister, said that "this duty [to comply with the Code] applies not only to statisticians, but to every individual within a department who plays a role in the process – from those involved in preparing briefing for Ministers to the press officers and everyone in between."<sup>11</sup> This is an important clarification of the intent of the legislation.

## Making a difference

1.12 The new Code should be seen as the central component of a comprehensive framework of assessment and assurance that will maintain and raise standards over time, not just a free-standing statement of good practice. We believe that adherence to the Code will help to ensure that statistics and related advice are produced and released in ways that are increasingly well attuned to the needs of users.

1.13 The draft Code seeks to identify good practice in a way that supports independent assessment. We have consciously 'set the bar' at a level that is

<sup>11</sup> House of Lords debate on 18 June 2007, column 37

likely to require bodies that currently produce official statistics to change and improve some practices. In particular, we expect the revised Code to make a difference in areas such as:

- Supporting coherent and systematic planning of statistical services across the different producer bodies to meet identified needs. At present, we do not think that user needs are addressed in a sufficiently systematic way, or that decisions about statistical priorities are taken in a sufficiently consistent and transparent way.
- Encouraging fuller, more helpful, written commentary to accompany the published statistics, informing users of the known strengths and weaknesses of the statistics in relation to the main uses to which they are likely to be put. At present, we regard some of the written commentary as overly cautious and/or insufficiently aligned with the likely uses of the statistics.
- Promoting more effective communication with users of statistics, helping them to find and understand the figures and related advice on interpretation. At present, users of statistics often express frustration at the difficulty of finding the statistics available or identifying the right source to use.

## The Code and ministerial statements

1.14 The draft Code requires that ministerial or policy statements – of the kind which government departments commonly issue separately from, but at the same time as, the release of statistics – should not precede the release of statistics to which they refer (Principle 1, practice 1). Our intention here is that the Code should prohibit any such statement, including background verbal statements to journalists or embargoed press releases, before the statistics are in the public domain. And that this would apply whether the statement contained the actual figures or just speculative comment about what they might show.

1.15 However, observance of this requirement still leaves scope for such statements to distract attention from, rather than expand on, the information in the statistical release. This will be particularly true if plans for central publication of statistics under the auspices of the Board (the ‘publication hub’) mean that departmental websites give less emphasis to the statistical releases and guide readers to the policy/ministerial statements. We therefore suggest that consideration should be given to including in the Code some basic standards for departmental statements issued in parallel to the release of statistics.

We have not included proposals in the draft Code itself at this stage but at minimum we suggest:

- the policy statement should contain a prominent link to the statistical release;
- the policy statement should be clearly labelled as such and easily distinguished from a statistical release;
- the use of statistics in the policy statement should meet basic professional standards (for example statistics should be cited accurately, charts should be drawn in an impartial way).

## Pre-release access

1.16 Pre-release access is defined in the Act as ‘access to the statistics in their final form prior to publication’. The Act explicitly prevents the Code from dealing with ‘any matter relating to the granting of pre-release access to official statistics’, which will instead be determined by government ministers subject to parliamentary approval (see section 11). With this exception, there are no specific constraints on the content of the Code.

1.17 The Act however states that ‘the Code shall apply in relation to any official statistics as if it included any rules and principles provided for in relation to those statistics’. What this means in practice is that whilst the Board does not determine the rules and principles relating to the granting of pre-release access, the Code has to be read as if those rules and principles were part of it – and thus assessment of compliance will take account of compliance with those rules etc regardless of the fact that they are not set out in the Code.

1.18 Because pre-release access is legally defined to refer only to statistics in their final form prior to publication, the question of the treatment of statistics *before* they reach that final form remains a matter for the Board and for the Code of Practice. Thus there are references in the draft Code (Part 2 of this report) to principles governing access to statistics before publication. Strictly speaking, these references do not apply to statistics in their final form but that is unlikely to present problems in practice.

## A Code for individuals

1.19 The draft Code is a code for government departments and agencies. This is in contrast to the Civil Service Code<sup>12</sup> which is a code for individual civil servants. There is arguably a case for supplementing the Code of Practice with additional guidance aimed at individual civil servants working on the production and communication of official statistics. This would serve to define the values and ethical standards that they, as individuals, are expected to respect. We are not making proposals on this but it is something the National Statistician and Statistics Board may wish to consider further.

## The structure of the Code

1.20 The draft Code consists of a preamble, ten principles and two annexes which set out fuller guidance on release practices and guidance on consultation. Each principle is supported by a statement of related practices. We would expect the principles to remain stable over time but the statements of practices might evolve and be supplemented by additional explanatory material in some cases.

<sup>12</sup> *The Civil Service Code*, 6 June 2006, Cabinet Office.



# Part 2: The Statistics Commission's Proposals

## A Code of Practice for Official Statistics

### Preamble

- i. Official statistics<sup>1</sup> are fundamental to good government, the delivery of public services and decision-making in all sectors of society. They are also essential to democracy, providing Parliament and public with a window on society and the economy, and on the work and performance of government.
- ii. Such statistics are produced by a large number of public bodies. Observance of a common Code of Practice by all such bodies is central to maintaining a unified statistical service that meets the needs of government and the wider community and is both trustworthy and trusted.
- iii. The Statistics and Registration Service Act 2007<sup>2</sup> requires that the Statistics Board prepares and publishes a Code of Practice and assesses compliance against the Code. Official statistics assessed as compliant with the Code are designated National Statistics. The Act requires that bodies which produce National Statistics must ensure that the Code continues to be observed in relation to those statistics.
- iv. This Code is consistent with the United Nations Fundamental Principles of Official Statistics<sup>3</sup> and the European Statistics Code of Practice<sup>4</sup>.
- v. The Code applies to all public bodies that produce official statistics, some of which are outside the civil service. The Code is, however, consistent with the civil service core values<sup>5</sup> of integrity, honesty, objectivity and impartiality. In relation to statistical work, these should be interpreted as follows:

*Integrity* – putting the public interest above organisational, political or personal interests

*(continued on next page)*

<sup>1</sup> Official statistics are as defined in the Statistics and Registration Service Act 2007.

<sup>2</sup> *Statistics and Registration Service Act 2007*, 26 July

<sup>3</sup> *Fundamental Principles of Official Statistics*, UN Statistics Division, United Nations 2006

<sup>4</sup> *European Statistics Code of Practice: For national and community statistical authorities*, Eurostat, 24 February 2005

<sup>5</sup> *The Civil Service Code*, 6 June 2006, Cabinet Office.

*Honesty* – being truthful and open about the statistics and their interpretation

*Objectivity* – using scientific method to collect statistics and basing statistical advice on rigorous analysis of the evidence

*Impartiality* – acting solely according to the merits of the statistical evidence, serving equally well all aspects of the public interest.

- vi. The Code contains ten principles and, in relation to each, a statement of associated practices. It has been framed to support the assessment of compliance both by the bodies that produce the statistics and independently by the Statistics Board. Two guidance notes, on practice in relation to the release of statistics and on consultation, are incorporated within the Code.
- vii. The requirements of the Code are specific but there will often be a need for interpretation and professional judgement. The National Statistician and the Statistics Board will provide supplementary advice and guidance to assist producers of statistics.
- viii. Some practices set out in the Code are relevant to more than one principle. In the interests of conciseness, the practices are not normally repeated under different principles. That does not mean they are less relevant where not cited explicitly.
- ix. Under some circumstances it may be appropriate for the Board to agree exemptions or exceptions to the practices, though not the principles. Bodies that produce National Statistics and are aware of a need for an exemption should make a case in writing to the National Statistician in the first instance. All exceptions and exemptions that are agreed will be reported by the Board to Parliament.
- x. The Code has the effect of placing different obligations on different groups of officials within bodies that produce official statistics: those with direct responsibility for statistical functions have obligations in relation to professional independence and for quality assurance; other officials need to ensure an environment in which statistical production and professional independence are supported.
- xi. It is implicit in the Code that, within those bodies that produce official statistics, there will be sufficient managerial separation between officials responsible for National Statistics and other staff of the organisation to ensure clear lines of accountability for observance of the Code.
- xii. The Code employs the phrase 'production, management and dissemination of official statistics' to refer to the entire statistical process from the decision to collect data through to providing advice to the user.

