



## SCOTTISH EXECUTIVE

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Office of the Permanent Secretary  
Analytical Services Group

Consultees

**Chief Statistician**  
St Andrew's House  
Regent Road  
Edinburgh EH1 3DG

Telephone: 0131-244 0302  
Fax: 0131-244 0335  
rob.wishart@scotland.gsi.gov.uk  
<http://www.scotland.gov.uk>

Your ref:  
Our ref:

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Dear Consultee

### **CONSULTATION ON IMPROVING STATISTICAL SERVICES IN SCOTLAND**

You are invited to comment on the enclosed consultation paper published today. The paper outlines the Scottish Executive's proposals to improve statistical services in Scotland.

#### **Proposed improvements**

The Statistics and Registration Service Bill, which was introduced in the House of Commons on 21 November 2006<sup>1</sup>, will provide for the creation of a new Statistics Board, operating at arms-length from Ministers as a non-Ministerial department, responsible for promoting and safeguarding the quality and comprehensiveness of official statistics. The Board will be responsible for overseeing the statistical production activities currently undertaken by the Office for National Statistics (ONS), as well as scrutiny across all official statistics, including through the independent setting of statistical standards in a Code of Practice, and independent assessment of National Statistics against those standards.

Scottish Ministers intend that the "scrutiny and standards" aspect of the Bill should be extended to Scotland, and have proposed this to Parliament through a Legislative Consent Motion (LCM)<sup>2</sup>.

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<sup>1</sup> Details of the Bill can be found at:

[http://www.publications.parliament.uk/pa/pabills/200607/statistics\\_and\\_registration\\_service.htm](http://www.publications.parliament.uk/pa/pabills/200607/statistics_and_registration_service.htm)

<sup>2</sup> Details of the Legislative Consent Motion and accompanying memorandum can be found at:

<http://www.scottish.parliament.uk/business/legConMem/index.htm>

The "scrutiny and standards" aspect is to be extended to Scotland, but there are other elements such as information sharing; statistical services and research; reports and directions.

Scotland's inclusion in the relevant elements of the Bill will help improve public confidence in and accessibility to government statistics. However, there is more that can be done, outside of the Bill, to improve statistical services in Scotland.

We would appreciate your views both on the way proposed for the UK Bill in Scotland and on the other proposals contained in the paper.

### **Responding to this consultation**

There are two response questionnaires enclosed with the paper - **Annex A** for your comments on the legislation and **Annex B** for your views on the other proposals.

We are inviting written responses to this consultation by **Tuesday 9 January 2007 for Annex A on the legislation** and by **Monday 5 March 2007 for Annex B on the other proposals**. This consultation will run for 12 weeks from 11 December 2006 to 5 March 2007. However, comments on the legislation (Annex A) must be submitted by the 9 January 2007 because your views are needed to inform the LCM discussions in Parliament, which are likely to take place in January 2007.

Please send your response to: [marina.hughes@scotland.gsi.gov.uk](mailto:marina.hughes@scotland.gsi.gov.uk) or

Marina Hughes  
Scottish Executive  
3W.R  
St Andrew's House  
Edinburgh  
EH1 3DG

### **Consultation process**

This consultation, and all other Scottish Executive consultation exercises, can be viewed online on the consultation web pages of the Scottish Executive website at <http://www.scotland.gov.uk/consultations>. You can telephone Freephone 0800 77 1234 to find out where your nearest public internet access point is.

The Scottish Executive now has an email alert system for consultations (SEconsult: <http://www.scotland.gov.uk/consultations/seconsult.aspx>). This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). SEconsult complements, but in no way replaces SE distribution lists, and is designed to allow stakeholders to keep up to date with all SE consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

### **Handling your response**

All respondents should be aware that the Scottish Executive is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form (Annex C)** enclosed with this consultation paper as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

Where respondents have given permission for their response to be made public, these will be made available to the public in the Scottish Executive Library and on the SE consultation web pages shortly after the closing date. We will check all responses where agreement to publish has been given for any potentially defamatory material before logging them in the library. You can make arrangements to view responses by contacting the SE Library on 0131 244 4565. Responses can be copied and sent to you, but a charge may be made for this service.

### **What happens next?**

Following the closing date, all responses will be analysed and considered along with any other available evidence to help the Parliament to reach a decision on the LCM and to shape the other proposals. We will issue a report on this consultation process.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to me.

Yours sincerely



**Rob Wishart**  
Chief Statistician

**IMPROVING STATISTICAL SERVICES  
IN SCOTLAND**

**Consultation Paper**

**Scottish Executive  
December 2006**

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## **Introduction**

1. This paper sets out proposals to improve relevance, integrity and quality of Scottish statistics and hence improve use of and confidence in them.
  
2. The Statistics and Registration Service Bill, which was introduced in the House of Commons on 21 November 2006<sup>1</sup>, will provide for the creation of a new Statistics Board, operating at arms-length from Ministers as a non-Ministerial department, responsible for promoting and safeguarding the quality and comprehensiveness of official statistics. The Board will be responsible for overseeing the statistical production activities currently undertaken by the Office for National Statistics (ONS), as well as scrutiny across all official statistics, including through the independent setting of statistical standards in a Code of Practice, and independent assessment of National Statistics against those standards.
  
