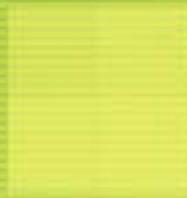


# **National Statistics Code of Practice**

## Protocol on Release Practices



# **National Statistics Code of Practice**

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## **Protocol on Release Practices**

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## Contact points

For enquiries about this publication, contact the National Statistics Policy Helpline

Tel: **020 7533 6210**

(for advice on interpreting the Code of Practice)

E-mail: **[james.denman@ons.gov.uk](mailto:james.denman@ons.gov.uk)**

For general enquiries, contact the National Statistics Public Enquiry Service on **0845 601 3034**

(minicom: 01633 812399)

E-mail: **[info@statistics.gov.uk](mailto:info@statistics.gov.uk)**

Fax: 01633 652747

Letters: Room DG/18, 1 Drummond Gate,  
London SW1V 2QQ

You can also find National Statistics on the Internet at **[www.statistics.gov.uk](http://www.statistics.gov.uk)**

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## Summary of Principles

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1. National Statistics will promote equality of access
2. Final responsibility for the content, format and timing of release of National Statistics will rest with Heads of Profession (in devolved administrations, the Chief Statistician) acting in consultation with the National Statistician
3. National Statistics will be released separately from statements by Ministers about the figures. Ministerial statements will not be released before the statistics
4. Where privileged early access is determined by Ministers, details will be documented and publicly available
5. Release arrangements will be open and pre-announced  
Release will be orderly and as early as possible after compilation
6. Timing will not be influenced by the content of the release or set in such a way as to create a presumed advantage to any particular group or individual
7. As much detail as is reliable and practicable will be made available, subject to legal and confidentiality constraints

## Foreword

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Official statistics are a means by which we judge government, yet they are usually produced by government. For society to have confidence in statistics, the government of the day must distance itself from their production and publication. In helping to foster this confidence, the National Statistician has specific obligations to develop and maintain a code of practice for the release of National Statistics.

The basic principles for the release of National Statistics are that only those people essential to their production and publication should have access to them before release, that they are released to a published schedule in an orderly fashion, and that access to the published material is as wide and equal as possible.

However, exceptions need to be accommodated. Government Ministers expect to account for the policy implications of statistics at the time of publication, and there is an implication that their response will be informed and properly prepared. To this end, it is customary in the UK for Ministers and their close officials to have privileged early access to statistics either produced by their departments or used to judge their policies. It is important that this happens within an agreed and published framework and that access is documented.

Another issue is statistics derived from non-statistical sources. There are likely to be a number of people who will have access to management and financial data before they are released as National Statistics. However, administrative databases are of such variety, and information derived from them published so widely, that rigid and simplistic regulation is impossible. Instead, the emphasis has to be on transparency, key principles and compliance with a small number of widely relevant rules.

I believe that, as a minimum, open release practices should apply to all official statistics, regardless of whether or not they are National Statistics, and that this protocol should stand as a ‘best practice’ model for the release of all statistical information by government. As Head of the Government Statistical Service, I am determined to promote this in co-operation with departmental Heads of Profession and Chief Statisticians in devolved administrations.

**Len Cook**  
National Statistician  
September 2002

## Introduction

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For a summary of the founding documents, roles and institutions associated with National Statistics, please see the section covering Scope in the *Code of Practice – Statement of Principles*. This document also includes an explanation of the structure of the *Code* itself, along with a brief guide to the process by which a particular statistic is included in National Statistics.

The *National Statistics Code of Practice* consists of two parts. The *Statement of Principles* sets out the broad principles which all those involved in National Statistics are expected to follow and uphold. The protocols describe how these principles are implemented in practice, and include descriptions of roles, responsibilities, structures, functions and processes. Where necessary, desk instructions will provide detailed technical procedures.

Authority for this protocol derives from the *Framework for National Statistics*, published by the Chancellor of the Exchequer in 2000, and it is written in accordance with the *National Statistics Code of Practice – Statement of Principles*, published by the National Statistician in 2002.

### **The *Framework for National Statistics* states –**

Not only must National Statistics be produced and presented without political interference but, in addition, this must be clearly apparent to users. This will be achieved by developing and maintaining a professional Code of Practice including policy for the release of National Statistics.

