

## **INDEPENDENCE FOR STATISTICS**

### **RESPONSE BY THE BRITISH URBAN AND REGIONAL INFORMATION SYSTEMS ASSOCIATION (BURISA) TO HM TREASURY CONSULTATION DOCUMENT**

#### **Introduction**

The British Urban and Regional Information Systems Association (BURISA) is an affiliated body of the Royal Statistical Society (RSS) and offer the following comments to the Government's consultation document 'independence for Statistics' issued on 22 March 2006.

At a recent meeting of the BURISA Board, it was agreed to comment directly to HM Treasury. The following build on and reinforce many of the comments from the RSS draft response.

#### **Need for Reform**

The RSS Vision for National Statistics notes that National Statistics are vital to public policy and to decisions made throughout the public and private sectors. These decisions and policies affect the lives of every citizen. Every year many billions of pounds are allocated on the basis of National Statistics.

No less importantly, National Statistics provide a window on the world of Government itself. They are the currency of public debate, allowing people to monitor the effectiveness of public policies and public services and ultimately to make informed democratic choices.

Given their importance, for both the Government itself and the general public, confidence in the quality and integrity of National Statistics is essential. All users must have confidence that National Statistics have been compiled and disseminated in an impartial way using objective methods within a professional environment that is free from political influence or pressure.

All official statistics should be National Statistics.

#### **Comments on the proposed reforms**

BURISA would like to make the following comments on the options for reform set out in paragraph 4 of the Government's consultation document:

**Objectives (4.1-4.4):** we agree with this as far as it goes but would prefer a stronger statement focused on quality, trust and efficiency. In addition the key principles (set out in paragraph 1.9) should include coordination.

**Structure of legislation (4.5/4.6):** the proposals made do not logically follow the objectives for reform. The Bank of England model is cited but the objectives of that reform were different. In particular the elements of reform as proposed do not distinguish what we believe to be an essential separation of roles: the delivery role and the scrutiny role.

**Benefits of decentralisation (4.7/4.8):** we support the arguments made here but note that the "current" system needs further strengthening to be effective. If the

benefits of a decentralised system are to be gained then legislation and other mechanisms need to be put in place to overcome the disbenefits.

**Accountable to, not within, Parliament (4.9):** we agree.

**Integrated independence (4.10):** we agree on the need for independence both of delivery and scrutiny but consider that this sentence does not cover the whole system properly. The use of the word “statistics office” is confusing.

**A Non-Ministerial Department (4.11):** we agree with the substance of this proposal. It is important, however, to recall why ONS was titled the Office **for** National Statistics – it is the office that supports the National Statistician in delivering National Statistics – some of which are collected within the office and some of which are not. The words used here could imply that this subtlety is lost and somehow the statistics produced by ONS are of a different type to those produced outside ONS and that ONS does not have a system wide responsibility. This is exactly the opposite of what is needed.

**Oversight of the Non-Ministerial Department (4.12):** we agree that the Governing Board should oversee the NMD but do not agree that this is an executive function. Furthermore the words used again imply a difference between those statistics collected within ONS and those collected outside it.

**Civil service status (4.13):** we agree.

**Scope (Code of Practice) (4.14):** we agree that there should be a statutory Code of Practice but consider that this will require a new Code to be developed by the National Statistician for endorsement by the Governing Board and Parliament. Simply turning the current Code into a statutory code would not meet the requirements.

**Scope (responsibilities) (4.15):** the process described here replicates the existing position which has been shown not to work. The implication is that there will be a list of statistical series that will be within scope and this will be decided bottom up by Ministers on a case by case basis. In effect Ministers are being given the job of deciding whether the legislation should apply to them. In our view, the Board should have responsibility for safeguarding the public interest. It will not be able to do this without being able to decide what statistics are required and then to satisfy itself that they meet the requirement.

**Roles and responsibilities (4.16):** the role of National Statistician is not mentioned and yet, we believe that this is the critical role within an effective statistical system. The proposal gives the Board different responsibilities for statistics produced by the NMD to those produced by others. We disagree with this. We agree that the role proposed for Parliament is right and needs to be stressed.