3. Scottish Ministers intend that the “scrutiny and standards” aspect of the Bill should be extended to Scotland, and have proposed this to Parliament through a Legislative Consent Motion (LCM), but that Scotland should not replicate the organisational changes, involving the creation of a new non-Ministerial department<sup>2</sup>.
  
4. Alongside the improvements that the new UK arrangements will bring, we are proposing further changes to enhance statistical services in Scotland.
  
5. Any comments you have on the way we are taking forward the UK Bill in Scotland will contribute to discussions on the LCM by the Scottish Parliament and your views on the other proposals will be used to shape future developments.

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<sup>1</sup> Details of the Bill can be found at:

[http://www.publications.parliament.uk/pa/pabills/200607/statistics\\_and\\_registration\\_service.htm](http://www.publications.parliament.uk/pa/pabills/200607/statistics_and_registration_service.htm)

<sup>2</sup> Details of the Legislative Consent Motion and accompanying memorandum can be found at:

<http://www.scottish.parliament.uk/business/legConMem/index.htm>

The “scrutiny and standards” aspect is to be extended to Scotland, but there are other elements such as information sharing; statistical services and research; reports and directions.

## **Background**

### ***Production of Statistics for Scotland***

6. The Scottish Administration produces official statistics on all areas of government. The table below shows key areas of government, indicating whether the statistical production is mainly devolved to Scotland or mainly reserved to the UK, with examples of some of the data sources used for statistics in each area.

7. It is not always straight forward to classify statistics into those that are reserved and those that are devolved as some areas can be quite mixed. Even in areas such as the economy and the labour market where statistical production is predominately reserved, the Scottish Administration has a vital role in producing specific analyses for Scotland to inform policy-making, Parliament and the public.

<b>Topic</b>	<b>Main Status</b>	<b>Examples of Statistical Sources</b>
Agriculture, Fisheries and Forestry	Devolved	Survey and administrative data - Agricultural Census, Farm Accounts Survey, SIACS Data etc.
Business and Industry	Reserved	Survey and administrative data - Inter-Departmental Business Register, Annual Business Inquiry etc.
Crime and Justice	Devolved	Mainly administrative data – Recorded Crimes, Prison Population etc.
Economy	Reserved	Mainly survey data – Family Resources Survey, Annual Business Inquiry etc.
Local Government Finance	Devolved	Mainly administrative data – relating to revenue, expenditure and budget/outturn estimates for local authorities.
Education and Training	Devolved	Mainly administrative data - Attainment and Leaver Qualifications, School Expenditure etc.
Health and Care	Devolved	Mainly administrative data - National Waiting Times Database, Immunisations etc.
Communities	Devolved	Survey and administrative data – Scottish Household Survey, Scottish House Condition Survey, Homelessness data, House building etc.
Labour Market	Reserved	Survey and administrative data – Labour Force Survey, Benefits Data etc.
Population and Migration	Devolved	Survey and administrative data – Census, Drug Related Deaths etc.
Transport	Devolved	Survey and administrative data – Road Accidents, Scottish Household Survey etc.

8. Government statistics for Scotland are produced and published by a variety of organisations, the main ones being:

- Scottish Executive Departments
- Departmental Agencies
- General Register Office for Scotland
- Information and Statistics Division of NHS National Services Scotland
- Forestry Commission
- Office for National Statistics (ONS)
- Department for Transport
- Department for Work and Pensions
- Department for Trade and Industry
- Ministry of Defence
- Home Office

9. The ONS produces and publishes statistical compendia for the UK on a variety of subjects but it focuses on statistics for the economy, labour market and social surveys.

10. Much of the information required for Scottish statistics on the economy, labour market and industry is sourced through UK surveys carried out by the ONS e.g. Labour Force Survey, Annual Survey of Hours and Earnings, Annual Business Inquiry, etc.

### *The existing arrangements for National Statistics*

11. Current arrangements for official statistics are set out in the National Statistics Framework, which the Scottish Administration adopted with other parts of the UK in 2000.

12. “National Statistics” are produced in accordance with the arrangements set out in the Framework and they comply with the professional principles and standards set out in the National Statistics Code of Practice.

13. At present the ONS is responsible for preparing, revising and promoting the Framework and Code but in doing this it takes into account the views of the other government departments that produce National Statistics. The Statistics Commission provides independent advice on the quality, integrity and relevance of those statistics that adhere to the Code.

14. Currently most statistical outputs produced by the Scottish Administration are classed as National Statistics and are produced according to the Code. Even statistics which do not meet the “National Statistics” requirements are produced according to the Code as far as possible.

15. Alongside the improvements in the quality and integrity of statistics partly brought about through the Code, there has been a significant enhancement, since devolution, in the

range of statistics produced. Many statistics for Scotland are now available for a variety of geographical breakdowns and characteristics.