## Principle 1: Integrity

**At all stages in the production, management and dissemination of official statistics, the public interest should prevail over organisational, political or personal interests.**

### *Practices*

- 1) Issue statistical reports separately from any other statement or comment about the figures and ensure that no statement or comment is issued to the press or published ahead of the statistics.
- 2) Ensure that those producing such reports are protected from any political pressures that might influence the presentation of the statistics.
- 3) Follow all statutory obligations and internationally endorsed guidelines governing the collection of data, confidentiality, privacy and release.
- 4) Release National Statistics in accordance with the Guidance on release practices (Annex A).
- 5) Produce, and make publicly available, assessments of user satisfaction in relation to key outputs and services.
- 6) Keep records of feedback from users, including complaints, and make these records available on request, together with what action was taken.
- 7) Inform the National Statistician about complaints which relate to professional integrity, quality or standards whether or not they can be resolved directly.
- 8) Implement controls to ensure that individuals do not abuse the trust placed in them for personal gain.



## Principle 2: Relevance

**The production and dissemination of official statistics should be planned so as to meet the requirements of informed decision-making in government, public services, business and the wider community.**

**As far as possible, official statistics should be internally consistent, consistent over time, and compatible between producers.**

### *Practices*

- 1) Under the guidance of the National Statistician, adopt systematic statistical planning arrangements, including transparent priority-setting, that reflect the obligation to support all uses that serve the public interest.
- 2) Investigate and document the needs of users of official statistics, the use made of existing statistics and the types of decision they inform, and the key areas of emerging demand and unmet need. Take these into account in the planning process and report the results.
- 3) When changes are contemplated to official statistics, consult users effectively. Consultation should follow the Guidance on consultation (Annex B).
- 4) Adopt common statistical sampling frames, questions, definitions, statistical units and classifications (including common geographic referencing and coding standards) to promote comparability across official statistics. Make the reasons for deviations from standard models publicly available.
- 5) Adopt international standard concepts, definitions and classifications to promote international comparability wherever practicable and support the development of those standards through effective engagement with international organisations.
- 6) Where time series data are revised, or changes are made in methodology or coverage, consistent historical data should be produced wherever possible, taking into account user requirements.

### Principle 3: Sound methodology and assured quality

**Methods for the production, management and dissemination of official statistics should accord with scientific principles and internationally recognised best practice and be fully documented. Quality should be monitored and assured following centrally determined procedures which take account of internationally agreed concepts of statistical quality.**

#### *Practices*

- 1) Ensure that official statistics are produced according to scientific principles and deliver the quality of output required by users. Make publicly available detail of the methodologies adopted, including explanation of why particular choices were made.
- 2) Adopt quality assurance procedures that assess each statistical product against user requirements, and in terms of how they harmonise with other products. In doing so, draw on all available sources of expertise.
- 3) Support centrally managed reviews of statistical outputs including reviews of standards and classifications.
- 4) Seek to achieve continuous improvement in the processes underlying all outputs.
- 5) Identify any potential sources of statistical bias in estimates and provide users with an evaluation of the extent and direction of bias wherever practicable.
- 6) Maintain back-up arrangements to minimise the risk of loss or corruption of statistical resources, proportionate to the importance of each resource.
- 7) Manage official statistics in accordance with relevant public records legislation and codes of practice on records management.

## Principle 4: Value for money

**The resources allocated to statistical work should be used optimally to deliver outputs that meet the needs of users inside and outside government.**

### *Practices*

- 1) Monitor expenditure against business plans and demonstrate effective stewardship of funds allocated to statistical work.
- 2) Seek to balance quality against costs (including both costs to government and providers), taking into account the expected uses of the statistics.
- 3) Make full use of shared statistical planning arrangements with other producers of official statistics both to minimise the risk of duplication in statistical production and to make it possible to use existing sources, in combination where appropriate, to meet user needs.
- 4) Plan statistical production in such a way that it adds value to other parts of the statistical system where possible.
- 5) Maximise opportunities for use of existing administrative data, cross-analysis of sources and for the exchange and re-use of data. Where possible, use common information technology and information management systems which facilitate the flow of information between producers of statistics.
- 6) Use project management techniques, risk management and business continuity planning in ways that secure value for money.
- 7) Ensure that the balance between resources committed to the production of statistics and resources for their presentation, dissemination and communication, is such as to encourage maximum use of official statistics in the public interest.

## Principle 5: Communication

**Official statistics, and information about statistical processes, should be published in a form convenient to users and in as much detail as is practicable and allowed by confidentiality constraints.**

### *Practices*

- 1) Make statistics available in as much detail as is reliable and practicable, subject to legal and confidentiality constraints, offering choice and flexibility in the format according to the level of detail required by the user.
- 2) Publish documentation on procedures followed in the production and dissemination of official statistics – in sufficient technical detail to allow calculations to be reproduced.
- 3) Announce substantial methodological changes well in advance of the release of statistics based on the new methods.
- 4) Provide a statement explaining the nature and extent of revisions at the same time that they are released.
- 5) Release statistical work in progress, in whole or in part, where justified and approved by the National Statistician. For example, ‘experimental statistics’<sup>6</sup> may be published in order to involve users and other stakeholders in their development. They must be clearly marked as such and explained in both technical and lay terms.

<sup>6</sup> Experimental statistics are National Statistics undergoing evaluation. They are published in order to involve users and stakeholders in their development and as a means to build in quality at an early stage.

## Principle 6: Presenting statistics

**The style and content of statistical reports should be balanced and impartial, and meet the needs of user communities**

### *Practices*

- 1) Present statistics impartially and in ways that users find helpful.
- 2) Provide full and helpful commentary on the relevance and reliability of statistics in relation to the range of potential uses.
- 3) Prepare and disseminate analyses which aid interpretation and provide context, including analysis of the main findings.
- 4) Where it will help users, include factual information about the policy context of official statistics. However, statistical text and interpretation should not be subject to approval by anyone other than those responsible for the statistical product.
- 5) Release datasets and reference databases in formats that are convenient to the widest range of users.
- 6) Adopt formats for the presentation of statistics in graphs, tables and maps that provide clarity and consistency.

## Principle 7: Accessibility

**Official statistics should be equally and readily accessible to all users**

### *Practices*

- 1) Make official statistics equally available to all and at the same time, subject to any rights to pre-release access established under the Statistics and Registration Service Act.
- 2) Make access to official statistics as straightforward as possible by providing easy-to-use entry points and exploiting all appropriate means of dissemination, working with other producers and with organisations outside government as appropriate.
- 3) Release all regular statistical reports on the internet without charge to the user.
- 4) For any supplementary statistical services for which a charge is made, adopt clear pricing policies that comply with legislation and government policy.
- 5) Ensure that official statistics are disseminated in forms which enable those with disabilities to access them.
- 6) Publicise official statistics in ways that enable users to identify and access information relevant to their needs.
- 7) Assess user satisfaction with the form and timing of official statistics outputs and the publicity provided for them – following the Guidance on consultation (annex B).
- 8) Ensure that official statistics are made publicly available in forms that enable and encourage re-use.
- 9) Deposit official statistics with the relevant national archive in accordance with relevant legislation. Deposits should be accompanied by information about their purposes, design and methodology to aid their re-use.

## Principle 8: Confidentiality

**Information identifying a particular person (including a body corporate) that is collected or used for statistical purposes should be strictly protected and not subsequently used for non-statistical purposes, except as provided for in legislation and authorised by the National Statistician.**

### *Practices*

- 1) Make a public commitment that no statistics will be released that reveal personal information (except as provided for in the Statistics and Registration Service Act or specifically agreed with the individual). Notify all respondents to statistical surveys accordingly at the time of data collection.
- 2) Take into account the potential for indirect disclosure<sup>7</sup> and the implications of that disclosure for the individuals concerned when deciding whether to release statistics.
- 3) Inform respondents of the main intended uses and access limitations applying to the information they provide in response to statistical surveys.
- 4) Develop and apply methods for the management of data that are sufficient to maintain the guarantee of confidentiality to data providers, recognising users' needs for high quality statistical research and results.
- 5) Keep data (that identify personal information) collected for statistical purposes secure and ensure that they are used exclusively for statistical purposes.
- 6) Restrict access to data identifying personal information to the minimum number of staff necessary to the production of official statistics and ensure that they have been trained in their obligations to protect confidentiality. Require anyone to whom such access is provided to sign a declaration that makes clear their obligations to protect confidentiality and this Code, and that provides them with information about how those obligations shall be upheld. Maintain records of these declarations.
- 7) Only allow access to confidential data to a third party (a contractor for example) after a written agreement has been signed that sets out how the data are to be processed and for what statistical purposes, and that the third party will follow all the requirements of this Code of Practice. Keep records of any such access.
- 8) Should a situation arise in which the law requires information identifying an individual, which has been collected for statistical purposes, to be made available for other purposes – such as police enquiries – the information may only be provided on the written authorisation of the National Statistician.