Departmental Ministers, including the Minister responsible for ONS, determine which individuals should have access to National Statistics produced by their Department in advance of their release, having first consulted the National Statistician.

The National Statistician as Head of National Statistics, and in consultation with statistics Heads of Profession in departments, has the following functions on an UK basis. He or she will:

- within the framework of departmental statistical work programmes, and the agreed broad coverage of departmental outputs, have responsibility for the professional integrity of those outputs comprising National Statistics, including responsibility for the timing of their release, and for the content and format of that release, taking into account the views of users;
- set professional standards for National Statistics, including standards for release arrangements and quality assessment, and has the authority to determine whether or not a statistical output meets those standards.

***The National Statistics Code of Practice – Statement of Principles states –***

National Statistics will promote equality of access.

Final responsibility for the content, format and timing of release of National Statistics will rest with Heads of Profession (in devolved administrations, the Chief Statistician) acting in consultation with the National Statistician.

National Statistics will be released separately from statements by Ministers about the figures. Ministerial statements will not be released before the statistics.

Where privileged early access is determined by Ministers, details will be documented and publicly available.

Release arrangements will be open and pre-announced. Release will be orderly and as early as possible after compilation.

Timing will not be influenced by the content of the release or set in such a way as to create a presumed advantage to any particular group or individual.

As much detail as is reliable and practicable will be made available, subject to legal and confidentiality constraints.

4(a), (c), 2(h), 4(d), (e), (f), (g)

## Scope

This protocol sets out how the National Statistician and departmental Heads of Profession for Statistics and, with their authority, other members of the Government Statistical Service, will carry out their responsibilities in respect of release practices.

Issues covered in this protocol are transparency and scheduling of release, responsibility for content, format and timing and coordination with Ministerial statements. Pre-release access is customary in certain circumstances and for different reasons, from Ministers preparing policy statements to the management of orderly distribution, and standards are laid down for these purposes. The advantage of making as much information available as possible is also emphasised. Finally, the protocol deals with basic compliance procedures.

## Exclusions

Revisions to data are treated as similar to first release in that, while revisions will usually be made known as early as practicable after they are known, for market sensitive statistics the process of release of revisions must not itself create uncertainty. Therefore, a separate protocol for revisions has been developed.

## Related protocols

*Consultations Arrangements between the National Statistician and UK Government Ministers*

*Presentation, Dissemination and Pricing*

*Revisions*

## Key roles and institutions

The **National Statistician** is head of the Government Statistical Service and has overall responsibility for the integrity of National Statistics. Departmental **Heads of Profession** for Statistics are responsible to the National Statistician for the quality of National Statistics within their departments. **Chief Statisticians** are responsible for statistics in the devolved administrations. For further information, please see *Framework for National Statistics*.

The **Government Statistical Service** (GSS) comprises a wide range of people across most departments of government who contribute to statistical products. The GSS sets standards in professional competence, including qualifications and training.

## Compliance

- (a) The National Statistician will report regularly on compliance with release arrangements.
- (b) Every organisation which releases National Statistics will maintain and publish a statement describing how it applies these standards to each of its releases.
- (c) Any non-compliance will be reported immediately to the National Statistician and will be accompanied by a public explanation.
- (d) Where it is occasionally necessary to release information outside this protocol, the National Statistician will decide on any change and the reasons will be made public. A review of this protocol, in light of the change, may follow.

## A guide to putting the principles into practice

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### 1. National Statistics will promote equality of access

- (a) National Statistics should be made equally available to all, at the same time, subject to the limited exceptions described in this protocol.
- (b) Statistics should be released in formats and at times of the day which are convenient to the widest range of users, and which promote widespread access and informed debate.

### 2. Final responsibility for the content, format and timing of release of National Statistics will rest with Heads of Profession (in devolved administrations, the Chief Statistician) acting in consultation with the National Statistician

- (a) A fixed format for presentation, taking account of user needs, will be adopted for regularly recurring releases. This will be sufficiently flexible to allow explanation of aspects of the data as they vary from period to period.
- (b) Significant changes to the content or format of releases must only be done on the basis of departmental and other user needs, and after discussions with them. Reasons for the change must be publicly available and, where possible, pre-announced.