16. Increased user consultation through the development of the ScotStat network<sup>3</sup>, which provides an opportunity for interested parties to engage in decisions about Executive statistics, has also helped towards improving the quality and relevance of statistics produced in Scotland.

### *Use of Statistics*

17. Statistics have a vital role in Government: used in the formulation, monitoring and evaluation of policies; planning and delivering services; long-term planning and informing debate. The main users of official statistics are:

- European and International Bodies
- Government Departments
- Local Authorities
- National Health Service
- Academia
- Industry and Commerce
- Media
- Community and Voluntary Sectors
- School, College and University Students
- General Public

18. While there has been a marked improvement in statistics for Scotland since devolution, with more statistics available on a more relevant and timely basis, it is important that the statistical service in Scotland continues to meet the needs of its many user groups by ensuring that information is timely, accurate and relevant.

19. It is also important to consider the need for UK wide statistics. A specific issue of public confidence has arisen through comments that devolution is undermining the availability of comparable statistics across the UK.

20. Meeting the need for UK wide statistics has been a major issue to emerge from the UK Government's consultation process<sup>4</sup>.

21. We believe that it is vital that planning and prioritising of statistical work is carried out on a devolved basis, but equally that there is liaison between administrations to ensure that UK wide and indeed international needs are met.

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<sup>3</sup> More information on the ScotStat network can be found at:  
<http://www.scotland.gov.uk/Topics/Statistics/scotstat/home>

<sup>4</sup> Details of the UK wide HM Treasury consultation 'Independence for Statistics' can be found at:  
[http://www.hm-treasury.gov.uk/budget/budget\\_06/other\\_documents/bud\\_bud06\\_odstatistics.cfm](http://www.hm-treasury.gov.uk/budget/budget_06/other_documents/bud_bud06_odstatistics.cfm)

22. Along with other areas of liaison such as sharing best practice and developing joint activities we would wish to maintain effective and beneficial co-operation and co-ordination with all UK administrations.

### *Way forward*

23. Given that statistics are so vital to the work of government and to enable the public to measure the performance of government, they must be, and be seen to be, of the highest professional quality and integrity. Our top priority is to produce statistics that are timely, relevant and reliable but we recognise that public perception plays a vital role in how effective these statistics can be. That is why we are committed to opening up the public debate around statistics and to raise the awareness of the high professional integrity that exists.

24. Another key area that could be improved is the balance between statistics for the public information role and those for policymakers in Government. Advances since devolution have focused mainly on providing and publishing information for the former and less attention may have been given to developing more relevant statistics for the latter.

## **Aims of proposals**

25. The aims of the proposals are to build on the improvements that have been made since devolution by:

- continuing to improve the relevance and quality of statistics produced;
- improving public confidence in statistics; and
- ensuring that we adhere to international standards for statistics.

## ***International standards***

26. Standards for official statistics were adopted by the United Nations in 1994<sup>5</sup> and a new European Union Code of Practice was introduced in 2005<sup>6</sup>.

27. They cover the following main areas:

- Ethical standards – professional independence, impartiality and confidentiality;
- Statistical quality – relevance, timeliness, coherence, reliability and accessibility; and
- Efficiency and managing burden on data providers.

28. These standards are not mandatory – but adoption is important since:

- they recognise the dual role that official statistics play in both informing the government and informing the public about government; and
- the ethical standards are designed to support public trust in official statistics.

29. However, the international standards are worded primarily for national statistics offices, which is the organisational structure in many countries. They do not completely reflect the role of statistics within government and they do not adequately recognise the extent to which management or administrative information now forms a substantial part of the range of statistics that are published.

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<sup>5</sup> UN Statement of Principles can be found at:  
<http://unstats.un.org/unsd/goodprac/bpabout.asp>

<sup>6</sup> EU Code of Practice can be found at:  
[http://epp.eurostat.ec.europa.eu/pls/portal/docs/PAGE/PGP\\_DS\\_QUALITY/TAB47141301/VERSIONE\\_INGLESE\\_WEB.PDF](http://epp.eurostat.ec.europa.eu/pls/portal/docs/PAGE/PGP_DS_QUALITY/TAB47141301/VERSIONE_INGLESE_WEB.PDF)

### *A strong statistical system*

30. There is international consensus that the key principles that should underpin a strong statistical system are:

- statistics should be of high **quality**, that is, produced to the highest professional standards and fit for purpose;
- statistics should have high **integrity**, that is, be free from political interference;
- roles and responsibilities should be clearly defined, and mechanisms should be in place to hold the system to **account**;
- the laws, regulations, codes and practices under which the system operates should be **transparent**;
- the system should have the **flexibility** to respond to changing needs, without harming the trust of users; and
- the system should carry out its functions in the most **efficient** way possible, ensuring value for money, and seeking to minimise the burden on business.

31. The proposals that follow set out how a stronger statistical system like this could be achieved in Scotland through the UK Bill and through other changes, all within international standards.

## **Proposals to be taken forward through the Statistics and Registration Service Bill**

32. The UK Statistics and Registration Service Bill is an opportunity to make changes which need legislation and which are best done in the same way throughout the UK.

