



Department for Business, Energy & Industrial Strategy

STATEMENT OF COMPLIANCE with the PRE-RELEASE ACCESS TO OFFICIAL STATISTICS ORDER 2008

Introduction

This statement sets out the **Department for Business, Energy and Industrial Strategy (BEIS)** operational arrangements for giving Ministers and their officials pre-release access to energy and climate change National Statistics once they have attained their final form prior to publication. These arrangements are designed to ensure that such access is justified, limited, controlled and publicised and 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.

Authority

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

General Principle

BEIS operates under the general principle that pre-release access to official statistics must be:

- limited to the minimum number of persons deemed necessary to allow the Minister to either:
 - provide responses to questions, or make statements about those statistics at, or shortly after, their time of publication;
 - take action just before, at, or shortly after the time of publication.
- allowed 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 advance access

The arrangements set out in this statement are confined to those persons who meet the eligibility criteria set out in **Annex A (i)** attached. 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)** attached, and which are in their final form prior to being published for the first time.

A list of National Statistics to which this Statement applies and the job titles of all those persons to whom pre-release access has been granted, and the organisations to which they belong is attached at **Annex B**.

Period of access

In line with the legislative rules, pre-release access to the organisation's statistics is restricted to a maximum of 24 hours before their public release on the following day – usually at 09.30am.

Conditions of access

Those persons who are given access to BEIS's statistics ahead of their release must keep the statistics secure and under embargo, 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.

Special circumstances

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. 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. Such access may also be longer than 24 hours;
- international organisations may gain access in order to compile supra-national statistics.

Breach of conditions of release

In the event of a 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 UK Statistics Authority's Chief Executive (the National Statistician) as well as the Authority's Head of Assessment; take action to prevent a recurrence; and provide the Authority with a written explanation. 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.

Sanctions against non-compliance

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

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 is not justified or where an

organisation is failing to conform with these arrangements. It can also withdraw, or consider withdrawing, 'National Statistics' designation from the statistics in question.

This Statement covers the Department's National Statistics and other statistics produced by the Department's professional statisticians. A review of the wider definition of official statistics is underway across the GSS. On completion of this work any subsequent changes required for compliance with this order will be published on the internet alongside the Statement of Administrative Sources.

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);
- those persons requested by the producers to quality assure the 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.

CRITERIA FOR GRANTING PRE-RELEASE ACCESS**(i) - Categories of persons within government to whom BEIS would normally grant pre-release access to its 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.

(plus any immediate ancillary staff who support the above)

(ii) - Categories of statistical release to which BEIS 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 (which often include data which has 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.
- Releases which cover matters of wide public interest

Pre-release access to BEIS statistics

In accordance with the conditions for Pre-release access to official statistics set out above, the following Ministers and officials receive such access to BEIS statistics.

Main annual publications (Digest of UK Energy Statistics, UK Energy in Brief, Energy Flow Chart and UK Energy Consumption) (Pre-release material is a copy of the press release and associated briefing.)

BEIS Secretary of State
BEIS Minister for Energy and Industry
BEIS Special advisors
BEIS Permanent Secretary
BEIS Director General Energy & Security
BEIS Director Clean Electricity
BEIS News

Quarterly Energy Trends and Energy Prices released in March, June, September and December (Pre-release material is a copy of the press release and associated briefing.)

BEIS Secretary of State
BEIS Minister for Energy and Industry
BEIS Special advisors
BEIS Permanent Secretary
BEIS Director General Energy & Security
BEIS News

In addition because individual editions of Energy Trends cover specific material additional pre-release access is also given to:

March

BEIS Director Clean Electricity, due to 1st release of provisional annual renewable generation data

June

BEIS Director Clean Electricity, due to publication of renewable statistics for previous year which includes the Renewable Obligation

September

Briefing on articles on (a) renewable electricity in Scotland, Wales, Northern Ireland and the regions of England and (b) combined heat and power in Scotland, Wales, Northern Ireland and the regions of England, which are produced each September is additionally sent (via the Scottish Government Energy and Business Statistician) to:

Scottish Government First Minister
Scottish Government Minister for Energy, Enterprise and Tourism
Scottish Government Head of Renewable Energy Policy (Energy Directorate)
Scottish Government Communications Officer (Wealthier and Fairer)
Scottish Government Special Adviser

