

EXPLANATORY MEMORANDUM TO
THE OFFICIAL STATISTICS ORDER (NORTHERN IRELAND) 2012

S.R. 2012 No 2

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Finance and Personnel] to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under section 6 (1)(b) and (2) of the Statistics and Registration Service Act 2007 (The Act) and is subject to the affirmative resolution procedure.

2. Purpose

- 2.1. This order specifies statistics produced by certain persons as being "official statistics" under the Statistics and Registration Service Act 2007 ("the Act"). The effect of designation as official statistics is set out in section 3 below.

3. Background

- 3.1. The Act which received Royal Assent in July 2007 created a new non-ministerial department, the Statistics Board (which operates under the name 'UK Statistics Authority'), to promote and safeguard the production and publication of official statistics that serve the public good. The Act extends to Northern Ireland. Under section 6(1)(a) of the Act, all statistics produced by government departments, the Scottish Administration, a Welsh ministerial authority, a Northern Ireland department and other Crown bodies are designated as official statistics. This order is made under section 6(1)(b) and (2) of the Act, which allows orders to be made to specify other persons as producers of official statistics. This Order designates the statistics produced, or to be produced, by the persons listed in the Schedule as official statistics.
- 3.2. The Statistics Board is required to monitor the production and publication of official statistics and to report relevant concerns to the person responsible for those statistics (section 8 of the Act). At the request of the appropriate authority (defined in section 12(7) of the Act) the Statistics Board must assess and determine whether the Code of Practice for Statistics has been complied with in relation to any official statistics and, if so, to designate those statistics as "National Statistics" (section 12 of the Act).
- 3.3. The impact of designation as official statistics on the producers of such statistics is that a) the production and publication of official statistics is subject to monitoring and reporting by the Statistics Board (section 8 of the Act); b) the persons producing official statistics that have not been designated as 'National Statistics' are expected to comply with the standards in the Statistics Authority's Code of Practice for Official Statistics, which sets out the procedures which must be followed in

producing and publishing National Statistics. Official statistics designated as National Statistics requires the producers of those statistics to fully comply with the Code, in order to maintain that designation. For other official statistics compliance with the Code is not a formal requirement but is best practice to be observed; c) the persons producing official statistics must comply with the relevant rules and principles relating to the granting of pre-release access to official statistics to the extent applicable to them and, in relation to official statistics designated as National Statistics, must do so as if these rules and principles are part of the Code of Practice; and d) the person responsible for any official statistics in respect of which an assessment is being made under section 12 of the Act must provide the Statistics Board with such information about the statistics as the Statistics Board may reasonably require.

- 3.4. The proposed Order applies to wholly Northern Ireland devolved statistics. Northern Ireland devolved statistics are defined under section 66(4) of the Act. With the agreement of the Cabinet Office, 4 criminal justice bodies previously listed in the Official Statistics Order (2010) brought forward by the Cabinet Office will now be included in NI Order, to reflect their devolved status.
- 3.5. Any Minister may make such an order, but given that such orders are subject to the affirmative procedure, the most efficient use is made of Assembly time if the DFP Minister, as minister responsible for statistics, brings forward this order on behalf of other Ministers.

4. Consultation

- 4.1. As required by the Act, the Statistics Authority has been consulted on this order. Targeted consultation has been carried out with bodies that are being included in the order. This has generally been undertaken by the Senior Statistician in each Government department who has consulted directly with those bodies which are sponsored by that department.

5. Equality Impact

- 5.1. Section 75 screening has been carried out and the statutory rule has been found to have no equality impact implications.

6. Regulatory Impact

- 6.1. The statutory rule has an impact only on those bodies listed in the Schedule. These are all bodies in the wider public sector. No impact on businesses, charities, social economy enterprises and the voluntary sector is foreseen. The impact on the public sector is expected to be negligible. Therefore a full Regulatory Impact Assessment has not been produced for this SR.

7. Financial Implications

- 7.1. The statutory rule has no financial implications

8. Section 24 of the Northern Ireland Act 1998

- 8.1. In the view of the Department of Finance and Personnel the provisions of this statutory rule are compatible with Section 24 of Northern Ireland Act (1998).

9. EU Implications

9.1. Not applicable

10. Parity or Replicatory Measure

10.1. The statutory rule is broadly similar to the Official Statistics Orders brought forward by the Cabinet Office for UK Statistics and those brought forward by the Scottish Government in relation to Scottish devolved statistics.

11. Additional Information

11.1. Not Applicable