- 3. National Statistics will be released separately from statements by Ministers about the figures. Ministerial statements will not be released before the statistics**
  - (a) The first release of any National Statistics will be separate from statements that include presentation or advocacy of any related policies. It will be for Ministers to decide if they wish to make such statements.
  - (b) There will be occasions when statistics and a separate policy statement will be released at the same time. Although they may be released simultaneously, it is important that policy statements are not released in advance, as they should be seen to be a response to the statistics.
  - (c) Where it will help users to understand the data contained within a statistical release, a factual statement of the policy context may be included. This will do no more than state a policy objective and will never contain anything which could be interpreted as political comment. Such contextual policy statements must be used consistently over time and cannot be inserted only in those periods when they might be judged to have political intent. Responsibility for wording lies ultimately with the National Statistician and Heads of Profession.
- 4. Where privileged early access is determined by Ministers, details will be documented and publicly available**
  - (a) Ministers of departments who have early access to statistical releases, along with their officials, do so for the sole purpose of being able to respond completely when questions arise at the time of release.
  - (b) Each department's statement of its implementation of this protocol will set out, for each statistical release, who is entitled to have privileged early access and for how long. The number of individuals will be strictly limited.

- (c) Those with privileged early access to market sensitive statistics will need to make regular declarations that they have only used this information themselves, for the specific purpose intended.
- (d) Security markings and a simple reminder of the legitimate use of National Statistics under privileged early access must accompany all material supplied before release. Guidelines on wording are included in Annex C.

*Time limits to privileged access*

- (e) For statistics that are not market sensitive, privileged early access will be no longer than five working days before release.
- (f) Where privileged early access is provided for market sensitive statistics, it will begin 40.5 hours (and not more than 40.5 hours) before release, that is at 5 pm on day one in advance of release at 9.30 am on day three.
  - i. The 'day 1 – day 3' period applies to regular working weekdays and may be extended if it spans a weekend.
  - ii. Only the National Statistician or relevant Head of Profession may authorise an extension. Operational delays will not normally be a reason.

**5. Release arrangements will be open and pre-announced. Release will be orderly and as early as possible after compilation**

- (a) All information relating to the release of National Statistics must be publicly available. Every organisation which releases National Statistics will maintain and publish a statement describing its release practices and how they conform to the *Code of Practice* in general and to this protocol in particular.
- (b) A programme of National Statistics releases will be maintained and regularly updated for a full year ahead.

- (c) For statistics released regularly, either quarterly or more frequently, the method of release will be consistent, for example use of embargo, lock-up briefing, availability of release on internet.
- (d) Consistency will be maintained as far as possible for less regular outputs, for instance by complying with a departmental standard practice for time and method of release.
- (e) Users will be advised about release arrangements well in advance (see also Section 6 below).
- (f) Documentation of processes leading to the release of National Statistics will be kept up-to-date, made publicly available and followed.
- (g) Standard release arrangements that take account of the needs of the media and other users will be maintained.
- (h) Professional support will be available at the time of release to provide advice on the data, to comment on interpretation and fitness for purpose, and to ensure that the release process is correctly completed.
- (i) Users will be consulted on any proposed changes to the standard publication arrangements.
- (j) Unplanned or selective release of parts of research or survey activity in progress will be avoided. Where it occurs, it will be for statistical rather than policy reasons and will be published as a statistical rather than as a policy release.
- (k) Where there is clear proof of wrongful or accidental early release of a National Statistic, the National Statistician may judge it necessary to arrange for immediate release of the statistic. Release to selected national media will be defined as public access for this purpose.

*Earliest possible release*

- (l) Statistics will be released as soon as practicable once they and any accompanying commentary or analysis are judged fit for purpose. There must be no opportunity – or perception of opportunity – for the release of unfavourable data to be withheld or delayed for political reasons.
- (m) An exception may be made where two sets of figures measure facets of the same issue, and simultaneous release would present a more coherent picture to users, as for example where export and import data are issued together in the UK trade statistics. In this case the release of one set of statistics may be delayed to coincide with publication of the other, provided users' wishes are taken into account. Such decisions on 'bundling' of releases will be taken by the relevant Head of Profession, and if necessary by the National Statistician.
- (n) For periodical releases, the decision on timing will usually involve a trade-off between achieving the earliest possible release for a particular period, and maintaining consistency over time. Such decisions will be taken by the relevant Head of Profession, and if necessary by the National Statistician.