<sup>7</sup> In this context, 'indirect disclosure' refers to the possibility that otherwise non-disclosive material could reveal confidential information if subsequently put together with, possibly as yet unpublished, information from another source. For example, local crime statistics might be put together with information subsequently disclosed in court.

## Principle 9: Proportionate burden

**The cost burden on data providers should not be excessive and should be assessed relative to the benefits arising from the use of the statistics.**

### *Practices*

- 1) Report annually the estimated costs (on businesses, service providers, the public etc) of responding to statistical surveys and strive to develop methods that will reduce the costs to individual organisations or people.
- 2) Seek participation in statistical surveys through informed consent wherever possible, and exercise statutory authority for data to be acquired by compulsion only when there are clear benefits in doing so.
- 3) Promote statistical purposes in the design of administrative systems so that maximum use can be made of them for statistical purposes, thus reducing the need to carry out separate data collections.
- 4) Carry out analysis of the costs of proposed new surveys to data providers against the potential benefits of conducting them, and repeat these analyses periodically for regular surveys.
- 5) Wherever possible draw on existing data sources and data estimation as alternatives to new surveys.



## Principle 10: Adequate resources

**The resources made available for statistical activities should be sufficient to meet the requirements of this Code.**

### *Practices*

- 1) Ensure that statistical services have the financial and human resources to produce and disseminate official statistics to the standards of this Code – and in so doing meet the needs of users.
- 2) If changes in resource allocation to particular statistical activities are under consideration, ensure that users are consulted before decisions are made. Build specific resources for user consultation into budgets.
- 3) Ensure that the allocation of resources matches the requirements of the work programme that emerges from the planning process, and that an adequate audit trail is maintained and made publicly available.
- 4) Use an appropriate competence framework to set the requirements of statistical posts and the development needs of staff.
- 5) Ensure that posts which require professional statistical skills (as set out in the relevant competence framework) are filled by individuals who have been appointed through external or internal schemes that specifically assess such skills to common standards.
- 6) Support staff in their continuing professional development to maintain and extend their knowledge and skills.
- 7) Support the mobility of statistical staff between organisations to assist the transfer of knowledge, expertise and good practice and the development of broad experience.

## Annex A: Guidance on release practices

The practices set out below are designed to ensure that statistical reports are released into the public domain in an orderly manner that gives equal access to all and promotes public confidence.

- 1) Release statistics as soon as they, and any accompanying commentary and analysis, are judged ready so that there is no opportunity, or perception of opportunity, for the release to be withheld or delayed.
- 2) Maintain a rolling **Timetable of Statistical Releases** for a year ahead. This should state the month of release as early as practicable and the exact release date no less than two weeks in advance.
- 3) Be consistent from one period to the next in release arrangements for recurring Releases.
- 4) Ensure that, subject to the ultimate approval of the National Statistician, the responsibility for the format and content of statistical reports rests with the relevant statistical Head of Profession and require the name of that person to appear in each report for which he or she is responsible.
- 5) Draw public attention to any change to a pre-announced release date and explain fully the reasons for the change at the same time.
- 6) Limit access before public release to those people essential to production and publication, subject to compliance with the rules and principles on pre-release access made under the Statistics and Registration Service Act (which may allow pre-release access to a wider range of people). Maintain records of all who have access prior to release.
- 7) Ensure that no indication of the content of a statistical report is made public, or given to the media or any other external party, before publication. Report to the National Statistician immediately any accidental or wrongful release and initiate immediate investigation of the circumstances.
- 8) Do not give journalists, or others, embargoed access to statistical reports except where the Statistics Board has authorised that to do so is in the public interest. Such embargo arrangements shall be regarded as exceptional and reported to Parliament by the Statistics Board.

9) **Market-sensitive statistics** – special arrangements apply to market-sensitive official statistics. Any attempt to profit from pre-release access to these statistics is liable to criminal prosecution. For the purposes of the Code the following are currently identified as market sensitive:

- Index of production
- Index of services
- Producer prices
- Consumer price indices
- Labour market statistics
- Retail sales
- Public sector finances
- UK trade
- National accounts (all measures)
- Balance of payments

10) **In releasing market-sensitive statistics**, producer organisations will:

- Give markets time to understand and respond to the information during normal working hours by issuing statistical reports at 9.30am on a weekday
- Provide the date of release at least six months in advance.
- Should the need arise, require anyone given pre-release access to make a signed declaration that they have only used the information for the specific purpose for which they were given such access, and that they have not passed it to anyone else.

## Annex B: Guidance on consultation

- 1) Unless a specific agreement already exists, contact user groups and discuss with them the best means of obtaining views before consultation starts.
- 2) Alert users as information about consultations becomes available.
- 3) Balance the importance of the issue and the likely impact of user views against the time and resources available so as to obtain good value for money from the consultation process.
- 4) Inform the National Statistician about any formal consultations in order to avoid duplication and to make widest possible use of ideas, comments and other materials that are offered in responses.
- 5) Work with other producers of official statistics to co-ordinate consultations in order to give participants the best opportunity for effective input and to minimise the burden placed upon them.
- 6) Make all consultation documents publicly available.
- 7) Be clear in the documentation about who is being consulted, about what, and for what purpose.
- 8) Express the issues as simply and concisely as possible; and in non-technical language where possible.
- 9) Make a timetable for each consultation publicly available and ensure that each part of the process is given sufficient time for those interested to participate fully and properly
- 10) Offer a variety of means of participation including, as appropriate, web sites, email, telephone, written submissions and face to face meetings.
- 11) Follow Cabinet Office guidance on how consultations should be conducted.
- 12) Exploit the many mechanisms available, including:
  - Formal consultation documents (which should set out and summarise the key issues);
  - Issuing a discussion paper to interested parties;

- Listening events such as conferences, roadshows and seminars. Events held by professional bodies, user groups and other organisations can provide valuable opportunities;
  - Meetings with groups or individuals;
  - Correspondence and phone calls with groups or individuals;
  - Market research;
  - Internet mailing groups;
  - Complaints monitoring and suggestion schemes.
- 13) Put individual responses into the public domain unless anonymity is requested.
- 14) Make publicly available the records of decisions and actions following a consultation, together with explanations for them.

### 3. Report on the Commission's consultation

In December 2006, the Statistics Commission issued an Interim Report for consultation. That report set out a draft Code of Practice and invited responses. It identified the following key questions on which responses were sought by the end of February 2007:

- i. Whether the Commission had identified the principles and practices sufficiently clearly.
- ii. Whether any further principles and practices should be added or any of those suggested should be dropped.
- iii. Whether additional annexes – designed to expand on the short statement of practices – should be prepared, or whether to amend those that are suggested.
- iv. Whether the practices, as drafted, offer a suitable basis against which to make assessments of compliance.

In all, 16 organisations and individuals responded:

- **Audit Commission (AC)** – Steve Bundred, Chief Executive
- **Office of Public Sector Information (OPSI)** – Carol Tullo, Director
- **Committee on Standards in Public Life (CSPL)** – Sir Alistair Graham, Chair
- **Economic and Social Research Council (ESRC)** – Sian Bourne, on behalf of the Research Resources Board
- **The National Archives (NA)** – Natalie Ceeney, Chief Executive
- **Scottish Executive (SE)** – Rob Wishart, Chief Statistician
- **The Information Centre for Health and Social Care (IC)** – Denise Lievesley, Chief Executive
- **Bank of England (BoE)** – Charles Bean, Executive Director (Monetary Analysis and Statistics)
- **Royal Statistical Society (RSS)** – Tim Holt, President

- **The Royal Society (RS)** – Peter Collins, Director of Science Policy
- **Ian Maclean (IM)**
- **European Commission (EC)** – Joaquin Almunia, Commissioner for Economic and Monetary Affairs
- **Eurostat** – Herve Carre, Director-General
- **Central Statistics Office, Ireland (CSOI)** – Donal Garvey, Director General,
- **Statistics Canada (SCAN)** – Ivan Fellegi, Chief Statistician of Canada
- **Statistics New Zealand (SNZ)** – Brian Pink, Government Statistician

*Individual responses can be accessed on the correspondence section of the Statistics Commission's website.*

All respondents welcomed the Commission's initiative in making proposals for a revised Code of Practice. Two – The Royal Society and European Commission – commented no further than this. Most other respondents also supported the general thrust of the revised Code, for example:

- 'We support the Code's central aim to strengthen public confidence in UK official statistics. We also strongly agree that longstanding public trust needs to be fostered through... a statutory code which is seen to be respected.' (CSPL)
- 'This is an excellent document, thoughtful, well organised and clear.' (SCAN)
- 'The Information Centre welcomes this draft code and we agree with the principles enunciated' (IC)
- 'The ESRC fully supports explaining the principles and practices of the Code in lay terms and recognises the extended usability of the Code that will ensue' (ESRC)

Many respondents made comments on the detail of the principles and practices. These, and the Commission's response to them, are discussed below. References have been changed to correspond to the order of principles and practices in the amended draft of the Code (at Part 2 of this report) rather than the order in the version in the interim report.

