

Statement of compliance with the pre-release access to Official Statistics Order (Northern Ireland) 2009

This statement is published in conformance with the *Pre-release Access to Official Statistics Order (Northern Ireland) 2009*, which was approved by the Northern Ireland Assembly under Section 11 of the *Statistics and Registration Service Act 2007 (a)*.

The statement sets out the Department for the Economy's (DfE) operational arrangements for giving the Minister and their close officials pre-release access to the organisation's own 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 and complies with statutory requirements. Their purpose is to maintain public confidence in the integrity of official statistics, while also allowing the Minister to account immediately for the implications of statistics covering policy or operational areas for which they are responsible.

Authority

These arrangements have been drawn up by DfE's senior statistician in consultation with the Northern Ireland Statistics Research Agency (NISRA) Chief Executive and DfE's Permanent Secretary and updated accordingly. The Department's senior statistician is responsible for ensuring the day-to-day implementation of these arrangements.

General Principle

DfE 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)**. 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 that 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.

Documentation and Publication

Below is a list of titles of all the statistical releases with pre-release access:

[Publication: Participation Rates in Education and Vocational Training](#)
[Publication: ApprenticeshipsNI Statistical Bulletin](#)
[Publication: Higher Level Apprenticeships at Further Education Colleges and CAFRE](#)
[Publication: Higher Level Apprenticeships at Higher Education Institutions](#)
[Publication: Level 2 Traineeships](#)
[Publication: Skills for Life and Work Statistical Fact Sheet](#)
[Publication: FE Sector Activity Bulletin](#)
[Publication: Careers Advice and Guidance and Future Intentions \(YPBAS\)](#)
[Publication: Enrolments at UK Higher Education Institutions: Northern Ireland Analysis](#)
[Publication: Qualifications gained at UK Higher Education Institutions: Northern Ireland Analysis](#)
[Publication: Electricity Consumption and Renewable Generation in Northern Ireland](#)
[Publication: Energy in Northern Ireland](#)
[Publication: Northern Ireland's Carbon Footprint](#)
[Publication: Northern Ireland's Material Footprint](#)
[Publication: Circular Economy Behaviours in Northern Ireland](#)
[Publication: Continuous Household Survey Heat and Insulation Results](#)

A list of job titles of all those persons to whom pre-release access has been granted, and the organisations to which they belong is published alongside the relevant release. An example is provided below.

Example: [Publication and Pre-release Access list.pdf](#)

Period of access

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

In exceptional circumstances only, and in accordance with Principle 5 of the Pre-release Access to Official Statistics Order (Northern Ireland) 2009, the Department's senior statistician 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 likely to result from such extended access. 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; and
- in exceptional circumstances, pre-release access may be extended to someone who is not an 'eligible person' as defined in the Order. In this case, the UK Statistics Authority will be informed and the reason for such exceptional access published.

When this happens, the Department's senior statistician will publish on DfE's website the reasons for granting extended access, and will also inform the NISRA Chief Executive who will advise, as appropriate, the National Statistician.

Conditions of access

Those persons who are given access to DfE's official 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.

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 senior statistician in the Department will notify the NISRA Chief Executive, who will in turn notify 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.

Where the senior statistician considers that a breach was minor in nature, and resulted in no damage to the integrity of the statistics involved, the senior statistician may choose to deal with the matter informally through internal discussion.

Sanctions against non-compliance

DfE's senior statistician, in consultation with the NISRA Chief Executive, 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 (Northern Ireland) 2009* 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.

In the event of any such challenge or any such withdrawal, the senior statistician will publish DfE's response on the Department's website, along with the Department's plans for achieving conformance.

Operational steps

To minimise the risk of breaches and maximise compliance the following steps are taken during the publication period.

- One week before the publication date, an email is sent from the lead statistician to all those on the pre-release access list, notifying them that

they will receive 24 hours pre-release access to official statistics on a specified date. They are also asked to nominate a deputy if they are not available.

- Officials are reminded in the body of the email and in the associated cover note that they are receiving early access to the statistics in line with the Pre-release Order to Official Statistics Order. Officials are advised that this means access to them must be strictly controlled, including any information based on them, and any indication of the content (e.g. descriptors such as “rising”; “falling”; “favourable”; “unfavourable” etc.).

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);
- those persons requested by the producers to quality assure the statistics before their public release.

The restrictions listed under ‘Conditions of Access’ above do apply to the above.

(b) DfE Senior Statistician

Organisations that employ a large number of official statisticians, or produce a large number of official statistics, are normally required to appoint a senior statistician in consultation with the NISRA Chief Executive. As well as being accountable to the DfE Minister and departmental line-managers, the DfE senior statistician is responsible to the NISRA Chief Executive, who is in turn responsible to the National Statistician. The senior statistician in DfE has a duty to oversee the professional integrity of the statisticians managed, and for the quality of the statistics those statisticians produce. In particular, they are responsible for observing the UK Statistics Authority’s Code of Practice for Statistics, as well as any professional standards set by the National Statistician.

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ANNEX A

CRITERIA FOR GRANTING PRE-RELEASE ACCESS

(i) - Categories of persons within government to whom the Department for the Economy (DfE) 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 the Northern Ireland Assembly 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 the Northern Ireland Assembly; and who are in a similar position to those Ministers described above;
- Those Departmental officials with ultimate responsibility for formulating, developing, maintaining, monitoring or implementing that policy;
- Other Departmental 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 the Department for the Economy (DfE) would normally grant pre-release access....

- Releases incorporating statistics that are used to monitor or measure the government's performance (either generally, or against formal targets);
- Releases with the potential to impinge substantially on the formulation, implementation, or monitoring of government policy;
- Releases with the potential to inform, or impact on, decisions about the allocation of public funds;

- Releases that, demonstrably and historically, have had a high public profile 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 that 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 or complex publications; and
- Releases that cover matters of wide public interest.