*Methodological changes*

- (o) For frequent periodical releases, planned methodology changes will be notified at least one release period earlier. For all recurring releases, back data will be released at least by the time of the release containing the change itself, to enable easy comparison of the impact of the change.

## Managing early access

### 5.1 *Preventing personal advantage*

- (a) Early access to National Statistics can only take place where practices to prevent any opportunity (or perception of opportunity) for personal advantage have been adopted. All such arrangements will be made publicly known.
- (b) Individuals given early access will not seek changes in release dates or to the content or format of the material they receive.
- (c) Attempting to profit from early access to market sensitive information (eg insider trading) may fall within the civil regime of market abuse as well as amounting to a criminal offence under UK law.

### 5.2 *Bank of England*

- (a) Governors of the Bank of England who are members of the Monetary Policy Committee have early access to a number of releases, as do some other Bank officials.
- (b) When the MPC is meeting to decide on the appropriate level of interest rates, the National Statistician will extend early access to all members present at the meeting, and to those Bank staff who form the MPC secretariat. The Governor will apply this extension when he believes that knowledge of the unpublished information is relevant to the immediate policy decision, and will inform the National Statistician. This will be acknowledged in the Office for National Statistics list of those with early access; and will be reported in the first release of the relevant statistics, and in the *National Statistics Annual Report*.
- (c) All of those individuals will accept the same conditions of access as apply for Ministers and their staff, as well as agreeing to co-operate in any enquiry in the event of any suggestion of a leak which justifies investigation and explanation by the National Statistician.

### 5.3 *Emerging findings*

- (a) Where National Statistics are derived from an extensive, ongoing programme of work, for instance on an annual production cycle, Ministers or others who are not part of that particular statistical production process may need to be informed of emerging findings well in advance of the release, at a stage when the final statistics are not available, in order to consider policy implications. An example of this is data relating to the annual British Crime Survey: it would be counter-productive to withhold information from Home Office Ministers until the whole-year results are available, if emerging findings indicate that there are evident policy implications requiring executive decisions at an earlier stage. In such situations the National Statistician and the Head of Profession in that department will assess whether exceptional public release of these emerging findings is required.
- (b) The concept of emerging findings cannot apply to statistics where the release cycle is less than a year. Preliminary findings to these regular statistical surveys will not be released.

### 5.4 *Exceptional events*

- (a) Exceptional arrangements can be made for key economic events, for example, the Budget. When the date of the Budget or pre-Budget report is announced each year, the Office for National Statistics in particular will re-examine its publication timetable. The National Statistician will then determine whether, for the sole purposes of preparation of the Budget statement, there is a compelling case on operational grounds for exceptional early access to certain data for a limited number of Treasury officials. This will usually be provided, and will be noted on the affected statistical releases.
- (b) The same procedures will apply for other key events which the National Statistician deems to require exceptional treatment.

### ***5.5 Quality assurance***

Early access to unreleased National Statistics can be given to people able to offer useful ideas, comments and criticism on the quality and presentation of the information, or on any significant related issues. Where this is done, the team producing the statistics will keep an accurate audit trail of the distribution, including what is sent, to whom, when and where. Those receiving unreleased material will be bound by the same obligations as official statisticians and should be advised of the conditions of access. A form of words for this purpose is included in Annex C of this protocol.

### ***5.6 International obligations***

- (a) European Directives and other treaties oblige the UK to provide certain data to international statistical organisations for the purposes of compilation of comparisons and outputs. The National Statistician will assess the need to revise this protocol in the light of any change in the UK's international obligations, ensuring that any change is managed in a consistent way across the UK.
- (b) Any requests for privileged pre-release access to National Statistics by international statistical organisations will be considered case by case by the National Statistician (and Heads of Profession as appropriate).

### ***5.7 Management information***

- (a) Where National Statistics are derived from sources primarily used to manage and inform government processes, a number of individuals will have access to the data sources in the course of their normal work. For practical purposes, this amounts to a form of early access and needs to be recognised as such and managed accordingly.

- (b) The same principles apply to access to management information feeding into National Statistics as to other forms of early access.
- (c) In terms of release practices, the following two points should be noted –
  - (i) To provide confidence that wide access within government to this information before its public release does not affect the form or context around which release of the resulting National Statistics occurs, release dates will be scheduled well in advance (see Section 6 below) and publication formats will be rigidly adhered to.
  - (ii) Those who have access to these data should avoid any public comment that would damage the integrity of that National Statistics release.

