

## POLICY NOTE

### THE OFFICIAL STATISTICS (SCOTLAND) AMENDMENT ORDER 2019

#### SSI 2019/416

The above instrument was 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”). The instrument is subject to affirmative resolution procedure.

**This instrument updates the Official Statistics (Scotland) Order 2008 to name an additional seven non-Crown public bodies as producers of Official Statistics in Scotland.**

#### Policy Objectives

The purpose of the Order is to amend the Official Statistics (Scotland) Order 2008 (S.S.I. 2008/131) (“the principal Order”) to add seven additional persons to the list of persons specified as producers of official statistics.

#### Background

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 principal Order specified three non-Crown bodies as producers of 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.

The Official Statistics (Scotland) Amendment Order 2010 (S.S.I 2010/448) specified a further five non-Crown bodies as producers of official statistics. Each of these five bodies has subsequently published official statistics, and the Official Statistics (Scotland) Amendment Order 2012 (S.S.I 2012/196) specified a further five bodies as producers of official statistics.

The UK Statistics Authority published the Code of Practice for Official Statistics in January 2009, and a revised second edition, the Code of Practice for Statistics, (<https://www.statisticsauthority.gov.uk/code-of-practice/the-code/>) in February 2018. 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.

#### Bodies added as producers of Official Statistics

Naming these seven non-Crown bodies as official statistics producers will mean that they will produce statistics to 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 the Official Statistics (Scotland) Order 2008 (S.S.I. 2008/399). This will provide public reassurance of the quality and integrity of the statistics they produce.

Naming Bòrd na Gàidhlig as a producer of official statistics will support their development of future Official statistics products. It is expected that they will adopt a phased approach to producing official statistics, with statistics on Gaelic Education from early years to secondary brought into scope initially.

Naming the Scottish Fire and Rescue Service as official statistics producers will support their development of future Official and National Statistics products. It is expected that the 'Fire and Rescue Incident Statistics (Scotland)' and 'Fire Safety and Organisational Statistics (Scotland)' will be produced as Official Statistics, before being put forward for Assessment under the National Statistics regime.

Naming Public Health Scotland as a producer of official statistics will allow them to produce high profile statistics on a wide range of health related topics, and therefore provide public reassurance of the quality and integrity of these statistics. It is expected that the majority of the statistical functions undertaken within NHS National Services Scotland by Information Services Division (ISD) Scotland and Health Protection Scotland (HPS) will be transferred to Public Health Scotland (PHS). NHS National Services Scotland (NSS) will remain listed, using its legal name Common Services Agency (CSA), as a producer should there be a future requirement for NSS to produce official statistics.

NHS Education for Scotland will adopt a phased approach to producing official statistics. It is expected that they will produce information to support workforce planning in health and social care. Subsequently further statistics can be brought into scope as appropriate.

Scottish Qualifications Authority will adopt a phased approach to producing official statistics, and it is expected that statistics on attainment, progression and an annual statistical report will be brought into scope as appropriate.

Naming Skills Development Scotland as a producer of Official Statistics will recognise the work that has been done to produce the Annual Participation Measure, Modern Apprenticeship and Employability Fund Publications in line with the Code of Practice for Statistics. It will also support the development of potential future products.

Naming VisitScotland as a producer of official statistics will allow them to raise the standards to which they produce statistics. VisitScotland will adopt a phased approach to producing official statistics.

### **Consultation**

To comply with the requirements of section 6(3) of the 2007 Act, the UK Statistics Authority was consulted and endorsed the naming of these additional bodies.

The decision to propose that these seven bodies are named as official statistics producers follows liaison between Scottish Government Statisticians and other public bodies to agree which bodies should be added. The bodies named all produce 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.

### **Impact Assessments**

Full impact assessments have not been prepared for this instrument because the amendments do not alter the Scottish Government's current environmental policies and priorities and,

therefore, do not have a significant impact on the environment. The Order has no impact on equality duties therefore an Equality Impact Assessment has not been produced. The impact on business, charities or voluntary bodies is expected to be nil. The Order has no impact on children therefore a Child Rights and Wellbeing Impact Assessment has not been produced. The Order has no impact on Island Communities and therefore an Island Communities Impact Assessment has not been produced. As this is not a strategic change in policy, no Fairer Scotland Duty assessment is required. In particular, the amendments made by the instrument to the Official Statistics (Scotland) Order 2008 will not change the way the Scottish Administration or public authorities collect, presents, reports on and uses data pertaining to official statistics, and therefore no Data Protection Impact Assessment has been produced.

### **Financial Effects**

The Minister for Public Finance and Digital Economy confirms that no Business Regulatory Impact Assessment is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government  
Digital Directorate  
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