33. The Bill will establish a new Statistics Board as a non-Ministerial department, responsible for promoting and safeguarding the quality and comprehensiveness of official statistics. The Board will be responsible for overseeing the statistical production activities currently undertaken by ONS, as well as scrutiny across all official statistics, including through independent setting of statistical standards in a Code of Practice. All current National Statistics will be independently assessed against those standards, as will other official statistics nominated by Ministers for approval by the Board as National Statistics. The Statistics Board's scrutiny functions are akin to some of those currently undertaken by the Statistics Commission, which will cease to exist if the Bill is passed.

34. Scottish Ministers intend that the scrutiny and standards aspect of the Bill should be extended to Scotland, through a Legislative Consent Motion (LCM), but that Scotland should not replicate the organisational changes, involving the creation of a new non-Ministerial department.

35. Scotland's inclusion in the relevant elements of the Bill will go some way to improving public confidence in and accessibility to official statistics by ensuring:

- **Better independent scrutiny** – by being an integral part of improved independent UK-wide scrutiny through the new quality-control body;
- **High standards** - we can continue with a common set of standards for statistics across the UK (through the National Statistics Code); and
- **Improved data sharing** – potential for data sharing between ourselves and the Statistics Board to be improved, increasing the quality of official statistics.

### ***Reasons for adopting the relevant aspects of the Bill***

36. Giving the Statistics Board a role in setting and monitoring the standards of Scottish statistics will demonstrate that, although produced by government departments and other bodies responsible to Scottish Ministers, they are produced to high standards and subject to independent scrutiny.

37. A UK-wide independent scrutiny body will give access to a wider range of top-level expertise than would a separate Scottish body.

38. Following a UK Code is the most efficient way to ensure that we adhere to international standards. The independent Statistics Board will be responsible for drawing up

the Code, and in doing so, is expected to draw on the current National Statistics Code, as well as international standards of good practice. The Board will be statutorily required to consult Scottish Ministers on its preparation or revision.

39. Only a UK Bill could provide for fully joined-up and reciprocal sharing of information between Scottish public bodies and the Board, which is essential for improvement in the comprehensiveness and accuracy of statistics on both sides of the border. At present the lack of legislation prevents statistical units accessing large amounts of extremely valuable individual level data. Instead effort goes into collecting, by surveys which are expensive and place an additional burden on data providers, data that already exists in inaccessible administrative systems. Improving the statistical service's access to such data is an area of enormous potential gain in terms of efficiency and production of useful data.

40. For similar reasons, the devolved administrations in Wales and Northern Ireland also plan to apply the relevant parts of the Bill. This should strengthen the statistical system for users across the UK. With the new Statistics Board's remit extending across the UK it would be expected to contribute positively to the delivery of coherent and comparable statistics in future.

41. Whilst it is for Scottish Ministers to decide which statistics are produced and published, we are keen to strengthen the public and statistical communities' ability to comment on the range of statistics. A function of the new Statistics Board will be to comment and advise on the statistics which Scottish Ministers have categorised as National Statistics.

### ***Reasons for retaining the current organisational arrangements for production of statistics in Scotland***

42. An important principle of the new arrangements is that the production of official statistics in Scotland should continue to be generated through Scottish Executive departments and agencies.

43. Good statistics are not produced in isolation. They are dependent on close interaction with other analytical work and with internal and external users and providers of information and analysis. In Scottish Executive departments, most statisticians are part of integrated analytical services – working alongside researchers and economists to produce the full range of information and analysis needed to support policy making.

44. Many of the improvements that have occurred since devolution have been the result of increasingly close working between statisticians, other analysts and policy officials. It is vital for close contact between statisticians and departments to be retained so that statisticians can continue to explain to Ministers and other officials what the statistics actually mean and what the implications are to policy areas to ensure against misuse and misrepresentation. Similarly, it is important for Ministers and other officials to be able to suggest to statisticians more relevant analysis to better align the statistical output with the policy process.

45. The UK Government believes that there are important strengths and benefits in the current decentralised arrangements, in terms of keeping statisticians close to policy work in departments, and maintaining professional statistical expertise across government. The strengths that flow from decentralisation outweigh the potential benefits from centralising all statistical activity in one office and the UK Government therefore plans to maintain the current decentralised system while legislating for an independent Statistics Board.

46. The move towards integrated analytical services in the Executive has been a crucial step in increasing the effectiveness of statistics within government and has been widely supported by users and providers.

47. In any case, only statistics produced by the ONS will be transferring to the new Statistics Board. The English equivalents of most of our statistics are produced by Whitehall departments and will not transfer to the new body. Transferring those statistics that are equivalent to the outputs of the ONS, which will transfer in the UK, would not create a sustainable or coherent unit in Scotland. It would be small, lack expertise in related areas and consist of a mixture of unrelated activities.

