



Department
for Education

Pre-release access to official statistics order 2008

October 2018

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Statement of compliance with the pre-release access to official statistics order 2008

The Department's Statement of Compliance with the Pre-release Access to Official Statistics Order 2008, attached below, sets out the Department's operational arrangements for giving Ministers and officials pre-release access to official statistics 24 hours prior to publication. The Order tightens the rules and principles governing pre-release access to official statistics prior to publication.

The scope of the Pre-release Access to Official Statistics Order extends to all official statistics produced by the Department and its Public Bodies. [National Statistician's guidance on identifying official statistics](#) identifies five criteria when considering if information should be considered as official statistics, they are:

- the data collection on which the statistics are based should be conducted on a regular basis
- results should be compiled using widely accepted statistical methods
- coverage should be representative of the whole population in question
- the subject matter has the potential to inform, or impact on, decisions about the management of government services, or the allocation of public funds or resources
- the information is placed in the public domain

National Statistics are a subset of official statistics that have been assessed and comply with or are deemed to have been assessed and comply with the [Code of Practice for Statistics](#). The decision on whether information is classified as official statistics is made on a case-by-case basis by the Head of Profession for Statistics.

The Pre-release Access to Official Statistics Order 2008 commenced on 1 December 2008.

Please direct any queries to:

Statistics Head of Profession Office

Department for Education

Telephone: 0207 2275320

Email: hop.statistics@education.gsi.gov.uk

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Introduction

1. This statement sets out the Department's operational arrangements for giving Ministers and officials pre-release access to official statistics in their final form 24 hours prior to publication. These arrangements are designed to ensure that such access is justified, limited, controlled, and publicised and complies with statutory requirements. The purpose of these arrangements and their transparency via this statement is to maintain public confidence in the integrity of official statistics while allowing Ministers to make a public response or take action at or shortly after the time of publication where those statistics cover policy or operational areas for which they are democratically responsible.

Exclusion

2. Different arrangements apply to pre-release access to the Department's own management or administrative data where these data subsequently form the basis for published official statistics.

Authority

3. These arrangements have been drawn up by the Department's Head of Profession for Statistics in consultation with the Office for Statistics Regulation (OSR). The Head of Profession for Statistics is also responsible for ensuring the day-to-day implementation of these arrangements.

4. Where an official body produces National Statistics; produces an appreciable number of official statistics; produces particularly high-profile official statistics; or employs an appreciable number of statisticians, that organisation should appoint a Head of Profession for Statistics (HoP). HoPs should be appointed by departments, in consultation with the office of the National Statistician. The core of the role of a HoP is a responsibility to ensure that their organisation complies with the Code of Practice for Statistics, Pre-Release Access Orders, relevant data-related legislation, and with the National Statistician's guidance on management information.

General Principle

5. The Department operates under the rules and principles set out in the [Pre-release Access to Official Statistics Order 2008](#) that pre-release access to official statistics must be:

- limited to the minimum number of persons deemed necessary to allow the Minister to either:
 - i. respond to questions, or make statements about the statistics at, or shortly after the time of publication of those statistics, or

- ii. take action before, at the time of, or shortly after publication of those statistics.
- allowed only in circumstances where the public benefit likely to result from such access outweighs the detriment to public trust in official statistics likely to result from so doing.

Grant of pre-release access

6. Pre-release access will be limited to those persons who meet the eligibility criteria set out in Annex A(i) for purposes which meet the criteria in paragraph 5. Recipients may share their access with their administrative support staff even though those staff may not directly engage with the statistics in question.

7. Pre-release access will only apply to official statistics in their final form which meet the eligibility criteria set out in Annex A(ii). Paragraph 14 covers special circumstances where official statistics may be shared more than 24 hours prior to publication.

8. Pre-release access as set out in this statement does not apply to access to official statistics by:

- those persons engaged in the process of producing and disseminating the statistics in question (including those responsible for overseeing this process);
- those persons requested by the producers to quality assure the statistics before their public release.

Documentation and publication

9. In the interests of openness and transparency, the Department maintains a public record in Annex B listing the titles of all the statistical releases to which these arrangements apply. A list of those who have been granted pre-release access as well as the job titles and the organisations to which they belong are published alongside each official statistics publication to which pre-release access has been granted. The justification for giving advance access to each listed recipient is available on request.

Period of access

10. In line with legislation, pre-release access to the Department's official statistics is restricted to a maximum of 24 hours before their public release on the following day. The Department's statistical releases will normally be published at 0930.

11. In exceptional circumstances, the Head of Profession for Statistics, in consultation with others, may grant pre-release access in excess of 24 hours if, in their opinion, the public benefit outweighs the detriment to public trust which is likely to result from such extended access. When this happens, the Head of Profession for Statistics will publish his or her reasons for granting extended access, and will also inform the UK Statistics Authority's Chief Executive (the National Statistician).