### ***5.8 Release management***

- (a) There is an operational need for early access for organisations sharing responsibility for the distribution of statistical releases. Examples include the Central Office of Information (COI) and the National On-Line Manpower Information Service (NOMIS®). The Office for National Statistics acts on behalf of other organisations in managing the release of information on the National Statistics website.
- (b) Early access will be granted where the National Statistician is satisfied that suitable practices have been adopted to limit opportunity for personal gain, and where arrangements are sufficiently transparent. Thus for COI access:
  - (i) only staff necessary to the release will have early access;
  - (ii) they will only have access to releases at 9 am on the day of release, and will work under a strict lock-up until the time of release;

- (iii) individuals with early access must agree to be bound by the same obligations as official statisticians to ensure the impartiality of release;
- (iv) details of those individuals who have had early access to releases will be made publicly available.

### **5.9 Lock-up**

- (a) A lock-up is used to provide an opportunity for media reporting market sensitive information to absorb and understand the significance of a given statistic before it is officially released.
- (b) Participants are locked into a secure briefing room up to one hour before release and are prevented from transmitting information until a given moment, ensuring that important statistics are released simultaneously and instantaneously to a number of channels.
- (c) Access to lock-up facilities is conditional on those involved agreeing to abide by stated obligations (see Annex B).

### **5.10 Embargoes**

- (a) Embargoed access to complex statistical reports may be given to accredited journalists, where it is seen as necessary to provide them with a period of time to assimilate and comprehend the data, in order to provide for informed comment at the time of release.
- (b) Embargoed access cannot apply to market sensitive releases. It can only apply to the release of non-market sensitive data where there is limited opportunity for personal gain by those who have early access. It will usually be given for –

- (i) complex reports the value of which will be better understood by the public if accompanied by informed and considered comment at the time of release, and/or
  - (ii) compendia or value-added reports which are not putting new basic data into the public domain.
- (c) The National Statistician (in consultation with the appropriate Head of Profession) shall determine when embargoed access is appropriate.
- (d) The embargo period will span usual office hours so that those with access can reach the relevant departmental statisticians or press office for clarification or briefing. The period will not usually include a weekend.
- (e) Where embargoed access to research findings is provided, a lock-up may be required at some point to ensure those involved understand the nature and obligations of early access. This can also help to ensure common access to statisticians.

### 5.11 *Accidental and wrongful release*

- (a) Accidental or wrongful release by those with early access may result in action to prevent recurrence.
- (b) Any accidental or wrongful release must be reported to the National Statistician immediately it is noted, so that appropriate action to limit loss of confidence is taken quickly.
- (c) Accidental or wrongful release includes providing any indication of the content of the release, including suggestions of the size or direction of any change or a substantive description, as in 'favourable' or 'unfavourable'.

- 6. Timing will not be influenced by the content of the release or set in such a way as to create a presumed advantage to any particular group or individual**
- (a) The release of National Statistics will be consistent over time.
  - (b) Any alteration to a pre-announced release date will be made public as early as possible and accompanied by an explanation for the change.
  - (c) For all market sensitive statistics (see Annex A) and for frequent statistical releases where the production timetable can be predicted far in advance, the exact day and time of release will be provided at least six months in advance.
  - (d) For non-market sensitive statistics, the month of expected release will be provided, either when the data have been collected or six months in advance, whichever is the earlier. Exact release dates will be provided as soon as possible, but no less than two weeks before release and without reference to the specific information to be released.
    - i. In exceptional circumstances, where data is derived from administrative or external sources, the National Statistician may allow a slightly more flexible release period, provided the arrangements are open, transparent and documented.
  - (e) For irregular and ad-hoc statistical studies and research reports, release will be during the usual working day with any exception being at an event which is not expected to be perceived as political. Special events of a non-political nature relevant to the research may justify announcing research findings at other times, but this will not apply for regular statistical releases.

*Times of the day*

- (f) National Statistics will be released at a point in the week and at a time of day to allow for balanced comment within a short time after release.
- (g) All market sensitive statistics will be released at 9.30 am on a weekday, giving markets time to understand and respond to the information during normal working hours.
- (h) Notification of exceptional market sensitive releases will be given at 9.30 am on a weekday, with the release following within two hours. The National Statistician can vary this guideline if he or she considers it would be inconsistent with market stability.
- (i) For statistics derived from administrative or operational-based measures and other periodically recurring, non-market sensitive statistical releases, there will be a regular release time within the usual working day.