48. There are further reasons:

- Transfer of statistics production in Scotland to an independent body would be inefficient and costly – and much more so than pro rata to Whitehall. It would result in duplication of administrative and management functions. It would require duplication of expertise as it would be required in the new body and within government; and
- Greater organisational independence in Scotland is not certain to increase trust – some of the biggest issues of trust in Scotland have related to statistics for Scotland, which are already semi-independent, and statistics, which are produced by arms length bodies.

### ***Legislation Timetable***

49. The UK Bill was introduced in the House of Commons on 21 November 2006. The Bill has to be considered by the House of Commons and the House of Lords before it is presented for Royal Assent.

50. To extend the scrutiny and standards aspects of the UK Bill to Scottish devolved statistics, the Scottish Parliament needs to pass a Legislative Consent Motion (LCM). The draft LCM and accompanying memorandum were lodged in the Scottish Parliament by the Minister for Finance and Public Service Reform on 5 December 2006 (<http://www.scottish.parliament.uk/business/legConMem/index.htm>). It will take around 2 months for the LCM to reach the Scottish Parliament for debate where it will be decided whether to give or withhold consent.

#### **Question**

**Do you have any comments on the legislation?**

## **Other proposals to improve statistical services in Scotland**

51. Scotland's inclusion in the Statistics and Registration Service Bill will ensure that Scottish statistics follow, and are seen to follow high standards of quality and integrity. However, there is more that can be done, outside the Bill, to build on the recent improvements to statistical services in Scotland.

52. The proposals, in this section, specifically aim to:

- Recognise more clearly what statistics are needed to meet public needs;
- Ensure we have standards appropriate to Scotland for managing statistics;
- Develop new arrangements for the sharing and production of statistics across all levels of government – not just central government; and
- Increase public confidence by underlining the procedures to ensure professional independence and integrity.

### ***Nationally-agreed set of data in public domain***

53. A lot of recent improvements in statistical services have delivered enhanced products for the public information role such as the development of Neighbourhood Statistics and the recent improvements to the statistics website. Informing the public and Parliament is vitally important and will remain a substantial priority for us. But the role of statisticians in providing analyses to support informed government decision making is vital too.

54. Indeed there is a concern within government that too much time is being spent on preparing descriptive material for the public release of statistics, when the real demand, from Government, public and Parliament, is for the basic statistics and more analysis of the statistics relevant to policy-making. The current emphasis on preparing descriptive material for public release can mean that too little time is available to adequately assess the implications of the statistics for government.

55. We consider that it would be beneficial to make a clearer distinction between the basic statistics which we assemble and publish to inform public and Parliament, and the analyses and reports assessing the implications of the statistics for policy. The aim would be to achieve greater focus on the most relevant information.

56. To support the development of this approach we feel that, while Ministers decide the scope of what is produced, there should be more openness and consultation around this.

57. Having a clearer separate focus on the public information role - in effect having a nationally agreed set of data to be placed in the public domain would stimulate external debate on the information and analysis that underpins policy-making.

58. We propose to:

- **Strengthen our consultation about the scope of official statistics in Scotland, with more clearly-defined priorities for the production, analysis and interpretation of statistics for both policy-making and wider public interest.**

#### **Questions**

**How can we strengthen our consultation about the scope of official statistics?**

**Should statistics publication be more streamlined e.g. wider access to underlying data rather than descriptive reports?**

**Would you like to see more publication of policy focussed analyses rather than standard reports?**

#### ***Pre-release access arrangements***

59. With few leaks or trailing of statistics due to pre-release access, the rules around this appear to work well in Scotland. In light of this there has been very little public debate in Scotland around early access by Ministers and policy officials to statistical data in its final form.

60. Some UK professional statistical bodies have commented, through the HM Treasury consultation, that pre-release access contributes to the perception of Ministerial interference in statistical outputs. Notably, the Royal Statistical Society has recommended that there should be no pre-release access given to Ministers and policy officials.

61. The relevant international principle here is that access should be equal<sup>7</sup>. That might appear to rule out any pre-release access. However, in practice pre-release access occurs in many countries, though where it does the length of time granted, and conditions under which early access is granted, varies considerably. The European Union Code of Practice specifically recognises that pre-release access occurs and it requires that it should be limited, controlled and publicised – the existing UK Code states much the same.

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<sup>7</sup> EU Principle 6:

<http://unstst.un.org/unsd/goodprac/bpabout.asp>

UN Principle 2:

[http://epp.eurostat.ec.europa.eu/pls/portal/docs/PAGE/PGP\\_DS\\_QUALITY/TAB47141301/VERSIONE\\_INGLESE\\_WEB.PDF](http://epp.eurostat.ec.europa.eu/pls/portal/docs/PAGE/PGP_DS_QUALITY/TAB47141301/VERSIONE_INGLESE_WEB.PDF)

62. The Statistics and Registration Service Bill makes the provision for secondary legislation to set out pre-release access arrangements for statistics in their final form. Scottish Ministers can decide on the arrangements for Scottish devolved statistics.

63. Although it is not envisaged that this secondary legislation will include details about access to administrative and management data, which Ministers and senior officials require as part of the daily business of running government departments, or over early access to statistics for quality assurance purposes, we want to consider all types of data here and explore how they should be all be managed.