**The Board (4.17,4.18):** we agree that the objectives for the Board require careful consideration. The words proposed appear to mix delivery and scrutiny. We consider that these should be separated. The words proposed also provide for different roles for statistics produced by the NMD and those not produced by the NMD. We consider that the Board’s role should be consistent across the system.

**The statistics office (4.19):** this section implies that the new Board is little different in its role to the existing ONS Management Board. Since the proposals are accompanied by the abolition of the Statistics Commission, the result would be to reduce the opportunities for Parliamentary accountability, since the Board and the National Statistician (as Chief Executive of the NMD) would be representing the

same interests. This paragraph highlights the importance of a clear distinction between executive and oversight functions.

**The National Statistics system (4.20):** this section implies that the Board and the NMD will have no responsibility for the production and dissemination of statistics outside the NMD. This appears to be even weaker than the current system which provides for the National Statistician to coordinate the system as a whole. The coordination role needs to be strengthened if the system is to adapt to meet rapidly changing needs.

**Assessing quality and integrity (4.21):** we agree with the general tenor of this proposal. We also agree that it should be for the Board to establish a programme of assessments designed to enable it to meet its functions. Reform of statistics provides an opportunity to define clearly the boundary between the Statistics Board and the National Audit Office (and other audit bodies such as Audit Scotland and the Audit Commission). There has been some public confusion in this area which could be readily dispelled.

**Advising on areas of concern (4.22):** we agree that the Board should have the power to advise on areas of concern. The key target for their advice in the new model should not be restricted to Ministers. It should be targeted at whoever the Board considers is the source of the concern or the body with the power to deal with that concern.

**Overview of coverage (4.23):** this proposal appears to be substantially weaker than the present arrangements. The proposal notes the current responsibility that the National Statistician has for producing a coherent high-level programme for National Statistics and the role that the Statistics Commission has to comment on that programme. The proposal is to combine these roles in the Board and to describe the task as to “maintain an overview of the broad coverage”. In our view there is a need for clear separation of roles between the National Statistician (to take responsibility for delivery of the development and delivery of a programme) and the Board (to agree the programme and hold the National Statistician to account for delivery).

**Minimising business burden (4.24/4.25):** we agree on the proposals to minimise the burdens on those who supply data (so long as these are weighed against the public benefit – otherwise nothing will be collected). To give effect to this requirement we believe three complementary elements are needed: (1) powers to collect information (and enforcement procedures) – if response rates can be assured, quality is enhanced, sample sizes for a given level of quality are reduced and respondents feel less resentful that others are “getting away with it”; (2) a duty to assess whether the information is already available elsewhere; (3) access for statistical purposes to information already held elsewhere (especially administrative data). Similar issues arise in respect of data collected from institutions and households. Current legislation is fragmented and inconsistent. It should be consolidated.

**Data access and confidentiality (4.26-4.29):** the case for providing access to administrative data for statistical purposes has been made over many years. The whole case for the future abolition of the population census rests on it as did the establishment of the cross government Neighbourhood Statistics programme. Statisticians need access to individual records in order to undertake their analysis but have no interest in the identity of any individual. There are well established practices which ensure that information shared for the purpose of creating aggregate statistics do not breach confidentiality requirements. The use of information in this way is well recognised in Data Protection legislation. Access needs to be mirrored in statistics

legislation in order both to allow statisticians to reuse information that is already available and to protect confidentiality and privacy. The Board could be given a duty to provide ethical oversight, but it has to be noted that existing procedures are exhaustive often to the point of total frustration for the statisticians involved.

**Pre-release access to statistics** (Box 4): public confidence is affected by perceptions of political interference in statistical production, so this must be seen as quite separate from policy processes. In addition, pre-release access gives Government an unfair advantage in presentation since “first with the news, makes the news”. There should be no pre-release access to statistics by anyone (including Ministers and policy advisors) outside the statistical production team until the statistics are released generally. The RSS also considers that statistics released by policy departments should be released from a central, policy-independent press office such as that operated by ONS.

**Board structure** (4.30): we consider that the members of the Board should be of the highest calibre able to bring a wide perspective on user needs for statistics and the public interest.

