

STATEMENT OF COMPLIANCE WITH THE CODE OF PRACTICE FOR OFFICIAL STATISTICS

Official Statistics / National Statistics

1. The Food Standards Agency (FSA) produces the following Official Statistics. Such statistics are produced in line with the Principles and Protocols set out in the Code of Practice.
 - Food and You (including regional reports)
 - FSA biannual public attitudes tracker
 - Local Authority Food Law Enforcement Returns
 - National Diet and Nutrition Survey (NDNS) – published jointly with Public Health England
2. None of the FSA Official Statistics are National Statistics. National Statistics are the sub-set of Official Statistics that have been formally assessed by the UK Statistics Authority as being fully compliant with the Code of Practice. Nevertheless, the principles set out in the Code of Practice and Protocols are adhered to as far as possible by those who prepare statistics not designated as National Statistics.
3. Where contractors are involved in the production of Official Statistics, the FSA will ensure that they understand and apply their responsibilities under the Code of Practice and Protocols and comply with the procedures set out in this statement.

ROLE OF HEAD OF PROFESSION, LEAD STATISTICIANS AND FSA COMMUNICATIONS

6. The Head of Profession (HoP), in consultation with the National Statistician, has final responsibility for the content, format and timing of all Official Statistics releases. It is the responsibility of FSA statisticians; FSA Communications and all others involved in release of Official Statistics to follow the correct procedures and alert the HoP of any difficulties.

Statements and Policies

7. As well as complying with the Code of Practice and its supporting Protocols, all of our Official Statistics are also produced and published in accordance with the following statements and policies, each of which forms an integral part of this Compliance Statement:

- Statement on Confidentiality and Access
- Statement on Customer Service and Complaints
- Data Management Policy
- Statement on Releases Practices and Publication Strategy
- Revisions and Corrections policy

STATEMENT ON CONFIDENTIALITY AND ACCESS

The Food Standards Agency's policy on openness

The Food Standards Agency's Statement of General Objectives and Practices (SGOP) confirms our commitment to operating in an open and transparent way.

Disclosure of information will be the norm. We will aim to publish actively any information or advice we provide to others.

We will continue to encourage contractors who conduct research or surveys for us to publish the results of their work in peer-reviewed scientific literature. Where appropriate, we will publish the results of such research, including the underpinning data, ourselves.

For practical and legal reasons, there will be a small number of well-defined circumstances in which we will not release advice or information. These are where:

- publication is imminent (within a matter of days) and premature release would be likely to lessen the effectiveness or completeness of a planned announcement.
- the information is incomplete or unsubstantiated and potentially misleading, for example information emerging from an ongoing scientific or enforcement project, the results of which would not normally be released until the study is complete.
- we consider that the public interest in publication is outweighed by considerations of confidentiality, for example where disclosure of information would constitute an unwarranted invasion of privacy (e.g. under the Human Rights Act 1999). Where confidential information might directly inform urgent decisions about public health or food safety we will urge those providing it to make it publicly available at the earliest opportunity and will not let a refusal to do so prevent us from taking whatever action is legally open to us - including unilateral publication - to protect consumers.
- disclosure would be contrary to law (in particular to the Data Protection Act 1998 and the Human Rights Act 1999), would breach the Agency's international or EU obligations, or would be in contempt of Court.
- the information relates solely to internal personnel, financial or organisational issues within the Agency, or has been provided by other government departments, and does not relate directly to issues of food standards or safety.
- disclosure might prejudice law enforcement or the UK's position in international negotiations.
- the advice is of a legal nature, has been given in relation to possible litigation, or is otherwise covered by legal privilege;

We will treat all requests for information on a fair and equal basis and without prejudice, taking into account the public interest and the Freedom of Information Act (FOIA) and new Environmental Information Regulations (EIR). These clarify and extend the rights of access to environmental information that already existed under the Environmental Information Regulations 1992.

