

EXECUTIVE NOTE

DRAFT : the Official Statistics (Scotland) Amendment Order 2010

This statutory instrument will, if approved, be made in exercise of the powers conferred by section 6(1)(b)(ii) and (2) of the Statistics and Registration Service Act 2007 (“the 2007 Act”). It is subject to affirmative resolution procedure.

Policy Objectives

1. The purpose of the Order is to amend the Official Statistics (Scotland) Order 2008 (S.S.I. 2008/131) to add the statistics of five additional public bodies as official statistics.

Background

2. The 2007 Act makes clear that non Crown bodies can only produce official statistics where specified by order under the Act. In contrast to the UK Government which has already defined virtually all public bodies as official statistics producers, the Scottish Government adopted a more proportionate response – only putting forward those bodies where there is a need in terms of the importance of the statistics and where the body concerned is willing to raise their statistical standards.

3. The 2007 Act created a new non-ministerial department, the UK Statistics Authority (legally known as the Statistics Board), to promote and safeguard the production and publication of official statistics that serve the public good. The UK Statistics Authority is accountable to the Scottish Parliament for the devolved aspects of its work on Scottish official statistics. The Finance Committee has placed scrutiny of the Authority on its work programme.

4. The initial Official Statistics (Scotland) Order 2008 (S.S.I. 2008/131) specified three public bodies - those which were already producing official statistics. The Scottish Government confirmed that in due course it intended to extend this list further to bring in other non-Crown bodies who wish to have their statistics included under the remit of the Statistics Board. This amendment Order adds five of these public bodies.

5. The UK Statistics Authority published the Code of Practice for Official Statistics in January 2009. Its rules apply to all Scottish official statistics but the authority only assesses compliance with the code for those official statistics that were formerly designated as National Statistics, or put forward by the Scottish Ministers to be designated as such.

Policy objectives

6. The five bodies which are being added to the order are:

- Scottish National Heritage (SNH)
- Scottish Environment Protection Agency (SEPA)
- Scottish Further and Higher Education Funding Council
- Scottish Children’s Reporter Administration (SCRA)
- Scottish Consortium for Learning Disability

7. SNH and SEPA produce statistics which are used to evidence National Indicators. Including these bodies in the Order will ensure that these statistics are produced to official statistics standards.

8. Naming the Scottish Further and Higher Education Funding Council as an official statistics producer will enable the body to publish Higher Education statistics directly, rather than submitting the data to the Scottish Government (SG) for publication (with the exception of destinations of graduates which will continue to be published by the SG and is used to evidence the relevant National Indicator). This will significantly reduce duplication of analysis and publication between the SG and the Funding Council and the resulting improvement to the quality of SFC data will enhance the usefulness of that data to the Funding Council for policy and delivery purposes. It will have no immediate impact on the providers of data although additional plans are being developed to reduce burdens on data providers in the near future.

9. Naming SCRA as an official statistics producer would place no additional burden on those collecting the data – as this is part of their current work. It would enable the SG to continue to leave the collection and publication of useful statistics on the Children’s Hearing System to SCRA and thus avoid duplication of work and the associated costs and burden of this duplication. It would also enable SCRA to manage this collection in an efficient manner, to minimise the impact of Freedom of Information requests and ensure that changing user needs for these data (including those of SG) are reflected in the future.

10. Naming the Scottish Consortium for Learning Disability as an official statistics producer would ensure that important statistics on adults with learning disabilities, previously published by SG Health Analytical Services, continue to be produced to the statistical standards set out in the Code of Practice for Official Statistics and the arrangements for pre-release access set out in the Pre-release access to Official Statistics (Scotland) Order 2008 (S.S.I. 2008/131). As the Consortium is a voluntary organisation set up and funded by the SG, there is a means for setting out accountability arrangements by formal contract.

Consultation

Statutory consultation

11. In accordance with section 6(3) of the 2007 Act, the UK Statistics Authority was consulted and endorsed the naming of these additional bodies.

Consultation with Public Bodies

12. The decision to propose that these five bodies are named as official statistics producers follows liaison between SG Statisticians and these and other Public Bodies to agree which Bodies should be added. The bodies named all produce high profile statistics which would benefit from being produced and published to official statistics standards and have agreed to being added. Consideration will be given to adding others at a later date.

Financial Effects

13. The Order has no financial effects on the Scottish Government, local government or on business. A Business Regulatory Impact Assessment has not been produced as this Order has no impact on the cost of business.

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