December

Briefing on article on electricity generation and supply in Scotland, Wales, Northern Ireland and England, which is produced each December is additionally sent (via the Scottish Government Energy and Business Statistician) to:

Scottish Government Minister for Environment and Climate Change
Scottish Government Minister for Enterprise, Energy and Tourism
Scottish Government Senior Policy Official (Energy Directorate)
Scottish Government Communications Officer (Finance and Sustainable Growth)
Scottish Government Special Adviser

Monthly energy trends and prices updates

No pre-release access granted except in February when provisional data for the prior year is first released. (Pre-release material is a copy of the associated briefing.)

BEIS Secretary of State
BEIS Minister for Energy and Industry
BEIS Special advisors
BEIS Permanent Secretary
BEIS Director General Energy & Security
BEIS News

Annual Greenhouse Gas Releases (Pre-release material is a copy of the press release and associated briefing). Given the cross departmental responsibility for policy on addressing GHG emissions and developed natures of some activity, pre-release is also granted to Department for Transport and officials and ministers in the Devolved Administrations as listed below. This list represents the maximum and is reviewed on a release by release basis.

BEIS

Secretary of State
Minister of State for Climate Change and Industry
Special Advisors
Permanent Secretary
BEIS Director General Energy Transformation
Carbon Budget officials x 3
News

Department for Transport

Secretary of State
Parliamentary Under Secretary of State
Special Advisor
Head of Climate Change Policy
Press Officer
Statistician

Scotland

Cabinet Secretary for Environment, Climate Change and Land Reform
Head of Climate Change Governance and Legislation Unit
Deputy Director of Low Carbon Economy Division
Head of Climate Change and Energy Analysis
Climate Change policy official
Communications
Statistician

Wales

Head of Decarbonisation
Cabinet Secretary for Environment and Rural Affairs
Senior Evidence Adviser
Statistician

Northern Ireland

Minister of Agriculture, Environment and Rural Affairs
Head of Climate Change Unit, DAER
Statistician

Local Authority Carbon Dioxide Release (Pre-release material is a copy of the press release and associated briefing). Given the cross departmental responsibility for policy on addressing CO2 emissions and developed natures of some activity, pre-release is also granted to Department for Transport and officials and ministers in the Devolved Administrations as listed below. This list represents the maximum and is reviewed on a release by release basis.

BEIS

Secretary of State
Minister of State for Climate Change and Industry
Special Advisors
Permanent Secretary
BEIS Director General Energy Transformation
News

Department for Transport

Press Officer
Statistician

Scotland

Cabinet Secretary for Environment, Climate Change and Land Reform
Special Advisor
Head of Climate Change and Energy Analysis
Climate Change policy official
Communications
Statistician

Wales

Cabinet Secretary for Environment and Rural Affairs
Senior Evidence Adviser
Statistician

Northern Ireland

Minister of Agriculture, Environment and Rural Affairs
Head of Climate Change Unit, DAER
Statistician

Feed in Tariffs

(Pre-release material is a copy of the statistical tables/maps and associated briefing)

- (1) Annual Central Feed-in Tariff register statistics: Monthly statistics released at the end of April.
- (2) Monthly Feed-in Tariff commissioned installations released at the end of the month.
- (3) Quarterly Sub-regional Feed-in Tariffs confirmed on the CFR statistics: Quarterly statistics released at the end of January, April, July and October.
- (4) Quarterly Community and School FIT applications: Quarterly statistics released at the end of January, April, July and October.