Where we are unable to provide the information you request, we will explain why.

Use of Contractors

Where contractors are involved in the production of Official Statistics, the FSA will require them to understand and apply their responsibilities under the Code of Practice and associated protocols and to comply with the requirements set out above.

Arrangements for maintaining the security of confidential statistical data and for controlled access to data

Where external contractors are used to collect survey data, they are responsible for ensuring that security and confidentiality is maintained on an ongoing basis. The FSA data security team reviewed by their plans to deal with relevant security issues before these are included in the contract.

When the data concerns individual households or persons, the external contractors will remove addresses and other identifiers before the results are sent to the FSA. Consequently, the FSA only possess the data in anonymised form with insufficient information to identify individual people.

When the data is collected as part of an analytical survey, the brand names and the provenance of food samples will usually be published. The main exceptions are small-scale surveys that are not representative of the UK or a UK region. Such surveys would not qualify as Official Statistics.

Other official statistics are derived from FSA- maintained databases. Access to these databases is restricted to those FSA staff that use them for management purposes. Identification of individual businesses is routinely provided for internal management purposes, but not for external requests.

The anonymised data underlying the FSA's official statistics is either currently made available via the UK Data Archive or will be made available as Open Data. Identification of individual persons is only provided if they have previously consented to be contacted for follow-up studies.

Public access to the underlying data from surveys will only be made available following the publication of the relevant statistical release. Public access to the underlying data for other statistical releases is described in the Statement of Administrative Sources.

Technical security

The FSA network is permitted to hold and carry RESTRICTED data. It is permitted to exchange RESTRICTED data with other GSI connected organisations.

Physical security

All staff working in this organisation and all visitors to its sites require a pass to access the premises. There is no public access to any part of the organisation where confidential statistical data may be held.

Freedom of Information Act (FOIA)/Environmental Information Regulations (EIR)

While we will treat requests under the FOIA and EIR on a case-by-case basis, our presumption is that requests for statistical records about individual people will be rejected. Both pieces of legislation contain exemptions and processes that protect confidential information.

STATEMENT ON USER ENGAGEMENT, CUSTOMER SERVICE AND COMPLAINTS

Service to Data Suppliers

We will endeavour to operate efficiently by placing the minimum load necessary on data providers and by integrating our statistical work across government. We will take good care of all the information provided to us and we will respect the confidentiality of all identifying information in accordance with the accompanying Statement on Confidentiality

Service to Users

We will maintain the relevance of all our statistical activities so that they meet, where practicable, the needs of all our users, and where possible, make sure that the information we provide is equally accessible to the whole community.

User engagement

We welcome any comments and feedback on everything we do because that will help us to improve our service.

Specific feedback - All FSA official statistics releases include a contact email address which can be used to provide feedback on specific products at any time.

General feedback - Please contact robin.clifford@foodstandards.gsi.gov.uk if you want to provide views and suggestions on the range of statistics we provide and their presentation.

We will review all comments and suggestions as they arrive, although any substantial changes to our outputs or presentation will need to be prioritised as part of our broader planning process.

Occasionally, we will seek user views on specific issues, changes to particular statistical products or areas for development. When do so, we will notify known user groups and allowing a minimum of four weeks for users to respond

Service Standards

If you get in touch with us, we will be polite, approachable and helpful, and identify ourselves. We will make every reasonable effort to ensure that you are provided with information that is timely, relevant and accurate.

Complaints

If you have a concern about the quality of our service, or the treatment you have received from us, you should first approach the person or unit with whom you have been dealing. If you still remain dissatisfied, we would encourage you to contact the FSA's Head of Profession for Statistics, Clifton Gay. He can be contacted at:

Food Standards Agency
Floors 6 and 7, Clive House, 70 Petty France, London SW1H 9EX
Tel 07787005348
Email Clifton.Gay@food.gov.uk

DATA MANAGEMENT POLICY

Our Data Management Policy applies to all our Official Statistics, whether obtained from administrative or statistical sources, and howsoever published. The policy also applies to any associated metadata or documentation.

