STATEMENT OF COMPLIANCE
with the
PRE-RELEASE ACCESS TO OFFICIAL STATISTICS ORDER (NORTHERN IRELAND) 2009

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

The statement sets out the Department of Education’s (DE) operational arrangements for giving the Minister and their close officials pre-release access to the organisation’s own official statistics once they are in their final form, prior to publication.

These arrangements are designed to ensure that such access is justified, limited, controlled and publicised and complies with statutory requirements. Their purpose is to maintain public confidence in the integrity of official statistics, while also allowing the Minister to account immediately for the implications of statistics covering policy or operational areas for which they are responsible.
Department of Education

STATEMENT OF COMPLIANCE
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Introduction
This statement sets out the Department of Education’s (DE’s) operational arrangements for giving the Minister and their official pre-release access to official statistics once they have attained their final form prior to publication. These arrangements are designed to ensure that such access is justified, limited, controlled and publicised and complies with statutory requirements.

The purpose of these arrangements is to maintain public confidence in the integrity of official statistics while allowing the Minister to comment immediately on the implications of statistics covering policy areas for which they, themselves, are democratically responsible.

This statement is published in conformance with Paragraph 9 (c) of the Pre-release Access to Official Statistics Order (Northern Ireland) 2009 which was approved by the Assembly under Section 11 of the Statistics and Registration Service Act 2007 and which came into effect on April 1st 2009.

Exclusion
Different arrangements apply to the Minister and officials’ access to the organisation’s own administrative or management data where those data subsequently form the basis for published official statistics. Details of these arrangements can be found in the National Statistician’s guidance (Use of Administrative or Management Information) at the link below:

Authority
These arrangements have been drawn up by DE’s senior statistician in consultation with the Northern Ireland Statistics and Research Agency (NISRA) Chief Executive and the Department’s Permanent Secretary. The senior statistician in DE is also responsible for ensuring the day-to-day implementation of these arrangements.
General Principle
DE operates under the general principle that pre-release access to official statistics must be:
• limited to the minimum number of persons deemed necessary to allow the Minister to either:
  ➢ provide responses to questions, or make statements about those statistics at, or shortly after, their time of publication;
  ➢ take action just before, at, or shortly after the time of publication.
• allowed in circumstances where the public benefit likely to result from such access outweighs the detriment to public trust in official statistics likely to result from so doing.

Grant of advance access
The arrangements set out in this statement are confined to those persons who meet the eligibility criteria set out in Annex A(i) attached. Recipients can, in addition, share their access with their immediate administrative support staff, even though those staff may not directly engage with the statistics in question. Their advance access is limited to statistics which meet the eligibility criteria set out in Annex A(ii) attached, and which are in their final form prior to being published for the first time.

Documentation and Publication
In the interests of openness and transparency, DE maintains a public record on its website listing the titles of all the statistical releases to which these arrangements apply, as well as the job titles of all those persons to whom pre-release access has been granted, and the organisations to which they belong. (see Annex A (iii))

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

In exceptional circumstances only, and in accordance with Article 3 (5) of the Pre-release Access to Official Statistics Order (Northern Ireland) 2009, the senior statistician may grant pre-release access in excess of 24 hours. They will only do this if, in their opinion, the public benefit outweighs the detriment to public trust which is likely to result from such extended access. When this happens, the senior statistician will publish on their organisations website their reasons for granting extended access, and will also inform the NISRA Chief Executive, who will advise, as appropriate, the UK Statistics Authority’s Chief Executive – the National Statistician.

Conditions of access
Those persons who are given access to DE’s official statistics ahead of their release must keep the statistics secure and under embargo, and they must abide by certain conditions of access. They must avoid:
• disclosing the statistics or any part of a publication containing those statistics to any person not listed as a pre-release recipient;
• providing any indication of the size or direction of any trend revealed by the statistics;
• using such access for personal gain, or taking any action for political advantage;
• exploiting such access to change or compromise the content, presentation, or timing of publication of official statistics.

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Where the statistics in question are market-sensitive, each recipient must sign a declaration to the above effect. Where the Office for National Statistics (ONS) designates statistics as market sensitive, the equivalent N I statistics will be extended the same status.

**Special circumstances**

Aside from the circumstances described above, the senior statistician may also allow access to statistics ahead of their release to a limited number of persons in a limited number of special circumstances, sometimes for more than 24 hours. In each case, such access will be documented in the relevant release. For example:

- access may be given to the compilers of complementary reports due to be published at the same time as, or shortly after the statistics so that they can incorporate the latest available figures. Such access may also be longer than 24 hours;
- international organisations may gain access in order to compile supra-national statistics; and
- in exceptional circumstances pre-release access may be extended to someone who is not an ‘eligible person’ as defined in the Order. In this case the UK Statistics Authority will be informed and the reason for such exceptional access published.