64. We feel that pre-release access has several legitimate benefits and there should be less concern about arbitrary time limits and more about what happens in the pre-release access period.

65. The case for early access to statistics produced in government is strong as:

- A significant part of the pre-release period is used to ensure that policy officials properly quality assure the statistics and, moreover, that they and Ministers understand the statistics;
- Ministers are expected to comment on an informed basis at the time that statistics are released. They may also be called on to defend the accuracy and reliability of the statistics;
- Furthermore it cannot be in the interests of good government for Ministers to have had insufficient time to consider the policy implications of statistics;
- Pre-release access is important from a statistical integrity point of view. Ministers can react to statistics whether they have seen them in advance or not and may often be called on or wish to comment on the policy issue at any time;
- Many of our statistics are derived from data that may actually constitute management information. These are government data to which public access is being allowed – in a very positive and pro-active way. But it would be both futile and wrong to say then that government access should be limited prior to public release.

66. The arguments against pre-release are:

- Lengthy pre-release access increases the risk of, and perception of, political interference – meaning attempts to influence the timing, emphasis given to specific aspects of content and interpretation;
- It may be perceived that Ministers influence the context (rather than content) thereby reducing the impact of politically sensitive results; and
- It may also be perceived that pre-release access gives Government an unfair advantage in presentation, increasing the risk of leaks and breaches, leading to selective early release of information to encourage favourable media coverage.

67. The case for pre-release access is convincing but the arguments against are also valid. Therefore, we conclude that pre-release access should be retained but that some restriction is desirable, to provide assurances that there will be no trailing of statistics and selective early release; this would fully meet international standards. However, arbitrary time limits do not in themselves prevent misuse and the main effect of these is simply to inconvenience Ministers and policy officials.

68. The Scottish Administration is open about its current release practices and details about standard pre-release access arrangements are outlined in the Scottish Executive's UK Code of Practice compliance statement<sup>8</sup>. Exceptional pre-release access details were formerly published on the Scottish Executive website, but seemed to attract little interest so the specifics were removed without public reaction.

69. The current arrangements for pre-release access do not make enough distinction between the different types of statistics used in government.

70. There are potentially many different types of statistics, which should be managed differently but we need to avoid too many separate arrangements. We consider the following to be the main distinctions, although we would particularly welcome comments from users on this proposal:

- Market sensitive statistics (as at present) where release is rigorously controlled;
- Statistics that have been produced from management information or administrative data;
- Survey statistics collected from businesses and the public;
- Secondary release statistics, these are detailed statistics produced from data already published;
- Statistics for Scotland sourced from UK wide surveys;
- Background data and other detailed information including for example Neighbourhood Statistics.

71. Pre-release access arrangements for all these types of statistics will not be detailed in the secondary legislation but we want to ensure that our own guidance on all of these is clear.

72. **We propose to:**

- Draw up detailed plans for pre-release access to Scottish devolved statistics that will reflect the different types of government statistics.

### **Questions**

**What do you consider to be the different types of government statistics?**

**Should different pre-release access rules apply to different types of government statistics?**

### *Collection and organisation of public sector statistics*

73. Production of statistics that are relevant, timely, high quality and comprehensive requires collection of basic data to be both efficient and effective.

74. The Executive has been looking into data collection as part of the Streamlining Bureaucracy work, which will contribute to the Public Service Reform agenda. The aim of the Streamlining Bureaucracy work is to achieve a measurable reduction in the bureaucratic burdens on the public sector.

75. An initial review of Scottish Executive data collections has been undertaken which will help inform whether there is duplication of content and effectiveness in these collections. The review considered collections undertaken both by the Statistics group and by other parts of the Scottish Executive. Further work will be undertaken to help achieve efficiency improvements.

76. There is also an opportunity to look more radically at the collection and organisation of statistics across the public sector. This could have a number of benefits including increasing capacity in the public sector generally and perhaps a greater opportunity to develop new administrative sources of data. It would fit well with the aims of giving public bodies more responsibility for the production of information about themselves and their areas.

77. **We propose to:**

- **initiate some work with local authorities and other public bodies to explore the possibility of a new partnership which would put in place new arrangements for collection, processing and publication of statistics.**

#### **Questions**

**Should we be looking at a new partnership with local authorities and other public bodies for the collection, processing and publication of statistics? Do you have any suggestions on how this could work?**

### *Public trust and confidence*

78. Public trust in official statistics is very important as low public confidence can seriously undermine the effectiveness of official statistics.

79. To improve public confidence we have to raise public awareness of the high standards of integrity that are in place for statistics. So we want more debate around whether we are getting the range of statistics the country needs, on a timely and accurate basis.

80. Independent scrutiny of statistics is a key element in public confidence – arguably the single most important aspect.

81. If the LCM, to extend the Statistics and Registration Service Bill to Scotland, is passed it will give us access to an enhanced independent scrutiny body which should go some way to improving public confidence.

