



HM Treasury

Statement of compliance with the Pre-Release Access to Official Statistics Order 2008

Summary

This statement is published in conformance with the [Pre-release Access to Official Statistics Order 2008](#) which was approved by Parliament under Section 11 of the [Statistics and Registration Service Act 2007](#) and which came into effect on 1 December 2008.

The statement sets out the operational arrangements within HM Treasury for giving Treasury ministers, and where appropriate ministers from other departments and the devolved administration, and a limited number of supporting officials pre-release access to the Treasury official statistics once they are in their final form prior to publication.

These arrangements are designed to ensure that such access is justified, limited, controlled and publicised as well as complies with statutory requirements. Their purpose is to maintain public confidence in the integrity of official statistics while also allowing Treasury (and other) ministers to account immediately for the implications of statistics covering policy or operational areas for which they, themselves, are responsible.

Introduction

1. This statement sets out the operational arrangements within HM Treasury for giving Treasury (and other) Ministers' and their briefing officials' pre-release access to Treasury official statistics once they are in their final form prior to publication. These arrangements are designed to ensure that such access is justified, limited, controlled and publicised as well as complies with statutory requirements. Their purpose is to maintain public confidence in the integrity of official statistics while allowing ministers to account immediately for the implications of statistics covering policy areas for which they are democratically responsible.

Exclusion

2. Different arrangements apply to Ministers' and officials' access to the organisation's own administrative data or management information where those data subsequently form the basis for published official statistics. These are set out in Annex C.

Authority

3. These arrangements have been drawn up by the Treasury's Head of Profession for Statistics in consultation with Treasury Ministers and the Permanent Secretary. The Head of Profession for Statistics is responsible for ensuring the day-to-day implementation of these arrangements.

General Principle

4. The Treasury operates under the general principle that in line the Pre-release Access to Official Statistics Order 2008, pre-release access to official statistics must be:
 - limited to the minimum number of persons deemed necessary to allow Treasury Ministers to either:
 - ✦ provide responses to questions, or make statements about those statistics at, or shortly after, their time of publication; or
 - ✦ take action just before, at, or shortly after the time of publication; and
 - allowed only in those 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 advance access

5. The arrangements set out in this statement are confined to those persons who meet the eligibility criteria set out in **Annex A(i)**. Recipients can, in addition, share their access with their immediate administrative support staff even though those staff may not directly engage with the statistics in question. Their advance access is limited to statistics which meet the eligibility criteria set out in **Annex A(ii)** and which are in their final form prior to being published for the first time.
6. All new requests for advance access must be accompanied by a business case that demonstrates that they are in line with the Order for the Head of Profession for Statistics to make a judgement on. The presumption is that they will be refused unless full compliance with the eligibility criteria outlined in the Order is demonstrated.
7. Any significant increase in advance access must be cleared by the Permanent Secretary.

Documentation and Publication

8. In the interests of openness and transparency, the Treasury maintains a public record on its website listing the titles of all the statistical releases to which these arrangements apply, as well as the job titles of all those persons to whom prerelease access has been granted, and the organisations to which they belong.
9. To view the complete list of official statistics to which this Statement applies, click on the following links. Clicking on the title of each release will show a list of which persons have been given access to each release. (The justification for giving advance access to each listed recipient is available on request).

- [Public Spending Statistics pre-release access list](#)
- [Public Spending: Country and Regional Analysis pre-release access list](#)
- [Help to Buy: ISA and mortgage guarantee scheme pre-release access list](#)

10. The Public Sector Finances (PSF) release is jointly produced by the Office for National Statistics (ONS) and the Treasury. The [published document](#) that outlines the detail of these arrangements is clear that the ONS is responsible for pre-release access for PSF. In line with the National Statistician's decision to stop pre-release access to ONS statistics, announced in his [letter](#) to Sir David Norgrove of 15 June, from 1 July 2017 Treasury ministers and officials therefore no longer have pre-release access to PSF.

Full details of HM Treasury access to PSF data are given in the link below:

- [Public Sector Finances monthly release: HM Treasury access](#)

Period of access

11. In line with legislation, pre-release access to the Treasury's official statistics is restricted to a maximum of 24 hours before their public release on the following day – usually at 9.30am.
12. In exceptional circumstances only, and in accordance with Principle 5 of the Prerelease Access to Official Statistics Order 2008, the Head of Profession for Statistics may grant pre-release access in excess of 24 hours. They will only do this 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 will publish on the Treasury's website their reasons for granting extended access, and will also inform the UK Statistics Authority's Chief Executive – the National Statistician.

Conditions of access

13. Those persons who are given access to the Treasury official statistics ahead of their release must keep the statistics secure and under embargo, and they must abide by the following 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; and
 - exploiting such access to change or compromise the content, presentation, or timing of publication of official statistics.

Where the statistics in question are market-sensitive, each recipient must sign a declaration to the above effect.