**Breach of conditions of release**

In the event of the Department becoming aware of a breach of the principles and rules set out in the legislation and described in this statement, the senior statistician in DE, will assess whether the breach is significant, or minor, in nature.

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

Where the breach is considered significant, the Senior Statistician will notify the NISRA Chief Executive, who will in turn consider the need to notify the UK Statistics Authority’s Chief Executive (the National Statistician), as well as notify the Authority’s Head of Assessment; take action to prevent a recurrence; and provide the Authority with a written explanation. The National Statistician may decide to conduct an inquiry on behalf of the Authority; the results of which will be posted on the Authority’s website.

Whether a breach is considered significant or minor, the Senior Statistician will record details of the breach and any actions taken.

**Sanctions against non-compliance**

DE’s senior statistician, in consultation with the NISRA Chief Executive, may, for a period, withdraw pre-release access from any person judged to have breached the conditions of their access.

In addition, a heavier sanction can be imposed by the UK Statistics Authority which has a statutory duty to assess the extent to which any organisation’s ‘National Statistics’ comply with the *Pre-release Access to Official Statistics Order (Northern Ireland) 2009* and with the associated obligations set out in this Statement. The Authority can, for instance, challenge an organisation where it considers that pre-release access is not justified, or where an organisation is failing to conform to these arrangements. It can also withdraw, or consider withdrawing, ‘National Statistics’ designation from the statistics in question.
In the event of any such challenge or any such withdrawal the senior statistician will publish DE’s response on the Department’s website, along with the Department’s plans for achieving conformance.

**GENERAL NOTES:**

(a) **Pre-release access**

In the context described above, the phrase ‘pre-release access’ covers privileged access to statistical releases in their final form prior to being placed in the public domain. It does not cover pre-release access available to:

- those staff intimately engaged in the process of producing and disseminating the statistics in question (including those responsible for overseeing this process);
- those persons requested by the producers to quality assure the statistics before their public release.

However, the restrictions listed under ‘Conditions of access’ do apply to the above.

(b) **DE Senior Statistician**

Departments/bodies which employ a large number of government statisticians, or produce a large number of official statistics, will normally appoint a senior statistician. In DE, the senior statistician is the Grade 7 of Analytical Services Unit. As well as being accountable to the DE Minister and departmental line-managers, senior statisticians are responsible to the NISRA Chief Executive, who is in turn responsible to the National Statistician. The DE senior statistician has a duty to oversee the professional integrity of the statisticians whom they manage, and for the quality of the statistics which those statisticians produce. In particular, they are responsible for observing the UK Statistics Authority’s Code of Practice for Statistics, as well as any professional standards set by the National Statistician.

Update: December 2018
CRITERIA FOR GRANTING PRE-RELEASE ACCESS

(i) – Categories of persons within government to whom the Department of Education would normally grant pre-release access to its statistical releases....

- Those Ministers who have policy or operational responsibility for the particular subject matter covered by a statistical release; who are accountable to The Northern Ireland Assembly and the electorate for their stewardship of that policy; and who may need to respond to questions about the statistics, or take appropriate action, at the time of release of those statistics;
- The top Departmental officials with ultimate responsibility for formulating, developing, maintaining, monitoring or implementing that policy;
- Other Departmental officials who have been assigned the specific responsibility to brief the Minister about the statistics in question (e.g. Special Advisers, Policy Advisers, Analysts)
- Departmental Press Officers responsible for managing Ministers’ interface with the media with respect to the policy or statistics in question.

(plus any immediate ancillary staff who support the above)

(ii) – Categories of statistical release to which the Department of Education would normally grant pre-release access.....