82. However, independent scrutiny is not the only element that needs to be considered. Another major deficiency in the existing arrangements is that they work in isolation from Parliament. When the National Statistics Framework was agreed we indicated that we would support Parliament taking a more active role in scrutiny of statistics, though this has not yet happened.

83. We now feel that a Parliamentary Committee should consider all elements of statistics management, but that there should be a strong focus on the key issues of public confidence.

84. Ministers should remain accountable but since it is statisticians who decide the method, format, content and timing of statistics releases we should allow a Committee to question them directly on these matters.

85. **We propose to:**

- **encourage Parliamentary interest; and**
- **make it clear that a Committee is welcome to question statisticians directly.**

86. We believe that further action to open the Scottish Administration's statistics up to public debate is beneficial to all involved and is important in continuing to improve the quality, relevance and integrity of statistics. We want more debate on what statistics are needed, key aspects of how they are produced and how they should be used.

87. **Therefore, in addition to the two key measures of independent scrutiny and Parliamentary involvement, we will continue to build on actions aimed at the public and user interests to increase confidence and to stimulate informed public debate, including:**

- **separately brand the material that has been produced by the professionally independent statistics staff from Ministerial statements;**
- **make further improvements to access to statistics, background data, methods used and supporting information to allow users to make their own assessment of the reliability of our statistics;**
- **engage with key commentators on statistics, including making a baseline assessment of their confidence in official statistics;**
- **adopt a more pro-active approach with individuals who comment or criticise official statistics;**

- **develop information on official statistics to be used in schools; and**
- **develop the existing ScotStat network, including considering general analytical services issues as well as technical statistics matters.**

**Questions**

**Are these proposals useful in increasing public confidence in statistics? Should more be done?**

## **Conclusion**

88. The legislative and other proposals are part of a package which is designed to improve timeliness, relevance, quality, reliability and integrity of Scottish statistics and hence improve use of and confidence in them.

89. Proposals will be developed further in the light of responses to this consultation and Parliament's comments on the Legislative Consent Motion.

## ANNEX A – COMMENTS ON THE LEGISLATION

**RESPOND BY 9 JANUARY 2007**

The Minister for Finance and Public Service Reform has lodged a Legislative Consent Motion (LCM) to extend to Scotland the relevant provisions of the UK Statistics and Registration Service Bill, principally to allow the Statistics Board to monitor the production and publication of official statistics, reporting any concerns to Scottish Ministers, and to assess statistics against a Code of Practice for recognition as National Statistics, when invited to do so by Scottish Ministers<sup>9</sup>.

However it is not intended that Scotland should replicate the Office for National Statistics organisational changes, involving the creation of an independent non-Ministerial department for statistics.

**Related Section: Proposals to be taken forward through the Statistics and Registration Service Bill**

***Statistics and Registration Service Bill***

**Do you have any comments on the legislation?**

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<sup>9</sup> Details of the Legislative Consent Motion and accompanying memorandum can be found at:  
<http://www.scottish.parliament.uk/business/legConMem/index.htm>

## ANNEX B – VIEWS ON THE OTHER PROPOSALS

**RESPOND BY 5 MARCH 2007**

Scotland's inclusion in the Statistics and Registration Service will help to ensure that Scottish statistics follow, and are seen to follow high standards of quality and integrity. However, there is more that can be done, outside the Bill provisions, to build on the recent improvements to statistical services in Scotland.

