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11 November 2019

Dear Gordon,

### **The Official Statistics (Scotland) Amendment Order 2019**

Thank you for your letter of 5 November 2019 to seek my views on a number of points relating to the draft Official Statistics (Scotland) Amendment Order 2019. I have addressed each of the Committee's questions below.

#### **Why has the Scottish Government decided it is necessary to add these seven non-Crown bodies to the list of persons specified as producers of official statistics?**

Our aim in updating the Order is to increase the trustworthiness, quality and value of statistics that are used to inform debate on issues of interest to society, and to inform the Scottish Government.

The Scottish Government's approach has been to work with non-Crown bodies to establish whether their statistics fall under the remit of the UK Statistics Authority. This approach is based on the importance and quality of the statistics, and the ability and willingness of the body to adopt official statistics standards. The UK statistics Authority has welcomed our proposals.

Bringing these seven non-Crown bodies into the scope of Official Statistics will provide public reassurance of the quality and integrity of the statistics they produce, and ensure that the bodies are open, transparent and accountable.

#### **What difference has official statistics status made to HESA, Student Loans Company and NHS National Services Scotland (added in 2008)?**

In 2008, there was a pressing need to draw up an initial list to ensure that non-Crown bodies that already produced National Statistics would still have their statistics included as official statistics under the then new 2007 Statistics and Registration Service Act.

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The initial 2008 Order, therefore, ensured that the statistics produced by these three bodies were designated as official statistics. This meant that they fell under the remit of the Statistics Board (now known as the UK Statistics Authority) and that National Statistics produced by these bodies could continue as such from the start of the new statistical system, which commenced on 1 April 2008. Since then, statistics from all three bodies have been assessed by the UK Statistics Authority as fully compliant with the Code of Practice for Statistics. This means that these statistics are high-quality, trustworthy and valuable.

Additionally, the 2019 draft Instrument names Public Health Scotland (PHS) as a producer of official statistics, allowing them to produce high profile official statistics on a wide range of health related topics, and it is expected that the majority of the statistical functions undertaken within NHS National Services Scotland by Information Services Division Scotland and Health Protection Scotland will be transferred to PHS.

NHS National Services Scotland will remain listed by Order, using its legal name Common Services Agency (CSA), as a producer should there be a future requirement for NSS to produce official statistics.

### **How was this list of seven bodies arrived at?**

The Official Statistics (Scotland) Order was last amended in 2012, when five additional bodies were named. Since then, a wider range of public bodies are developing their analytical functions and are keen to be recognised as producers of official statistics.

We have taken time to consider which bodies are in a position to be named, and have engaged with a number of additional public sector bodies in Scotland.

Following consultation with Scottish Government Statisticians and public bodies, this year we have put forward a further seven bodies.

We are putting forward these bodies because of the importance of the statistics they produce, and the willingness of the bodies themselves to raise the standards of the statistics they produce.

Naming these seven non-Crown bodies as official statistics producers will allow them to produce high quality official statistics in line with the standards set out in the Code of Practice for Statistics and the arrangements for pre-release access set out in the Pre-Release Access to Official Statistics (Scotland) Order 2008. This will provide public reassurance of the quality and integrity of the statistics they produce.

### **Why are Scottish Enterprise and Highland and Islands Enterprise not included in this list?**

Scottish Government Statisticians engaged with Scottish Enterprise and Highlands and Islands Enterprise early on in the process of shortlisting bodies to be named by Order as official statistics Producers. The Chief Statistician wrote to both organisations, and following discussion it was mutually agreed, given the nature of the data that is gathered, that these bodies do not currently produce any statistics that would be considered as official statistics.

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We will continue to engage with them, and declare any official candidates for inclusion in future Orders.

**Why are these bodies being added now (11 years after the Act was passed)?**

The Scottish Government has been engaging with public bodies in Scotland for a number of years to support them to build their analytical resource and data capabilities.

The approach that we have taken is to name only those bodies who are in a position to produce official statistics, and have the resources and data in place to produce high quality official statistics.

We have previously amended the Official Statistics (Scotland) Order in 2012, bringing the total number of bodies named as producers of official statistics by Order, in 2008, 2010 and 2012, to 13.

A new Order has been under consideration for several years. The timing is to ensure that statistics produced by Public Health Scotland will be official statistics when the new body comes into force and takes on the majority of statistical functions currently undertaken within NHS National Services Scotland by Information Services Division. The Order was laid as soon as the Public Health Scotland Order was made so that it could reference the new organisation. Ed Humpherson, Director General for Regulation, wrote to the Chief Statistician to note that it will be particularly important to ensure arrangements are in place for the new body.

As indicated in 2008 when the first Order was being scrutinised, the Scottish Government set out our belief that an orderly approach to naming new producers is in the best interest of maintaining trust and integrity in official data and statistics, and we will continue to engage with and support public bodies who are not yet named, with the intention of making future updates to the Order.

I trust that these answers provide reassurance of the Scottish Government's intentions behind the draft Instrument. I will be happy to answer any further questions when I appear before Committee on 19<sup>th</sup> November, and look forward to engaging further.

Yours sincerely,



**KATE FORBES**

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