Special circumstances

14. Aside from the circumstances described above, the Head of Profession may also allow access to statistics ahead of their release to a limited number of persons in a limited number of

special circumstances, sometimes for more than 24 hours. In each case, such access will be documented in the relevant release.

Breach of conditions of release

15. In the event where the Treasury becomes aware that a lapse in release practices for any Treasury National or Official Statistics has led to a substantive breach of the principles and rules set out in the legislation and described in this Statement, the Head of Profession for Statistics will notify the National Statistician; take action to prevent a recurrence; and provide the UK Statistics Authority with a written explanation using the Authority's standard Breach reporting form. The National Statistician may decide to conduct an inquiry on behalf of the Authority, the results of which will be posted on the Authority's [website](#). In the case of minor breaches, or genuinely accidental breaches which have no major repercussions, the Head of Profession may deal with the matter informally.

Sanctions against non-compliance

16. The HM Treasury Head of Profession for Statistics may, for a period, withdraw prerelease access from any person judged to have breached the conditions of their access.
17. In addition, a heavier sanction can be imposed by the UK Statistics Authority which has a statutory duty to assess the extent to which any organisation's 'National Statistics' comply with the *Pre-release Access to Official Statistics Order 2008* and with the associated obligations set out in this Statement. The Authority can, for instance, challenge an organisation where it considers that pre-release access to a National Statistic is not justified or where an organisation is failing to conform to these arrangements. It can also withdraw, or consider withdrawing, 'National Statistics' designation from the statistics in question.
18. In the event of any such challenge or withdrawal the Head of Profession will publish the Treasury response or reaction on its website along with its plans for achieving conformance.

Annex A: Criteria for granting Pre-Release Access

(i) Categories of persons within government to whom HM Treasury would normally grant pre-release access to its statistical releases:

- Ministers who have policy or operational responsibility for a particular subjectmatter 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;
- 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;
- 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); and
- Departmental Press Officers responsible for managing Ministers' interface with the media with respect to the policy or statistics in question. (plus any immediate ancillary staff who support the above)

(ii) Categories of statistical release to which HM Treasury would normally grant pre-release access:

- releases categorised as 'market-sensitive' (i.e. releases which embody statistics which, when disclosed, would be reasonably likely to have a significant effect on the value or traded volume of any investment);
- 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;
- releases which incorporate statistics derived from other departments' or agencies' administrative or management systems, and for which Ministers or Chief Executives in those other departments have ownership and operational responsibility;
- compendia publications (e.g. Social Trends, Regional Trends etc. which often include data which have already been released) or complex publications which have been made available to the media in advance of their public release, and under embargo, in order to give journalists time to absorb and understand their contents; and
- releases which cover matters of wide public interest.

Annex B: Definitional Notes

(a) Pre-release access

In the context described above, the phrase 'pre-release access' covers privileged access to statistical releases in their final form prior to being placed in the public domain. It does not cover pre-release access available to:

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

(b) Heads of Profession for Statistics

Organisations which employ a large number of official statisticians, or produce a large number of official statistics will normally appoint a Head of Profession for Statistics in consultation with the National Statistician. As well as being accountable to their own Minister and departmental line-managers, Heads of Profession are responsible to the National Statistician for the professional integrity of the statisticians whom they manage, and for the quality of the statistics which those statisticians produce. In particular they are responsible for observing the UK Statistics Authority's Code of Practice for Official Statistics as well as any professional standards set by the National Statistician.

Annex C: Arrangements for access to the Department's own administrative data.

National and Official Statistics published by the Treasury are mainly based on data extracted from the Treasury's administrative and management data systems or from similar systems owned and managed by external organisation on the Treasury's behalf. The details are set out in the Treasury's [Statement of Administrative Sources](#).

Treasury ministers and staff, both statistical and non-statistical, who have access to management information extracted from these administrative sources that will form the basis of published National and Official Statistics prior to their publication are required to sign the declaration below undertaking that they will comply with the principles and practices of the Code of Practise for Official Statistics. These declarations are stored on a database and this is used to audit communications of management information.

Access to management information that will generate National or Official Statistics, prior to the release of those Statistics

Declaration to be made by any person to be granted access to management information prior to the publication of related official statistics.

1. I require access to management information and similar data for day-to-day management/operation or decision-making purposes, in advance of their publication as statistics.
2. I undertake to comply with the following conditions –
 - (i) not to disclose the statistics, any part of a publication that includes those statistics, or any suggestion of the size or direction of any trend indicated by those statistics;
 - (ii) not to use this access for personal gain or for any use outside my official functions;
 - (iii) not to use data for the purpose of presenting or defending official policies or to take any action for political advantage; and,
 - (iv) not to use this access to change or compromise the content, presentation or the timing of publication of the statistics.
3. In the event of any doubts about the appropriate use of the management information I shall obtain advice from the Head of Profession for Statistics (Tom Orford).

Signed

Name

Position

Date

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