The Commission's proposals for a revised Code of Practice were published shortly after the publication of the Government's proposed legislation for statistics, the *Statistics and Registration Service Bill*. A number of respondents took the opportunity to comment on the Bill itself as well as the Commission's proposals for a revised Code of Practice. The issue most frequently raised was that of pre-release access to statistics. All these comments can be read by following the links to the individual responses.

Two respondents (Eurostat and SNZ) provided useful material on how the revised Code measured up against, respectively, the European Statistics Code of Practice and the New Zealand Official Statistics Service Principles. Eurostat noted 'with satisfaction... the proximity to the European Statistics Code of Practice in terms of content and structure.' Similarly, an analysis carried out by the Statistics Commission secretariat of the material provided by SNZ showed a high degree of congruity between the two Codes. Those elements present in the New Zealand OSS but omitted in the revised Code are commented on below.

This report on the consultation first considers a number of general issues raised on the Code, and then takes the specific comments made on each of the Principles in turn.

## General Issues

### Scope of the Code

There was support among respondents for the Commission's belief that the Code should apply not only to those statistics designated as National Statistics as defined in the Bill, but to all official statistics:

- 'Trust in National Statistics plays a key role in [public trust], but it is also clearly vital that other departmental statistics are also treated in a similar manner.' (CSPL)
- 'ESRC supports the view of the [Statistics] Commission that the principles of the Code should apply in much the same way to all official statistics.' (ESRC)

However, the SE felt the Code 'needs to be more sensitive to different types of statistics... for example, statistics produced largely for internal purposes where their use can be better managed might on some occasions handle quality differently from statistics where there is a strong public interest. And controversial statistics may benefit from differential treatment.'



Some respondents questioned the Commission's view that the Code should apply to all the relevant activities of government bodies that produce official statistics, rather than to the statistics themselves or the individuals producing them (Report No 31, paragraph 13(e):

- 'Ultimately it is almost always individuals who have the duty to make decisions about statistical work or, for non-producers, their behaviour in relation to statistical producers, and so in part the Code must apply to the actions and judgements of individuals. Hence, we suggest that any preamble to the Code ought to recognize the reality of how the Code needs to be applied and the wording throughout the Code should be consistent with these uses. (RSS)

The CSPL supported the Commission's suggestion that in due course the National Statistician should consider supplementing the Code with additional guidance aimed at individual civil servants responsible for statistical work. However, the RSS pointed out that 'it would be good to avoid the implication that the Code is only for interpretation by civil servants' and the IC pointed out that although they produce a range of National Statistics they are not a central government department.

**Commission response:** *We continue to believe that the principles of the Code should apply to each corporate body that produces official statistics rather than to identified groups of their staff; and that arbitrary distinctions should not be made between the application of the Code to different sets of statistics on the basis of their assumed importance. The label 'National Statistics' should mean the same as 'compliant with the Code'. The wording of the amended Code has been changed to ensure that it is not seen as applying only to particular types of body.*

## The user perspective

Some respondents considered that the revised Code did not focus sufficiently sharply on the needs of users outside government.

- 'The over-riding impression is that the Code is still missing out on the extent of the shift to the user outside government... from now on the users are equal partners who can expect products to be specially developed for them... the Code needs direct instructions to... ensure a positive policy of identifying and evaluating the needs of the citizen as an equal partner with government in ensuring a fully participating democracy where debate is encouraged by the ready availability of meaningful official statistics.' (IM)

- ‘The Principles are focused at producers rather than users. Each of the principles should be reviewed to ensure that there is reference to user needs where appropriate.’ (RSS)
- ‘Notwithstanding the fact that scope [of the statistics produced] remains a Ministerial decision, and must do so because of its dependence on resources, the Code should be more definite that the range of statistics produced should be sufficient to meet public interest as well as government needs, and how this will be assured.’ (SE)

On the other hand, the SE also commented that ‘the Commission’s Code focuses on the public use of statistics, which although vital should be balanced by the government’s need for information to base essential decisions on. Of course there will be considerable overlap with the needs of government and other stakeholders but an appreciation of the needs of both is still required.’

In addition, the IC pointed out that ‘although we make a lot of effort to understand the key users of IC data in order to understand and meet their needs, we are not convinced that it is practicable to identify or document all uses of existing data’.

**Commission response:** *We agree about the importance of recognising and responding to the needs of users inside and outside government. The amended Code attempts to strengthen the references to user needs, though we are also mindful of the comments made by SE and IC. The Code does not require producers to seek to identify all uses, just to research and document the use made in a more general way. Compliance with the Code will require evidence that the use of statistics has been researched and documented. We regard this as key to improving the service but not a straitjacket.*

## Terminology

A number of respondents drew attention to the variety of terms used in the revised Code to describe statistical products. These can cause confusion. For example, the ESRC commented that ‘the Code does not seem to straightforwardly apply to the release of datasets as opposed to publications’. And even the term ‘publications’ bears a variety of interpretations: it has to be wide enough to include electronic as well as paper products.

**Commission response:** *We acknowledge this problem. We have sought to use the following terminology for statistical outputs in the current draft:*

<b>Datasets</b>	<i>Individual records (microdata), validated and anonymised but not further processed</i>
<b>Reference databases</b>	<i>Data that have been collated/summarised into low level aggregates sufficient to preserve anonymity (eg neighbourhood statistics)</i>
<b>Derived or summary data</b>	<i>High level aggregate data, typically tables (not used in current draft)</i>
<b>Statistical reports</b>	<i>Value-added products involving selection of data to communicate a message (eg press releases, web pages, compendia publications)</i>

## Compliance with the Code

Generally speaking, respondents welcomed the Commission's stated aim of simplifying and shortening the Code. For example:

- 'I support the idea to revise the Code to make it 'closer in style and structure to the European Statistics Code of Practice' '(CSOI)
- 'The Bank welcomes the Commission's initiative in bringing forward draft proposals for a shorter and more focussed NS Code....the Commission's 'Practices' are mostly well-focussed and measurable.' (BoE)
- 'The main concerns of the Commission are to draft a Code that simplifies the existing Code, reduces ambiguity and readily allows an independent judgement to be made about compliance. We support this general thrust.' (RSS)

However, there was some feeling that the resulting revised Code did not provide a sufficient framework for assessment of compliance:

- 'Shortening and simplifying the Code will likely leave a greater need for interpretation in practice.' (RSS)
- 'The Commission's proposed text probably goes too far in simplifying the specific guidance from the current NS Code. We support the Commission's objective to streamline the current Code and protocols,

but favour a model retaining rather more of their operational guidance... In some cases [the practices] are closer in form to secondary principles and so would benefit from supporting detail to facilitate compliance testing.’ (BoE)

- ‘... a fair bit of work is needed on the wording of the practices before the Code will provide [an unambiguous basis for independent assessment and audit].’ (SE)

The RSS suggested that, given the difficulties the Commission has experienced over whether or not practices have been compliant with the existing Code and the lack of authoritative ruling, a clear statement should be inserted into the preamble of the revised Code to the effect that the Board will provide advice and guidance and will develop a body of case law to assist producers to apply the Code.

The Audit Commission commented that a distinction needed to be made between practices that should be mandatory because they impact on the integrity of the statistical process and those that are advised or considered desirable. It considered that some of the practices in the revised Code are not defined sufficiently tightly to assess compliance and offered to discuss further the preparation of an audit guide which would give a more detailed statement of compliance.

**Commission response:** *We have added a statement in the preamble to the Code as suggested by the RSS and more generally extended the introduction. A process for securing exemptions has been added to the preamble. We agree that there will be a need for supplementary guidance as suggested by the Audit Commission but we think it would be better for detailed operational guidance to form part of this supplementary material rather than be included in the Code itself. Filling out the Code with examples and exceptions is likely to make it very long and reduce its ability to communicate the main principles and practices.*

## Structure of the Code

Most respondents were content with the list of nine principles contained in the revised Code. However, the RSS suggested that ‘presentation’ should feature more prominently, perhaps as a separate principle.