**Non-executive chair** (4.31): we agree that the non-executive chair need not be a statistician. Indeed it is essential that the role and the person should not be put in the position of providing a competing voice to the National Statistician as the ultimate professional authority on National Statistics.

**The Chief Statistician** (4.32): we agree that this role should provide specialist professional statistical experience at the highest level. We agree that the postholder should be the Chief Executive (and Accounting Officer) of the NMD and Chief Statistical Adviser to the Government (as a Permanent Secretary). We also agree that the postholder should be a member of the Board and head of the Government Statistical Service. The postholder should also be the UK representative in EU and international statistical forums. It will be important to ensure that all the functions of this role are carried forward from the existing Framework Document, especially those relating to coordination of the statistical system. The proposed change of name to “Chief Statistician” is unhelpful – Chief Statistician is the traditional name for the most junior members of the Statistician Group who are in the senior civil service, it does not convey that this is a unique nationally significant role.

**Independence of assessment** (4.33): we agree.

**Independent appointment process** (4.34): we agree, and suggest that the proposals could be further enhanced if the National Statistician appointment was made after consultation with leaders of Opposition parties and First Ministers.

**The Government Statistical Service** (4.35): we agree that the reforms provide an opportunity that should be grasped to strengthen the GSS and especially to encourage interdepartmental moves and secondments.

**Heads of Profession** (4.36): it is unclear whether the different words used here imply any change in current practice. The RSS considers that all Heads of Profession should be jointly appointed by their department and the National Statistician, ideally through secondments from the NMD which is where the largest body of professionally qualified individuals will be. It could be desirable to go further, especially in departments where there significant concerns about public confidence, and make the National Statistician responsible for the appointment of the first two tiers of statistical management, after consultation with the department.

**Professional accountability** (4.37): we agree and consider that this will be much more effective if the National Statistician has a clear responsibility for appointments.

**Parliament** (4.38-4.41): we support a clear and strengthened role for Parliament in the new arrangements. We agree that the National Statistician should continue to answer Parliamentary Questions by letter subject to finding a satisfactory method for their formal presentation.

**Funding** (4.42-4.45): we support the criteria set out for determining the future funding mechanism. We do not agree with the proposals set out. The proposal is that extra funding is provided for statistics that the Government wants but that extra funding is not provided for statistics required by others. We consider that this will undermine the perceived independence of the system, and impede the Board's role in ensuring that the statistical system meets the broader public interest. We consider that the initial level of funding should be determined by a joint review involving Parliament and include core ongoing funding for infrastructure spending (such as technology systems). We do not support the proposal that the population census be funded through the normal Spending Review process – census development is a long term process and the profile of expenditure must be decided well in advance of the usual window of the Spending Review.

**The Devolved Administrations** (4.46-4.47): the current arrangements have not delivered coherent statistics across the UK. In our view the situation is worsening. This causes a problem both for those seeking information at a UK wide level and for the Devolved Administrations and others wishing to make comparisons across the UK. It impedes assessment of the success of devolution itself. It risks putting the UK in breach of its duties to the European Union. We do not agree that the existing concordat meets the requirement.

**The Statistics Commission** (4.48): we agree that the Statistics Commission can be wound up once the new arrangements are in place, but only if the new Board has an oversight rather than a delivery function.

**The Registrar General** (4.49-4.51): we agree that the Registrar General's functions should be separated from those of the National Statistician. The functions that need to be transferred to the NMD go much further than the population census. The function to conduct social surveys and to access administrative data for the purposes of monitoring the number and condition of the population currently rests with the Registrar General as do the powers in relation to vital and population statistics. The 100 year rule for release of Census records also needs to be carried forward. Functions should be transferred to the National Statistician (as the professional, executive authority with responsibility for delivery) rather than to the Board.

**Legal ramifications** (4.52): a wide range of powers currently restrict access to information in ways that are inconsistent with the objectives of these reforms. These inconsistencies need to be reviewed and consequential amendments incorporated.

## **Conclusion**

BURISA would like HM Treasury to consider the above comments in the next stage of taking forward the independence of statistics.

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(on behalf of the BURISA Board)