- Releases categorised as ‘Market-sensitive’ (i.e. releases which embody statistics which, when disclosed, would be reasonably likely to have a significant effect on the value or traded volume of any investment);
- Releases which incorporate statistics which are used to monitor or measure the government’s performance (either generally, or against formal targets);
- Releases which have the potential to impinge substantially on the formulation, implementation, or monitoring of government policy;
- Releases which have the potential to inform, or impact on, decisions about the allocation of public funds;
- Releases which have, demonstrably and historically, had a high public profile (i.e. regularly generate column inches in the print media or regularly attract the attention of the broadcast media) and on which the Minister might reasonably be expected to comment at the time of release;
- Releases which incorporate statistics derived from other departments’ or agencies’ administrative or management systems, and for which the Ministers or Chief Executives in those other departments have ownership and operational responsibility;
- Compendia or complex publications; and
- Releases which cover matters of wide public interest
### (iii) – Persons with Pre release access

**LATEST REVISION – November 2018**

The following list details the statistical publications to which the named positions receive 24hr pre-release access:

1. **Enrolments at grant-aided primary and post-primary schools: basic statistics (Statistical Bulletin)**
   - Minister for Education
   - Special Advisor to Minister for Education
   - Permanent Secretary, DE
   - Deputy Secretary, DE
   - Deputy Secretary, DE
   - Chief Inspector, Education and Training Inspectorate
   - Head of Analytical Services Unit, DE
   - Head of CFS Review Team, DE
   - Principal Information Officer, Press Office, DE

2. **Enrolments at schools and in funded pre-school education in Northern Ireland (Statistical Bulletin)**
   - Minister for Education
   - Special Advisor to Minister for Education
   - Permanent Secretary, DE
   - Deputy Secretary, DE
   - Deputy Secretary, DE
   - Chief Inspector, Education and Training Inspectorate
   - Head of Analytical Services Unit, DE
   - Head of CFS Review Team, DE
   - Principal Information Officer, Press Office, DE

3. **Qualifications and destinations of Northern Ireland school leavers (Statistical Bulletin)**
   - Minister for Education
   - Special Advisor to Minister for Education
   - Permanent Secretary, DE
   - Deputy Secretary, DE
   - Deputy Secretary, DE
   - Director, Curriculum, Qualifications and Standards, DE
   - Chief Inspector, Education and Training Inspectorate
   - Head of Analytical Services Unit, DE
   - Head of School Improvement Team, DE
   - Head of Tackling Educational Disadvantage Team, DE
   - Principal Information Officer, Press Office, DE

4. **Teacher workforce statistics and Pupil:Teacher ratios in grant aided-schools (Statistical Bulletin)**
   - Minister for Education
   - Special Advisor to Minister for Education
   - Permanent Secretary, DE
   - Deputy Secretary, DE
   - Deputy Secretary, DE
   - Chief Inspector, Education and Training Inspectorate
   - Head of Analytical Services Unit, DE
   - Head of Education Workforce Development Directorate, DE
   - Head of Collaborative Education and Practice Directorate, DE
   - Head of Teacher Education Team, DE
   - Head of Teacher Negotiating & Pensions Policy Team, DE
   - Principal Information Officer, Press Office, DE
| 5. Attendance at grant-aided primary, post primary and special schools: Basic statistics (Statistical Bulletin) | Minister for Education  
Special Advisor to Minister for Education  
Permanent Secretary, DE  
Deputy Secretary, DE  
Deputy Secretary, DE  
Director, Access, Inclusion, and Well-being Core, DE  
Principal, Additional Educational Needs Team, DE  
Head of Analytical Services Unit, DE  
Chief Inspector, Education and Training Inspectorate  
Principal Information Officer, Press Office, DE |
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| 6. Attendance at grant-aided primary, post primary and special schools: Detailed statistics (Statistical Bulletin) | Minister for Education  
Special Advisor to Minister for Education  
Permanent Secretary, DE  
Deputy Secretary, DE  
Deputy Secretary, DE  
Director, Access, Inclusion, and Well-being Core, DE  
Head of Analytical Services Unit, DE  
Principal, Additional Educational Needs Team, DE  
Chief Inspector, Education and Training Inspectorate  
Principal Information Officer, Press Office, DE |
| 7. School Meals in Northern Ireland (Statistical Bulletin) | Minister for Education  
Special Advisor to Minister for Education  
Permanent Secretary, DE  
Deputy Secretary, DE  
Director, Children and Young People’s Services Directorate, DE  
Chief Inspector, Education and Training Inspectorate  
Head of Analytical Services Unit, DE  
Head of Children and Young People’s Strategy Team, DE  
Principal Information Officer, Press Office, DE |
| 8. Year 12 and Year 14 Examination Performance at Post Primary Schools in Northern Ireland (Statistical Bulletin) | Minister for Education  
Special Advisor to Minister for Education  
Permanent Secretary, DE  
Deputy Secretary, DE  
Director, Curriculum, Qualifications and Standards, DE  
Assistant Chief Inspector, Education and Training Inspectorate  
Head of Analytical Services Unit, DE  
Head of School Improvement Team, DE  
Head of Tackling Educational Disadvantage Team, DE  
Principal Information Officer, Press Office, DE |