**Commission response:** *We have included a new principle on Presenting Statistics (Principle 6). The best allocation of practices between Principle 5 (Communication), Principle 6 (Presenting Statistics) and Principle 7 (Accessibility) is problematic but we do not think that it is of central importance as long as the right practices appear somewhere in the Code.*

The Commission's comparison of the principles in the revised Code against those in New Zealand's OSS Principles identified two that were included in the OSS but not in the Code: Maximising existing data sources, and International Participation. The ESRC also commented that 'the draft Code does not appear to address sufficiently the interface between with European ... statistics and hence lacks an international ... dimension.

**Commission response:** *The revised Code advocates the adoption of international standards and support for their development in practice 5 of Principle 2, and meeting the needs of international agencies as users of statistics is implicit in practice 2 of Principle 2. Maximising use of existing data sources is advocated in Principle 4, Value for Money. The Commission does not feel there is sufficient case to add separate principles to cover these issues. However, some strengthening of the wording is proposed in relation to relevant principles below.*

The RSS commented that 'there are various cases where practices may not have been put under the most relevant principle' though they also felt that 'this is probably not worth worrying about at this stage'. SE put it rather more strongly, suggesting that the revised Code has a 'confused structure', and that although 'the European structure is much better than the current UK Code ... the Commission's departures from the structure of the European Code make it worse rather than better' – though as already mentioned, Eurostat note the proximity of the revised Code to the European Code.

**Commission response:** *We acknowledge that a number of practices are of relevance to more than one principle and this is now mentioned in the preamble. The aim in the Interim Report was to include each practice only once, under the most relevant principle. In the amended Code some practices have been moved between principles to try to make the balance more satisfactory. However, we do not think it matters greatly which principle a specific practice is associated with as long as the association is reasonable in itself and the practice is one that should be included somewhere in the Code.*

The SE drew attention to some specific instances where it considered that 'the Commission's departures from the structure of the European Code make it worse rather than better:

- Professional independence should be a separate principle as in the European Code – the Commission seem to have lost it entirely.
- Each of the European dimensions of statistical quality should appear as separate principles... although they could be grouped together and included with principles around how such quality is managed and assured....

- Separating communication and accessibility is confusing and unnecessary....’

**Commission response:** *We regard professional independence as an underlying theme of the whole Code – for example it is one of the main objectives of Principles 1, 3, 6 and 7. Many of the specific ‘Indicators’ listed under the Principle of Professional Independence in the European Code are concerned with the role of the ‘head of the statistical authority’. This would not be appropriate to cover in the Code which is designed to cover a large range of producer bodies unlike the European Code which is directed only at national statistical offices. We feel that the other European ‘Indicators’ are covered adequately in the revised Code, albeit not gathered together under one heading. The SE comments about the European dimensions of statistical quality are discussed under Principle 3 below. We continue to believe that communication and accessibility are each sufficiently important to merit separate principles.*

Finally, there may have been some misunderstanding about whether the preamble to the Code and the two Annexes formed part of the Code (for example: ‘Much of Annexes A and B should be restored to the Code ...’ (SE)).

**Commission response:** *It is the Commission’s intention that both the preamble and the annexes should be integral parts of the Code. We have changed the headings to the annexes to make clearer that they are part of the Code.*

## Comments on the text of the Code

Comments received on each section of the revised Code (the version in the Interim Report) are set out below together with the Commission’s response to them (the latter in italics).

The RSS suggested that the paragraphs in the Code’s introduction should be numbered and that the practices should also be numbered within each principle for ease of reference.

**Commission response:** *The preamble and the practices are now numbered and the numbers used below.*

## Preamble

‘A clear statement should be included [setting out] ... the Board’s responsibility as the ultimate authority on the Code’. (RSS)

**Commission response:** *The Board's responsibility for the Code is set out formally in the Statistics and Registration Service Act. A statement has been included in the preamble.*

'Any preamble to the Code ought to recognize the reality of how the Code needs to be applied ... to bring out these issues of the levels of assessment and accountability more fully.' (RSS)

**Commission response:** *The preamble has been expanded but we expect details of the assessment process to be set out in a separate document.*

'To avoid the implication that the Code is only for interpretation by civil servants ... suggest omitting 'civil service'.' (RSS) Also, 'IC staff are not civil servants ... the IC's ... set of values and good practices should be recognised'. (IC)

**Commission response:** *The core values mentioned in the preamble are those identified in the Civil Service Code, however the word 'government' has been deleted as a qualification of those bodies producing National Statistics and the need to cover non-civil service bodies is now explicit.*

'The Code lacks heart, there is no inspirational opening ...'. (IM)

**Commission response:** *Whilst perhaps not an inspirational opening in the sense of the comment, the preamble does start with a concise statement of why official statistics matter.*

'... include the word 'political' in the words elaborating 'integrity' ...'. (CSOI).

**Commission response:** *Agree. This has been added.*

## Principle 1: Integrity

### General points

'Integrity should apply to all stages in the production, dissemination, and management of National Statistics.' (IC)

**Commission response:** *Agree – statement of principle amended accordingly.*

'Principle 1 is about public interest. The public interest is sometimes hard to define and there may be conflicting views... To avoid ambiguity we believe the phrase should be removed. It could be replaced by 'independence and professionalism' or 'adherence to UN Fundamental Principles of Official Statistics'.' (AC)

**Commission response:** *The concept of the public interest appears in other codes and legislation and the assessment of public interest is central to the role of the Statistics Board. So we are content that it should be used in the Code.*

'No reference to:

- serving all users
- dependence on scientific principles
- freedom from pressures derived from political implications' (RSS)

**Commission response:** *'Serving all users' is the ethos behind Principle 2 and 'Dependence on scientific principle' is the subject of Principle 3. We have also redrafted the practices to capture these points more fully.*

'We disagree fundamentally with Principle 1 as written. In some elements of the 'production' and probably all aspects of 'dissemination' public interest must indeed prevail but in other respects public interest and government needs must have equal status and in some cases government should prevail (many users recognise this). For example, where government is allocating large sums of money such needs must prevail over lesser needs outwith government. Legitimate government needs should be recognised explicitly and they are certainly not the same as 'organisational political or personal interests'. (SE)



**Commission response:** *We think this is a misunderstanding. The phrase ‘public interest’ used in this principle is not the same as ‘the public’s need for statistics’. It is just as likely to refer to ensuring that government has the information it needs. No other objections to this principle were received.*

## Practice 1

‘The proposed practice around statistics being issued before Ministerial comment needs to be thought through carefully. There could be a risk that the media will only focus on the Ministerial comment ignoring the statistics themselves’. (SE)

‘The amount of time that should elapse [between publication of statistics and ministerial comment] should depend on the complexity of the statistics. However, the general principle should be that there should be enough time for a well-informed person to understand the main points of the release. At a suggestion, this general principle could be 24 hours ...’ (ESRC)

**Commission response:** *The wording has been changed. We have taken note of the argument that the requirement for the release of statistics to precede any policy comment by a set interval would be hard to sustain and could be seen as running counter to the public interest – in that the public interest in getting an early ministerial statement could outweigh other considerations. Thus the amended Code now allows simultaneous release of statistics and policy comment. However, the Commission agrees with the sentiment expressed by the ESRC and continues to regard simultaneous release as an undesirable practice with the potential to undermine public trust and divert media attention away from the statistical statement.*

## Practice 4

‘...my main reservation relates to the references to pre-release access. It is possible that the very first release practice in Annex A could even be thwarted by a decision in relation to pre-release access.’ (CSOI)

‘The proposed regulations [in Annex A] seem to grant a high degree of flexibility compared to other National Statistical Institutes’ practices. More specifically, they leave a central issue – namely of Ministerial pre-release – to be regulated outside the statistical sphere.’ (Eurostat)

‘The Statistics and Registration Bill states that the Code may not deal with any matter relating to the granting of pre-release access so the detail on this in Annex A ... should be removed.’ (SE)

**Commission response:** *The Code as amended is consistent with the requirements of the Statistics and Registration Service Act. That Act reflects the will of Parliament and it would be inappropriate for the Code to modify the intention of the Act. However, Government and Parliament have indicated that they wish access to official statistics prior to publication to be kept to a minimum and the Code also reflects that principle – see for example Guidance on Release Practices (Annex A to the Code), practice 6.*

## Practice 5

‘Bullet 6 – ‘user satisfaction’ rather than ‘customer satisfaction’.’ (RSS)

**Commission response:** *Practice 5 has been amended as suggested, and the same change has also been made in practice 6.*

## Suggested additions

‘The integrity principle would benefit from the addition of a practice setting out the controls to ensure that staff do not abuse the trust placed in them for personal gain.’ (BoE)

**Commission response:** *Agree, though such controls may differ between organisations. Practice 8 has been added. And the Civil Service Code will also apply in the case of civil servants (not all staff who produce official statistics are civil servants).*

The following ‘key elements’ from the Integrity principle in the New Zealand code were identified as possible omissions in the revised Code:

- Legislative obligations and internationally endorsed guidelines of good practice governing the collection of data, confidentiality, privacy and its release are followed. (SNZ)
- In the dissemination of data, where an organisation reuses data originally collected by others, the organisation systematically gives credit to the original data source. (SNZ)

**Commission response:** *We believe that the first point above is now adequately covered (Principle 1, practice 3 for example). We decided the second point was not of sufficient weight for inclusion in the Code but we recognise that it is a valid aspect of good practice.*

## Principle 2: Relevance

Respondents' comments on this principle focused on two main issues: the need to strengthen the commitment to take account of the needs of all user communities, and the difficulty of complying with some of the practices where statistics are derived from administrative systems.