BEIS Secretary of State*
BEIS Minister for Energy and Industry*
BEIS Special Advisors*
BEIS Permanent Secretary*
BEIS Policy Official, Feed in Tariff scheme
BEIS Economist, Feed in Tariff scheme
BEIS News

**Pre-release material only provided to Ministers and Officials if there is a need to respond to questions about the statistics, or take appropriate action, at the time of release of those statistics.*

Fuel Poverty (Pre-release material is a copy of the statistical release and associated briefing)

BEIS Secretary of State
BEIS Minister of State for Climate Change and Industry
BEIS Special Advisors
BEIS Permanent Secretary
BEIS Deputy Director, Home Energy
BEIS Senior Policy Official, Home Energy x 2
BEIS News

Household Energy Efficiency (Pre-release material is a copy of the quarterly statistical release and associated briefing)

BEIS Secretary of State
BEIS Minister of State for Climate Change and Industry
BEIS Permanent Secretary
BEIS Special Advisors
BEIS Director General Energy Transformation
BEIS Director, Home Energy
BEIS Deputy Director, Home Energy
BEIS Home Energy Communications Official
BEIS Home Energy Policy Official
BEIS News

Scottish Government Minister for Local Government and Housing
Head of Sustainable Housing Strategy Team, Scottish Government
Sustainable Housing Policy Officer, Scottish Government

National Energy Efficiency Data-Framework (NEED) (Pre-release material is a copy of the statistical release and associated briefing)

BEIS Secretary of State
BEIS Minister of State for Climate Change and Industry
BEIS Special Advisors
BEIS Permanent Secretary
BEIS News

In addition, an annex relating to Scotland was published alongside the latest (2014 analysis) results and was sent (via the Scottish Government Energy Statistician) to:

Scottish Government Minister for Energy, Enterprise and Tourism
Scottish Government Special Advisers
Scottish Government Communications Officer
Scottish Government Head of Energy and Climate Change Analysis
Scottish Government Energy Efficiency Policy Official

Public Attitudes Tracker (Pre-release material is a copy of the statistical release and associated briefing)

BEIS Secretary of State
BEIS Special Advisors
BEIS Permanent Secretary
BEIS Minister of State for Climate Change and Industry
BEIS Minister for Energy and Industry
BEIS Minister for Small Business, Consumers and Corporate Responsibility
BEIS Minister for Universities, Science, Research and Innovation
BEIS Parliamentary Under Secretary of State
BEIS Director General International, Growth and Analysis
BEIS Director General Energy & Security
BEIS Director General Energy Transformation
BEIS Chief Scientific Advisor
BEIS Chief Economist and Head of Analysis Directorate
BEIS SCS Energy Statistician
BEIS Head of Evidence, Guidance and Governance
BEIS Head of Behavioural and Customer Insights
BEIS Customer Insights Executive
BEIS News

Renewable electricity capacity and generation (Pre-release material is a copy of Energy Trends table 6.1)

Energy Trends table 6.1, which is produced quarterly in March, June, September and December is sent (via the Scottish Government Energy and Business Statistician) to:

Scottish Government First Minister
Scottish Government Minister for Business, Innovation and Energy
Scottish Government Cabinet Secretary for Economy, Jobs and Fair Work
Scottish Government Senior Policy Official (Renewables)
Scottish Government Communications Officer
Scottish Government Special Adviser
Scottish Government Assistant Statistician

Renewable Heat Incentive (Pre-release material is a copy of the quarterly statistical release and associated briefing)

BEIS Secretary of State
BEIS Minister of State for Climate Change and Industry
BEIS Special Advisors
BEIS Permanent Secretary
BEIS Director, Heat and Industry
BEIS Deputy Director, RHI and Heat in Buildings
BEIS News

Smart Meters (Pre-release material is a copy of the statistical release and associated briefing)

BEIS Secretary of State
BEIS Minister for Energy and Industry
BEIS Permanent Secretary
BEIS Special Advisers
BEIS Director General Energy Transformation
BEIS Director, Smart Meters & Systems, SRO
BEIS Director, Smart Metering Implementation Programme
BEIS Senior Stewardship Official, Smart Metering Implementation Programme
BEIS Senior Policy Official, Smart Metering Implementation Programme
BEIS News

Sub-national total final energy consumption (Pre-release material is a copy of the statistical release and associated briefing)

The release, which is produced annually in September, is sent (via the Scottish Government Energy and Business Statistician) to:

Scottish Government First Minister
Scottish Government Minister for Energy, Enterprise and Tourism
Scottish Government Senior Policy Official (Renewables)
Scottish Government Senior Policy Official (Energy Efficiency)
Scottish Government Communications Officer
Scottish Government Special Adviser
Scottish Government Senior Statistician, Office of the Chief Economic Advisor
Scottish Government Economist