

Statement

28 January 2009

Code of Practice breach – pre-release access
Cancer survival, England, patients diagnosed 2000-2004 and followed up to 2005: one-year and five-year survival for 21 common cancers, by sex and age (Office for National Statistics)

The Office for National Statistics (ONS) has reported to the UK Statistics Authority a breach of the *Pre-release Access to Official Statistics Order 2008* (and therefore the Code of Practice for Official Statistics). ONS's statistical release *Cancer survival, England, patients diagnosed 2000-2004 and followed up to 2005: one-year and five-year survival for 21 common cancers, by sex and age* was made available by one Department of Health official (an eligible pre-release recipient of the statistics) to another official who was not on the pre-release access list.

The Authority notes that this breach did not result in data prematurely reaching the public domain. It also notes the steps that ONS, with the Department of Health, has put in place to prevent a recurrence.

The Authority considers it appropriate for any official body responsible for a breach of the Code of Practice to issue an initial public statement explaining the breach on both its own website and the National Statistics Publication Hub, as soon as it is aware of the facts, and ideally no later than the time of the publication of the relevant statistics.

Monitoring and Assessment Team
UK Statistics Authority

BREACH OF THE CODE OF PRACTICE FOR OFFICIAL STATISTICS

A breach of the Code of Practice for Official Statistics occurs where one or more provisions of the Code were not followed in situations where an exemption or exception had not been approved by the UK Statistics Authority's Head of Assessment, as required in paragraph (xii) of the Code's preamble.

1 Background Information

Name of Statistical Output (including web link if relevant)

Cancer survival, England, patients diagnosed 2000-2004 and followed up to 2005: one-year and five-year survival for 21 common cancers, by sex and age
http://www.statistics.gov.uk/downloads/theme_health/cancer-survival-Eng-2000-2004.pdf

Name of Producer Organisation

Office for National Statistics (ONS)

Name and contact details of person submitting this report, and date of report

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Date 9 January 2009

2 Circumstances of Breach

Relevant Principle/Protocol and Practice

Protocol 2, Practice 7 – pre-release access

Date of occurrence

9 December 2008

Nature of breach (including links with previous breaches, if any)

- ONS's statistics on Cancer Survival in England were announced for release on 10 December.
- On 9 December ONS cancer statistics staff e-mailed material to agreed Department of Health (DH) pre-release recipients.
- A DH press officer on the list forwarded the e-mail to a single NHS Strategic Health Authority (SHA) colleague – this latter person was not on the agreed pre-release access list. (Evidence indicates that this was to meet a request from the SHA).

Reasons for breach

- Evidence indicates that this was to meet a request from the SHA.
- This was both an error of judgement by the DH press officer and a breach of the *Pre-Release Access to Official Statistics Order 2008*.
- The 'protect' markings on the original ONS communication were present and correct, but it is not clear whether the DH press officer was familiar with this security marking. However, the meaning was explained in the ONS pre-release e-mail.

3 Reactions and Impact

- None – the figures did not go further than a single NHS official.

4 Corrective Actions Taken (include short-term actions, and long-term changes made to procedures)

- DH-wide Statistics Team officer reminded the press officer immediately that this was not acceptable under the relevant Order.
- DH Statistics Head of Profession wrote to the DH Head of News (i.e. the senior official in charge of DH press office) reminding him of the rules and asking him to ensure that his staff were aware of them and respected them. In particular, no sharing of data in advance of publication with people not on pre-release access list, without checking with the supplier of the statistics. He has stressed this message to his staff.
- DH-wide Statistics Team officer also wrote to the DH press officer with 'regional' remit to indicate that prior sharing with NHS regions is not allowed.
- Prior to the introduction of the Order, the DH Head of Profession and the DH-wide Statistics Team issued advice and guidance to DH Ministers and officials concerning the Order and its implications. The DH Head of Profession and her team will continue to work with colleagues to help them understand and apply the rules, and avoid breaches.

5 Any other relevant supporting material (including link to published statements about this breach)

None