### Taking account of users' needs

'Take account of all users' needs, perhaps in the preamble so long as this is seen as integral to the principle and as mandatory as the bullets.' (RSS)

'Consistency, coherence and comparability across outputs are of fundamental relevance to users' needs. The bullets might be read as focusing on each output separately whereas one of the real needs is to achieve this across the system.' (RSS)

'Most of the practices listed relate to characteristics of statistical outputs that are not about relevance but rather other quality dimensions... it might be better to replace relevance with a commitment to consulting users and providers to reflect their needs.' (SE)

'Principle 2 may be titled 'relevance' but only the last two bullets relate directly to users, the others are basic production techniques.' (IM)

'We think there should be an explicit requirement under principle 2 to assess the needs of all the user communities for official statistics and to evaluate how well these needs are met.' (AC)

**Commission response:** *To meet these concerns, amendments have been made to the statement of principle and to the practices.*

However, the IC also struck a note of caution:

'Although we make a lot of effort to understand the key users of IC data in order to understand and meet their needs, we are not convinced that it is practicable to identify or document all uses of existing data'. (IC)

**Commission response:** *The Code does not require the identification of all uses. The amended wording of practices 1 and 2 in Principle 2 should be read as meaning that what can reasonably be expected of producers is that they make a determined effort to understand the use that is made (or might potentially be made) of the statistical products for which they are responsible.*

### Statistics derived from (differing) administrative systems

‘We are very committed to using ‘common’ and ‘consistent’ practices where possible. Harmonisation is a goal we aim for but it can conflict with relevance and there should be recognition of this tension... In so far as [policies and administrative procedures] differ across the four home countries, harmonisation may not always be practical.’ (IC)

‘A commitment to consultation may be better than practices around common classifications as these are not always appropriate where the underlying systems are different across the different countries of the UK ... would be worth adding a requirement to explain comparability more fully.’ (SE)

‘We may not have control over [administrative systems of which our data are the by-products] and so the concept of consulting users (though a laudable aim) is simply not practical in such circumstances.’ (IC)

**Commission response:** *We acknowledge the difficulties that bodies producing official statistics may experience in applying some of these practices where statistics are derived from administrative systems. However, rather than list within the Code itself those circumstances under which exemptions may be acceptable, the Code now provides for producer bodies to seek exemptions (Preamble, paragraph ix).*

*The use of administrative data to inform administrative or managerial decisions is not in any way constrained by the Code. However, the Commission takes the view that where ‘management information’ takes a statistical form and its publication would be in the public interest, the statistical data should be prepared and published in accordance with the Code. Practice 4 has been extended in the light of the comments above.*

### Practice 3 (in the interim report)

‘The third proposed practice talks about consistent graphs etc. I would delete this since it deals with an issue of much lower priority.’ (SCAN)

**Commission response:** *Agree. This is now covered in Principle 6, practice 6.*

### Practice 3 (in the latest version)

‘There should be a concept of proportionality in consultations. Minor technical changes and obvious improvements should not be delayed by time consuming user consultation but should be within the professional remit of the Head of Profession.’ (IC)

**Commission response:** *Agree. The Code already provides for flexibility in how consultation is approached and there is a process for securing exemption in more substantial cases where changes need to be made without consultation (see Preamble, paragraph ix). Where a producer body has no choice but to make a change to a statistical output, it may nonetheless need to consult to establish the impact of that change on users.*

### Additional practices

The following ‘key elements’ included under the Integrity principle in the New Zealand code were identified as possible omissions in the revised Code:

- Official statistics have clear objectives and identify the information needs that they are attempting to address. (SNZ)
- Statistical work programmes are periodically reviewed to ensure their relevance. Ongoing statistics are regularly assessed to justify their continuation. (SNZ)

**Commission response:** *The Commission feels that the sense, though not the exact formulation, of both these practices is now covered in the Code.*

## Principle 3: Sound methodology and assured quality

### General points

‘... a more explicit and systematic reference to the European Statistical System quality dimensions as well as the inclusion of further dimensions of process quality could provide a better balance of the managerial and statistical aspects addressed in the Code.’ (Eurostat)

**Commission response:** *Agree. This has been incorporated in the statement of principle in general terms.*

‘We define quality as fitness for purpose rather than an absolute measure. This principle is written as if we are always clear about which are ‘correct’ methods.

We subscribe to a principle of openness about our methodology so this can be judged by others.’ (IC)

**Commission response:** *Agree that fitness for purpose has to be the measure for quality – though we note that when there is a wide ranges of uses to which a particular dataset can be put this is not always easy to define. However, practice 1 has been re-drafted to take account of these points.*

‘Greater emphasis should be given on the need to consult with statistical experts on relevant data in order to quality assure the publication of official/national statistics.’ (ESRC)

**Commission response:** *Agree. Practice 2 has been amended.*

‘We are unsure why ‘storage’ of statistics should be covered by Principle 3 rather than by Principle 7 on accessibility or Principle 8 on confidentiality.’ (BoE)

**Commission response:** *Principle 3 (practices 6 and 7) covers only the aspects of storage that contribute to quality in a statistical sense – other aspects are covered under Principles 7 and 8.*

## Practice 1

‘We are not clear how the Board will ensure that sound, published methods are used. Will criteria be set and by whom?’ (IC)

‘The word ‘sound’ is undefined and it would be useful it was expanded. Additionally, published documentation should allow for verification of the appropriateness of the method.’ (AC)

**Commission response:** *In the amended Code, the word ‘sound’ has been dropped in favour of ‘ scientific principles’, and the need to make methods publicly available has been added.*

## Practice 2

‘I do not believe that [assurance procedures that assess each statistical source and product against user requirements] is possible in practice, given the wide variety of uses of official statistics ... more importantly I would be worried if this became a major focus of priority setting: there is no limit to how much can be invested in improving the quality of a given statistical product ...’ (SCAN)

**Commission response:** *The amended wording of practices 1 and 2 in Principle 2 indicates that what can reasonably be expected of producers is that they make a determined effort to understand the use that is made (or might potentially be made) of the statistical products for which they are responsible. The quality assurance procedures should check that, in relation to each statistical product, that some assessment of user requirements has been made.*

#### Practice 4

‘...should not only apply to key outputs.’ (RSS)

**Commission response:** *The word ‘key’ has been dropped.*

#### Practice 5

‘... should be qualified ‘wherever it is reasonably possible to do so’ ...’ (SCAN)

**Commission response:** *Agree. The wording has been amended*

#### Practices 7, 8, 9 in the interim report

‘...seem to belong in Principle 10 [adequate resources].’ (RSS)

‘...not pre-requisites for the delivery of statistics that can be trusted.’ (AC)

‘Many IC staff are not statisticians or statistical staff in the narrow sense of the terms. Economists, social and operational researchers and other information analyst specialists are involved in National Statistical Processes.’ (IC)

**Commission response:** *The need for staff who are well qualified in the theory and practice of statistics stems from the need to deliver a high quality statistical product. However, the practices have now been moved to Principle 10. The wide range of disciplines involved in statistical processes is one reason the Code has been drafted to apply to entire organisations.*

#### Additional practices

‘We suggest an additional practice be added: ‘Statistical resources should be managed in accordance with relevant public records legislation and the codes of practice on records management under section 46 of the Freedom of Information Act 2000 and section 61 of the Freedom of Information (Scotland) Act 2002.’ The purpose of the addition is to clarify the statutory framework within which national statistics are to be managed as information.’ (NA)

