

# The UK Statistics and Registrations Services Act

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# Before

- ❖ No law governing access to statistics
  - ❖ ‘negotiated policy provision in the unwritten constitutions of the Registrar General, Chancellor and Director of the ONS’ Paul Jackson ‘08
  - ❖ ‘scientific use’
- ❖ ONS responsible to Treasury Department and therefore politicians and government ministers
- ❖ No formal framework for sharing data between government departments

# UK Statistics and Registrations Services Act 2007

- ❖ Came into force April 2008: New...
  - ❖ governance
  - ❖ duties and functions
  - ❖ accountability
  - ❖ code
  - ❖ assessment regime
  - ❖ internal and external relationships

# New governance

A politically independent, identifiable body  
the Statistics Board

- ❖ answerable to HM (parliament)
- ❖ no longer ministers, mostly academics

## New duties

It is now a statutory function of ONS to  
provide research access to data!

(provided confidentiality is safeguarded of course)

Any data, from any source, at any level of  
detail is covered

## Section 23: Statistical Research

The Board may promote and assist statistical research, in particular by providing access (where it may lawfully do so) to data held by it.

# However

Fundamental principle still applies:

Access to confidential data is an exception to the non-disclosure rule that must be justified according to the balance of the public good of the research against the risk of breach of respondent privacy

Paul Jackson '08

All applications for access to confidential data must still be passed by the Microdata Release Panel

## Section 39: Confidentiality of Personal Information

- (1) Subject to this section, personal information held by the Board in relation to the exercise of any of its functions must not be disclosed by
  - (a) any member or employee of the Board
  - (b) a member of any committee of the Board, or
  - (c) any other person who has received it directly or indirectly from the Board
- (4) Subsection (1) does not apply to disclosure which –
  - (i) is made to an approved researcher
- (5) For the purposes of subsection (4)(i), “approved researcher” means an individual to whom the Board has granted access, for the purpose of statistical research, to personal information held by it.



# Approved Researcher

- ❖ are fit and proper individuals (no need for an institutional guarantee)
- ❖ are bound by the same non-disclosure rules as Statistics Board staff
- ❖ can receive any data from any source
- ❖ can use data for approved research only
- ❖ has approved researcher status for the disclosure in question only
- ❖ must sign a confidentiality declaration

# ‘with freedom comes responsibility’

## Section 39

- (9) A person who contravenes subsection (1) is guilty of an offence and liable –
- a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or both:
  - b) on summary conviction, to imprisonment for a term not exceeding twelve months, or to a fine not exceeding the statutory maximum, or both

# Work needed

- ❖ SRSA only covers data held by the NSI, data in other government departments are still covered by the Data Protection Act.
  - Hope changes will encourage other depts to open up data. May need to lobby them to deposit key datasets with NSI
  
- ❖ Culture change, researchers have been very used to accessing data with very few restrictions (and no sanction if those restrictions are broken).
  - Need to educate and convince them to change working practice in accordance with new law – or they may go to jail!

# Positive Future

- ❖ The UK NSI now has a statutory responsibility to provide access to data for research
- ❖ We have an identifiable group of people who can be lobbied for access to previously unavailable data sources (many from academic and other research backgrounds)
- ❖ Researchers can access data as individuals without an institutional guarantee (more access for students)

**Thank you**

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UK Statistics and Registration Services  
Act in full

[http://www.opsi.gov.uk/acts/acts2007/ukpga\\_20070018\\_en\\_1](http://www.opsi.gov.uk/acts/acts2007/ukpga_20070018_en_1)