**Related Section: Other proposals to improve statistical services in Scotland**

**Nationally-agreed set of data in the public domain**

**How can we strengthen our consultation about the scope of official statistics?**

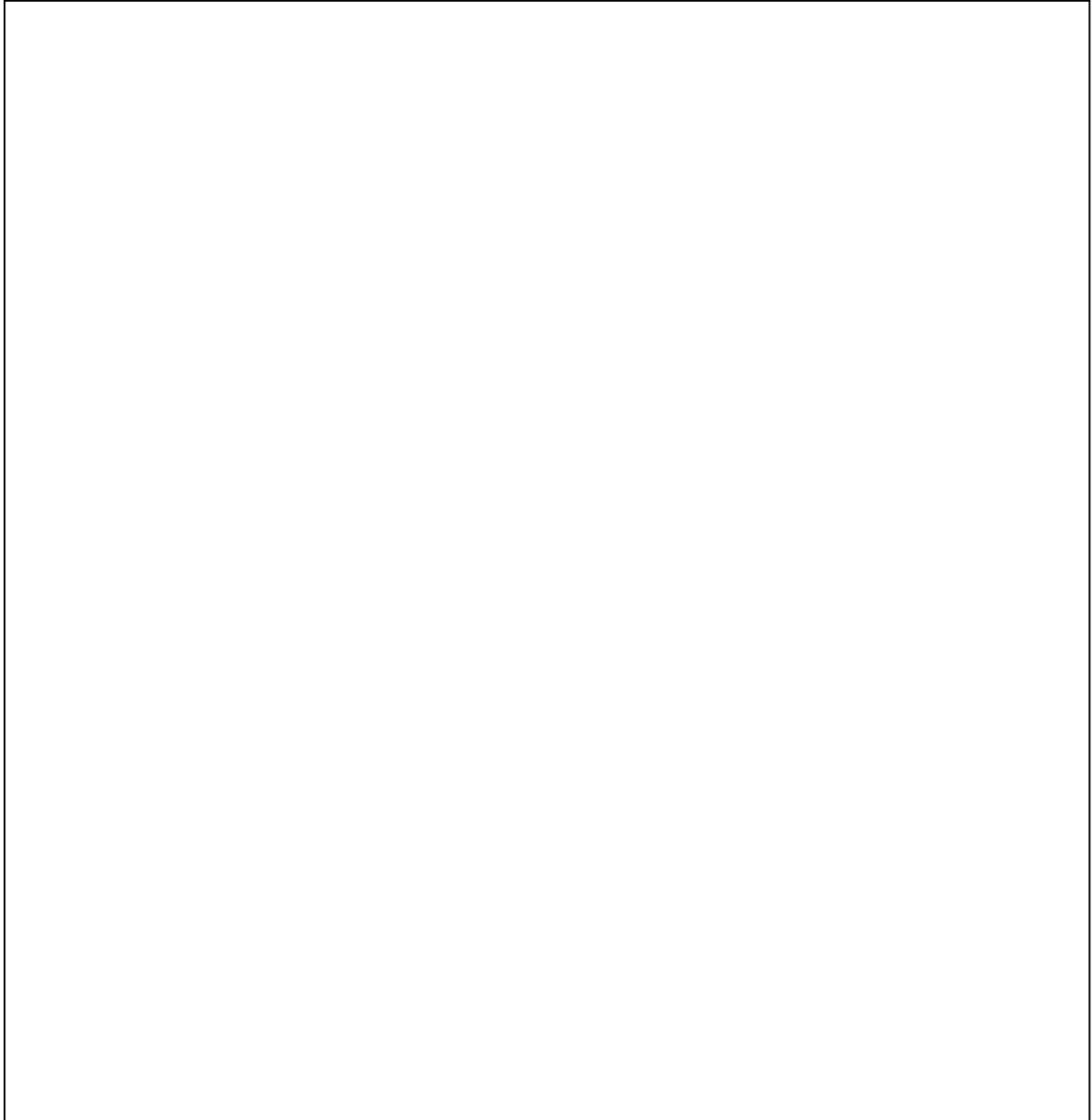
**Should statistics publication be more streamlined e.g. wider access to underlying data rather than descriptive reports?**

**Would you like to see more publication of policy focussed analyses rather than standard reports?**

**Pre-release access arrangements**

**What do you consider to be the different types of government statistics?**

**Should different pre-release access rules apply to different types of government statistics?**



**Collection and organisation of public sector statistics**

**Should we be looking at a new partnership with local authorities and other public bodies for the collection, processing and publication of statistics? Do you have any suggestions on how this could work?**

**Public trust and confidence**

**Are the proposals useful in increasing public confidence in statistics? Should more be done?**

**Proposals are: increased independent scrutiny and Parliamentary involvement, and the range of actions at paragraph 87.**

**Any other comments**

**Do you have any other comments on the proposals?**

## ANNEX C - RESPONDENT INFORMATION FORM

### PROPOSALS FOR IMPROVING STATISTICAL SERVICES IN SCOTLAND

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name:

Postal Address:

1. Are you responding: (please tick one box)
- (a) as an individual  go to Q2a/b and then Q4
- (b) **on behalf of** a group/organisation  go to Q3 and then Q4

#### INDIVIDUALS

- 2a. Do you agree to your response being made available to the public (in Scottish Executive library and/or on the Scottish Executive website)?

Yes (go to 2b below)

No, not at all  We will treat your response as confidential

- 2b. Where *confidentiality is not requested*, we will make your response available to the public on the following basis (**please tick one** of the following boxes)

Yes, make my response, name and address all available

Yes, make my response available, but not my name or address

Yes, make my response and name available, but not my address

#### ON BEHALF OF GROUPS OR ORGANISATIONS:

- 3 The name and address of your organisation *will be* made available to the public (in the Scottish Executive library and/or on the Scottish Executive website). Are you also content for your **response** to be made available?

Yes

No  We will treat your response as confidential

#### SHARING RESPONSES/FUTURE ENGAGEMENT

- 4 We will share your response internally with other Scottish Executive policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future in relation to this consultation response?

Yes

No

## ANNEX D - THE SCOTTISH EXECUTIVE CONSULTATION PROCESS

Consultation is an essential and important aspect of Scottish Executive working methods. Given the wide-ranging areas of work of the Scottish Executive, there are many varied types of consultation. However, in general, Scottish Executive consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Executive encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Executive consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Executive web site enabling a wider audience to access the paper and submit their responses<sup>1</sup>. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Executive library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

All Scottish Executive consultation papers and related publications (e.g. analysis of response reports) can be accessed at: **Scottish Executive consultations** (<http://www.scotland.gov.uk/consultations>)

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

**While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.**