**Commission response:** *This has been added as practice 7, but the references to specific legislation have been dropped in order to try to make it more future proof.*

‘Principle 3 should also cover: (a) consultation about changes in methods, (b) documentation and publication of choices between methods, including who should make decisions about statistical methods.’ (RSS)

**Commission response:** *Point (a) is already included in Principle 2, practice 3, which we think is an appropriate place for it. Point (b) has been incorporated into practice 1.*

## Principle 4: Value for money

### Practices 3 and 4

‘...make an explicit reference to systematic planning to avoid duplication and to achieve outputs that are consistent, comparable and coherent. This is as close as we get to systematic planning and cooperation across producers.’ (RSS)

‘[Practice 3]... would seem to rule out new collection... it is not duplication of collection that is the biggest mischief, but what one would call ‘near duplication’ (asking for almost the same data but with peculiar and hard to justify differences).’ (RSS)

**Commission response:** *Practice 3 has been amended but we did not feel the concept of ‘near duplication’ would be well understood. We think the amended formulation should convey the message.*

### Practice 7

‘The term ‘best use’ is too coded.’ (RSS)

**Commission response:** *This has been amended.*

### Additional practices

‘Principle 4 includes a number of practices related to economy and efficiency, but measures of effectiveness are omitted. While recognising the need for these economy and efficiency practices, we would like the costs of the statistical system to be assessed against the benefits.’ (AC)



**Commission response:** *The Commission's view is that the assessment of effectiveness equates with the measurement of outputs against user needs, which is already well covered under this principle.*

'... an important way of delivering better value for money... is to maximise the use of administrative data.' (CSOI)

**Commission response:** *This has been added to practice 5.*

The following 'key elements' included under the Efficiency and Maximising existing data sources principles in the NZ code were identified as possible omissions in the revised Code:

- 1) Surveys and processing systems are to the greatest extent possible designed with sufficient flexibility to accommodate changes in user needs. (SNZ)
- 2) Appropriate opportunities to reduce costs are actively sought, including economies of scale, data integration, and methodologies and systems developments that use generic, automated processes. (SNZ)
- 3) Statistical data are treated as an enduring national resource, with their value increasing through widespread and long-term use. (SNZ)
- 4) Active data integration projects are publicly notified via government agency websites and annual reports. (SNZ)
- 5) Statistical coordination is enhanced through various forums, including the Advisory committee on official statistics [basically a standing user panel] and various professional associations. (SNZ)

**Commission response:** *Practice 3 has been amended to reflect the points at (1) and (5) above. We think the other three points are covered adequately in the amended Code.*

## Principle 5: Communication

### General issues

We have taken up the RSS's suggestion to include a separate principle on 'Presenting statistics'. This now forms Principle 6 and some subsequent changes in the association of practices with principles have been made.

### Statement of principle

'... requires that information should be published 'in as much detail as is practicable'. Actually, practicality is not the limitation: quality is.' (SCAN)

**Commission response:** *In this context, the question of practicability applies more to the 'information about statistical processes' than to the statistics themselves. The Commission takes the view that low quality in itself should not be a bar to publication of statistics though it has implications for the form of publication and the need for accompanying explanation. Ultimately the test is one of the public interest in publishing the information, rather than quality in itself.*

### Practice 2

'Delete 'full'. Does 'procedures followed' include decision-making and by whom?' (RSS)

**Commission response:** *The wording has been amended.*

### Practice 4 in the interim report

'...reinforce by specifically endorsing the publication of analytic highlights of the main findings.' (SCAN)

'A Statistical Publication Statement should also include details of management/retention of data.' (IC)

**Commission response:** *The Commission has reconsidered and deleted this practice – which originally said "Maintain a Statistical Publication Statement ,..., covering... management... dissemination... and pricing of National Statistics outputs". We decided that it was unnecessary to specify the form of documentation that producer bodies should maintain on these things. The amended practice 2 covers the need for full documentation.*

## Principle 6: Presenting statistics

The RSS suggested that a separate principle was needed that was ‘devoted to presentation’, that covers the underpinning values:

- Balanced presentation taking account of all user needs
- Explanation of the context and appropriate use of the results
- Text and interpretation to be prepared by statistical producers and not subject to review or influence by those involved in policy
- Consistency of first releases over time for regular outputs but with enough flexibility to draw attention to unusual features.
- No significant change to the format of regular releases without user consultation.
- Choice of statistical material, tables, graphs
- Systematic use of key descriptors: increased, decreased, broadly unchanged etc
- Interpretative text, focussing on key findings and avoiding over-interpretation related to uncertainty
- Enough detail for all users or supplementary releases that achieve this.’

**Commission response:** *Much of this material was already included in the revised Code, but not gathered together, so Principle 6 has been added. However the practices covered under this principle have been selected so as to avoid excessive duplication with those under other principles.*

### Practice 1

‘... the requirement to ‘present National Statistics impartially’ would benefit from supporting detail to facilitate compliance testing’ (BoE)

**Commission response:** *We think that impartiality is best defined as the absence of any evidence of partiality; and in that sense compliance testing is a matter of seeking and evaluating such evidence. In this case, the burden of evidence is on those who question the impartiality of the presentation.*

## Principle 7: Accessibility

### Practice 1

‘Some National Statistics derive from administrative data. By definition, some of these data will be available as management information ahead of their official publication as National Statistics.’ (IC)

**Commission response:** *Normally management data only become ‘National Statistics’ at the point at which they are presented as such. However, the Commission takes the view that where the publication of management data, as statistics, would be in the public interest, the statistical data should be prepared and published in accordance with the Code. In practice this means that only a minimal delay between statistics being circulated within an organisation (labelled as management information) and their publication (labelled as National Statistics) would be appropriate.*

‘Although published National Statistics will be freely and equally accessible to all users, the same is not necessarily the case for underlying data. For example, in some circumstances we may provide information to NHS and Social Care organisations ahead of private industry and we may charge for such data in accordance with DH charging policies.’ (IC)

**Commission response:** *We believe official statistics should be equally accessible to all users and would expect departmental practice to follow that principle. Where specialised statistical products are charged for, they should be available for all at the same charge and at the same time.*

### Practice 4

‘Amend to read: ‘For any supplementary statistical services... HM Treasury guidelines, the Regulations on the Re-use of Public Sector Information (S.I. 2005 No.1515) and OPSI guidance on Crown Copyright’.’ (OPSI)

**Commission response:** *In order for the Code to be as future proof as possible, we think it is preferable to avoid quoting specific legislation and regulations.*

## Practice 9

'...suggest that for the avoidance of doubt the words 'in accordance with the relevant records legislation' be added after 'archive'.' (NA)

'It is important that raw data should be deposited and, ultimately, become available for research... when confidentiality has diminished sufficiently due to the passage of time. How long that will take will depend on the nature of the data' (NA)

'This [practice]... is not future-proof. National Statistics producers should be embracing emerging technologies and not constricting themselves to producing 'printed publications' that can be archived in the current manner. Consideration needs to be given to archiving electronic information.' (IC)

'The presumption should be that all statistics are worth permanent preservation if it was worth putting public money into them. The key information about the purposes, design and process of any statistical collections involved should be provided, in addition to publications.' (RSS)

**Commission response:** *Agree with all these points – wording amended*

## Additional practices

'Add new [practice]: 'Ensure that National Statistics are published in a form which enables and encourages re-use.'

**Commission response:** *Agree. This has been incorporated in practice 9.*

The following 'key elements' included under the Accessibility principle in the New Zealand code were identified as possible omissions in the revised Code:

- The timing of a release is not influenced by the content of the release or set in such a way as to create an advantage to any particular group or individual.
- Because of the potential for financial, political or other gain, strict security is maintained during the preparation and prior to the release of key results.

**Commission response:** *The Commission believes that these considerations are adequately covered in the Code.*

## Principle 8: Confidentiality

### General points

'Given its importance, preserving confidentiality should be an explicit legal requirement imposed by a Statistics Act, with specific provisions and penalties. In other words, the code should be at most an elaboration of how the Act should be enforced. The practices are written as if they should apply only to natural persons; actually they should be equally applicable to legal persons as well.' (SCAN)

**Commission response:** *A reference to the Statistics and Registration Act has been added to the statement of principle which has also been extended to cover information about either an individual person or a body corporate. The Act places additional confidentiality obligations on the Statistics Board but not on other producers of official statistics, so it cannot be invoked as the basis for this principle.*

'...suggest that reference could be made here to [the 2006] UNECE report which published four principles to enhance the 6th UN fundamental principle of official statistics:

- It is appropriate for microdata collected for official statistical purposes to be used for statistical analysis to support research as long as confidentiality is protected;
- Microdata should only be made available for statistical purposes;
- Provision of microdata should be consistent with legal and other arrangements to ensure confidentiality of the released microdata is protected;
- The procedures for researcher access to microdata, as well as the uses and users of the microdata should be transparent, and publicly available.