Conditions of access

12. Those persons who are given pre-release access to the Department's official statistics must keep the statistics secure and under embargo until their release, and they must abide by certain conditions of access. They must avoid:

- disclosing the statistics or any part of a publication containing those statistics to any person not listed as a pre-release recipient;
- providing any indication of the size or direction of any trend revealed by the statistics;
- using such access for personal gain, or taking any action for political advantage;
- exploiting such access to change or compromise the content, presentation, or timing of publication of official statistics.

13. All recipients of pre-release access must sign a declaration form confirming they are aware of their responsibilities on receiving pre-release access to official statistics and agreeing to abide by the conditions of access listed in paragraph 12 before they are sent the statistics. The Head of Profession for Statistics will maintain a list of all individuals who have signed a declaration form and received pre-release access to official statistics.

Special circumstances

14. Aside from the circumstances described above, the Head of Profession for Statistics may also allow access to statistics ahead of their release to a limited number of persons in a limited number of special circumstances, for more than 24 hours. For example:

- access may be given to the compilers of complementary reports due to be published at the same time as, or shortly after the statistics so that they can incorporate the latest available figures.
- international organisations may gain access to compile supra-national statistics.

Breach of these conditions

15. In the event of a breach of the principles and rules set out in the legislation and described in this Statement, the Department's Head of Profession for Statistics will notify the Office for Statistics Regulation.

16. The Department's Head of Profession for Statistics may, for a period or permanently, withdraw pre-release access from any person judged to have breached the conditions of their access.

Annex A – criteria for granting pre-release access

A(i) Categories of persons within government to whom the Head of Profession for Statistics on behalf of the Department would normally grant pre-release access to the Department's statistical releases

- Those ministers who have policy or operational responsibility for a particular subject-matter covered by a statistical release; who are accountable to parliament and the electorate for their stewardship of that policy; and who may need to respond to questions about the statistics, or take appropriate action, at the time of release of those statistics;
- Those chief executives who have operational responsibility for a particular activity covered by a release, and who are accountable for their stewardship of that activity to ministers, and through them to parliament; and who are in a similar position to those ministers described above;
- The top departmental or agency officials with ultimate responsibility for formulating, developing, maintaining, monitoring or implementing that policy;
- Other departmental or agency officials who have been assigned the specific responsibility to brief ministers or chief executives about the statistics in question (e.g. special advisers, policy advisers, analysts)
- Departmental press officers responsible for managing ministers' interface with the media with respect to the policy or statistics in question.

A(ii) Categories of statistical release to which the Departmental Head of Profession for Statistics on behalf of the Department would normally grant pre-release access

- Releases which incorporate statistics which are used to monitor or measure the government's performance (either generally, or against formal targets);
- Releases which have the potential to impinge substantially on the formulation, implementation, or monitoring of government policy;
- Releases which have the potential to inform, or impact on, decisions about the allocation of public funds;
- Releases which have, demonstrably and historically, had a high public profile (i.e. regularly generate column inches in the print media or regularly attract the attention of the broadcast media) and on which ministers or chief executives with responsibility for the subject-matter might reasonably be expected to comment at the time of release;

Annex B – titles of statistical releases to which pre-release access applies

Early years and childcare:

- Early years foundation stage profile results
- Childcare and early years providers survey
- Childcare and early years survey of parents
- Education provision: children under 5 years of age
- 30 hours free childcare

Children's social care:

- Children accommodated in secure children's homes
- Characteristics of children in need
- Children looked after in England including adoption
- Outcomes for children looked after by local authorities
- Children's social work workforce

School attainment:

- Phonics screening check and key stage 1 assessments
- National curriculum assessments key stage 2
- Key stage 2 national curriculum review outcomes
- School performance tables
- Multi academy trust performance measures
- GCSE and equivalent results in England

School participation and characteristics:

- Schools, pupils and their characteristics
- Admissions appeals in England
- Special educational needs in England
- Statements of SEN and EHC plans
- Permanent and fixed period exclusions in England
- National pupil projections
- Pupil absence in schools in England
- Secondary and primary school applications and offers
- Parental responsibility measures
- School capacity

School workforce:

- Initial teacher training performance profiles
- Initial teacher training: trainee number census
- Teacher supply model and initial teacher training allocations

- School workforce in England

16-18 (KS5):

- A levels and other 16 to 18 results
- School and college performance tables in England

Adult further education (including all age apprenticeships):

- Apprenticeship and levy statistics
- Apprenticeships and traineeships
- Further education and skills
- Further education for benefits claimants
- FE choices employer satisfaction survey
- FE choices learner satisfaction survey
- Level 2 and 3 attainment by young people aged 19
- National achievement rates tables
- Advanced learner loans application information

Higher education:

- Student loan forecasts, England
- Student loans in England
- Participation rates in Higher Education
- Widening participation in Higher Education

Destinations and participation:

- Participation in education, training and employment
- NEET statistics
- Graduate outcomes (LEO)
- Graduate labour market statistics
- Destinations of key stage 4 and key stage 5 pupils

School finance:

- Planned local authority and school expenditure
- Local authority and school expenditure
- Income and expenditure in academies in England
- Academy transfers and funding

International:

- Education and training statistics for the UK
- UK revenue from education related exports and transnational activity



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