**7. As much detail as is reliable and practicable will be made available, subject to legal and confidentiality constraints**

- (a) Initial releases will often be targeted at specific audiences, such as the media, and will be focused on getting across key headline messages aimed in straightforward terms at the wider public. But there is usually a huge wealth of data underlying each release, which is a public good and which should be made as available as possible.
- (b) Those producing National Statistics will contribute to the development of an infrastructure, through publication, internet and other databases, and enquiry services, in order to assure the availability of the vast resource of official data.
- (c) In order to maintain the trust of respondents, information can only be made accessible where it does not impinge on confidentiality constraints.

## Annex A

# National Statistics categorised as market sensitive for the purposes of this protocol

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### **ONS releases**

- Index of production
- Index of services
- Producer prices
- Consumer price indices
- Labour market statistics
- Retail sales
- Public sector finances
- Motor vehicle production
- UK trade
- National accounts (all measures)
- Balance of payments

The above series are published by the Office for National Statistics. Where other government departments publish market sensitive statistics, they will be designated in the department's statement of implementation of this protocol.

## Annex B

### **Obligations that news agencies must agree to abide by in order to participate in ONS lock-up facilities**

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1. Only accredited news organisations with a proven need to release ONS statistics at 9.30am may be represented in the lock-up briefing.
2. Computer equipment may only be used with the prior consent of the ONS.
3. Reporters must remain in the briefing room until 9.30am.
4. Upon arrival in the briefing room at 8.45am, reporters operating approved computer equipment may contact their offices and connect terminals to phone lines.
5. The First Release will not be distributed until all computers are visibly and demonstrably disconnected from modems etc, so that data cannot be transmitted.
6. Reporters arriving after the First Release has been distributed may not connect modems to telephone lines until the buzzer sounds at 9.30am.
7. No telephones may be used during the briefing. Mobile telephones must be switched off and disclosed to the ONS press office staff.
8. Throughout the briefing, the state of modem cut-off plugs and switches must be readily evident to ONS press office staff.
9. At 9.28am reporters may establish telephone contact with their offices. They may say no more than “This is (NAME) at the ONS”.
10. Telephone handsets must then be placed on desks, away from hands. Between 9.28am and 9.30am conversation is prohibited.

11. At 9.29am reporters may pick up their phones and say “one minute to go”.
12. At 9.30am the press officer sounds the buzzer. Reporters may then (a) pick up phones and (b) connect modems to computers and file their copy.
13. ONS officials may visit a news agency without notice to observe the reception of data filed electronically from the ONS briefing room.
14. If a news agency or other media outlet breaks an embargo, or otherwise contravenes these rules, the briefing facility may be temporarily or permanently withdrawn.

## Annex C

# Guideline to wordings for covering letters for early access

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### **Security Markings**

Market sensitive – PERSONAL-CONFIDENTIAL-STATISTICS

Not market sensitive – RESTRICTED-STATISTICS.

### **Standard Reminders**

#### **Privileged release to Ministers for briefing purposes**

##### **Market sensitive –**

You are reminded that these are market sensitive National Statistics to which you have privileged access in advance of release. Attempting to profit from this information, or encouraging others to do so, could constitute market abuse and lead to criminal prosecution.

Any accidental or wrongful release should be reported immediately and may lead to an inquiry. Wrongful release includes indications of the content, including descriptions such as “favourable” or “unfavourable”.

Please prevent inappropriate use by treating this information as strictly personal and confidential.

**Not market sensitive –**

You are reminded that these are National Statistics to which you have privileged access in advance of release.

Any accidental or wrongful release should be reported immediately and may lead to an inquiry. Wrongful release includes indications of the content, including descriptions such as ‘favourable’ or ‘unfavourable’.

Please prevent inappropriate use by treating this information as restricted.

**Early release for quality assurance**

Please accept our thanks for agreeing to review the attached statistics. As they are not yet officially released, access to them needs to be carefully managed.

Any accidental or wrongful release should be reported immediately. Release includes indications of the content, including descriptions such as ‘favourable’ or ‘unfavourable’.

Please prevent inappropriate use by treating this information as restricted.