However, it would be important to caveat this reference since it implies that all data have been collected for statistical purposes. In so far as the statistics are a by-product of administrative systems, individual level data might be collected and used specifically in order to provide a service to that individual. The context of the data collection is therefore of critical importance'. (IC)

**Commission response:** *The Commission's view is that the four principles above are adequately covered in the amended Code, and that consistency with the UN Fundamental Principles is acknowledged in the Preamble to the Code.*

'Often 'disclosure' and 'use' are tied together to ensure that data collected for statistical purposes is (a) kept confidential and (b) used only for statistical purposes. This would be very helpful here.' (RSS)

**Commission response:** *The Commission feels that this point is already adequately covered in the statement of principle.*

### Practice 1

'...is inconsistent with the Bill and would be dishonest. If for example disclosure to the courts is permitted under the legislation then the commitment to respondents would have to spell this out or be withdrawn... No procedure can guarantee that a breach will not occur... Producers should do all they can through access contracts etc to ensure that confidentiality will be achieved... The wording in [the Bill] is helpful (RSS).

**Commission response:** *Practice 1 has been amended to refer to the exceptions set out in the Statistics and Registration Service Act.*

### Practice 5

'The decision on the usage of data should rest with the relevant Head of Profession, not the National Statistician.' (IC)

**Commission response:** *The reference to the National Statistician has been removed although the final decision on whether a 'purpose' counts as a statistical purpose will be a matter for the National Statistician and the Statistics Board.*

### Practice 7

'...should also require third parties to agree to follow the Code in full.' (RSS)

**Commission response:** *Agree – this has been amended.*

### Practice 8

'Any decision to share any of our confidential data for a non-statistical purpose would be made by the [NHS] National Information Governance Board.' (IC)

**Commission response:** *We believe the formulation in practice 8 is satisfactory. It requires the written authorisation of the National Statistician but only where the information was originally collected for statistical purposes. In many cases, the information used for statistical purposes was originally collected for administrative purposes and that is a different situation.*

## Principle 9: Proportionate burden

### General points

'...an important way of... ensuring a proportionate burden is to maximise the use of administrative data.' (CSOI)

**Commission response:** *Agree – already covered by practice 3.*

### Statement of principle

'Replace by: The cost burden on data providers should not be excessive and should be assessed relative to the importance of the benefits arising from the use of the statistics'. (BoE)

**Commission response:** *Wording adopted but with 'benefits' instead of 'importance of benefits'.*

### Practice 1

'Add 'frontline staff' to the list of those affected by collection costs'. (IC)

**Commission response:** *The phrase 'service providers' has been added – the term 'frontline staff' may not be understood in a consistent way.*

'Insert 'in aggregate and' before 'to individual organisations and people'. (RSS)

**Commission response:** *We think this is potentially ambiguous. The total of all costs is not necessarily the key consideration. The maximum cost to a single body may be more important.*

### Practice 2

'Insert at the beginning: 'In the absence of a legal requirement to respond'. (RSS)

**Commission response:** *Even if there is a legal requirement to respond, informed consent is to be preferred, so we would prefer not to add this qualification.*

'...the Code should [make it clear] that it is the National Statistician's prerogative [to authorise the use of mandatory surveys]'. (SCAN)



**Commission response:** *Whilst sympathetic to the need to secure the agreement of the National Statistician, it would not be appropriate to imply that the National Statistician’s authorisation is always required. In practice, the authority to use existing statutory powers may lie elsewhere. The Statistics Board would however be able to report to Parliament on the use of those powers.*

‘Add ‘or separate collections’ to the end of the sentence. This recognises that not all data that is not from administrative sources is collected via surveys, for example central data collections are not necessarily administrative but can be collected from all organisations.’ (IC)

**Commission response:** *Agree – this has been added.*

## Additional practices

The Bank of England considered that the revised Code should cover:

- The use of existing data sources and data estimation as an alternative to new collections;
- The process for establishing the case for new collections and gaining authorisation;
- Consultation with potential data providers on the efficient design of surveys;
- Arrangements for regularly reviewing existing surveys to ensure they are still needed and continue to meet cost/benefit tests;
- Arrangements for ensuring that reporting panels are reviewed regularly and are adequate but not excessive for their role.

In addition, the following ‘key elements’ included under the Minimising respondent load principle in the New Zealand code were identified as possible omissions in the revised Code:

- The need to collect data is assessed in terms of the use of the data to inform decision making against the costs of production and the load placed on respondents.
- The best-supplier principle is applied – that is, always collect from the most appropriate source after due regard has been given to respondent load.

- All new or substantially-revised surveys which have a sample size of more than 2500 are managed through consultation with the government statistician. The consultation covers ways to minimize overlap of people being surveyed; elimination of any duplication with existing data sources; collection of data through the survey for other departments.
- Summary respondent-load information for SNZ's surveys is included in annual report to parliament.

**Commission response:** *Practices 4 and 5 have been added to cover some of the points made by BoE. Most of the possible omissions in relation to the New Zealand code are either specific to New Zealand's practices, or we feel are already adequately covered in the revised Code.*

## Principle 10: Adequate resources

### General points

'How is 'adequate' defined and who will define it? As the Statistics Board [will] not have any control over the funding of statistical functions for National Statistics Producers, how will they ensure or evaluate if these resources are sufficient?... Is the principle one of greater transparency about funds and budget decisions?' (IC)

**Commission response:** *Adequacy should be defined in terms of how well the outputs are able to meet the needs of users. Practice 1 has been amended. Greater transparency about funds and budget decisions are also important, and an addition has been made to practice 3 to make the audit trail publicly available.*

### Practice 4

'The Statistician Competence Framework is too narrow as it does not include information professionals working outside the GSS system and in organisations such as the NHS.' (IC)

**Commission response:** *We have assumed that the Statistician Competence Framework covers, or should cover, the skills required by statistical staff working on National Statistics whatever their employing organisation. The wording has been amended to make it clear that the practice refers to posts requiring professional statistical skills, not those of other professions. Any deficiencies in the Competence Framework may need to be addressed directly.*

## Annex A – Guidance on release practices

### General points

‘Much of Annex A should be restored to the Code ... some will be covered in a separate statement of pre-release arrangements.’ (SE)

**Commission response:** *The Guidance on release practices is an integral part of the Code. It takes account of the provisions of the Statistics and Registration Service Act*

‘The Annex is less detailed than the current protocol... anything less prescriptive than the current rules will weaken release practices.’ (RSS)

**Commission response:** *The Guidance is intended as a statement of principles and practices against which compliance can be assessed. We believe it is sufficiently detailed for that purpose.*

### Practice 1

‘It is at least conceivable that the very release practice could even be thwarted by a decision in relation to pre-release access.’ (CSOI)

**Commission response:** *Practice 1 is included for this reason.*

‘There are circumstances where the publication of one set of results is delayed so as to integrate other results into a single coherent presentation. This is right as long as the delay is not too long and the decision is made by the statistical producers, is based on the balanced need of all users, and is designed to present a single coherent set of statistics.’ (RSS)

**Commission response:** *Agree but one of the aims of the revised Code was not to become encumbered with caveats. This should be dealt with through agreement of exceptions etc.*

### Practice 4

‘Recognise’ is too weak. ‘Ensure that, subject to the ultimate approval of the National Statistician’ is better.’ (RSS)

**Commission response:** *Practice 4 has been amended accordingly.*

## Practice 8

‘The suggestion that journalists may be given privileged pre-release access requires further justification.’ (ESRC)

**Commission response:** *The wording has been tightened. The Commission agrees that embargoed pre-release access for journalists should be regarded as justified only under exceptional circumstances.*

## Market sensitive releases

‘The annex ... gives no criteria for their selection or for the future evolution of this list and leads to the rather fundamental question in how far market-sensitive information can per se be only determined ex-post.’ (Eurostat)

**Commission response:** *It will be for the Statistics Board to amend the existing list from time to time.*

## Annex B – Consultation

There were no comments made on this Annex in the consultation. Some minor drafting amendments have been made however.