This policy does not apply to other data collected or used by the FSA. In particular, FSA science and evidence gathering projects follow separate guidelines. They include:

- the framework for science governance (<https://www.food.gov.uk/about-us/our-approach-to-science>)
- Guidelines for analytical surveys (<https://acmsf.food.gov.uk/sites/default/files/multimedia/pdfs/fsasurveysguidance.pdf>). They are designed to ensure surveys are as consistent, fair and representative as possible, and comply with the principles of openness and transparency.
- Other aspects of the FSA's internal data management policy.

Implementing Data Management

Responsibility for the day-to-day implementation of this Data Management policy is vested in identifiable and trained Analytics staff; they operate under the overall direction of the Head of the Statistics Profession.

Their responsibilities are to ensure that our organisation manages its data resources in accordance with the best practice principles and standards set out in the Official Statistics Code of Practice and its supporting Protocols; with the Statements and Policies which form part of this Compliance Statement; and in accordance with the organisation's statutory obligations.

PUBLICATION STRATEGY

The aim of our Publication Strategy is to make our Official Statistics accessible to the widest possible community and to maximise the use of our statistical information in all walks of life – subject to the need to comply with legal, ethical and confidentiality constraints. It comprises the following key principles:

Knowing our customers

The content of our resources and products, and the supporting information we provide will be informed by an understanding of our customers' needs - obtained through feedback, analysis of demand, and internal consultation.

Informing our users

We shall help customers and users to understand and make the best possible use of our products by publishing supporting information and background material where possible.

Web focus

In order to promote widespread access and informed public debate, we will use the Web as our main channel for the dissemination of statistics. This means that all our published statistics will appear on the FSA website: <https://www.food.gov.uk>.

The content and format of our statistical outputs are kept under review, taking account of changing means of delivery and changing user expectations.

Charging

All the information we publish on-line will be free at the point of use.

Accessibility

We shall make it easy for users to find and understand our published data by using adequate signposting and standard documentation procedures

Format of Releases

The presentation and layout of a statistical release is decided by the lead statistician in consultation with statistical colleagues. In general, the format of each statistical release will retain a core of standard tabulations in each edition. However, content may vary to reflect the needs of users and allow proper presentation and analysis of any new or particularly interesting results. Where practical, users will be informed in advance of any significant changes in format for regular publications.

STATEMENT ON RELEASE PRACTICES

It is the responsibility of all those involved in the release of Official Statistics to follow the correct procedures and alert the HoP of any difficulties.

Pre- announcement and timing of Release

Release dates for all the FSA's Official Statistics releases are pre-announced on the Statistics release calendar (<https://www.gov.uk/government/statistics/announcements>). The aim is to announce the month of the expected release at least six months in advance. The exact date will be provided as soon as possible but no less than 4 weeks before release. (An explanation for the delay will be provided if the exact date is more than a fortnight after the end of the provisional month) All statistics will be issued at 9:30am on the day of release.

In a small number of cases, it may not be possible to meet the published pre-announced dates. For example, unexpected operational difficulties (relating only to production of statistics) may be experienced, certain aspects of the data may require further checking or other quality concerns may need to be addressed. . In such circumstances the lead statistician will consider which components can be released on the pre-announced date, which can be published later and which cannot be published at all. The new release plan with any alteration to release dates will be made public as soon as possible with a full explanation.

Access to data related to official statistical outputs prior to publication

The FSA Board and officials will have access to the organisation's own administrative or management data. Similarly, certain FSA staff need to use analytical information for operational purposes including protecting public health. Some of data subsequently forms the basis for published official statistics. These arrangements will be regulated by the Official Statistics Code of Practice.

Certain other people will have access to the official statistics in draft form and/or the data used to produce them. This includes:

- FSA staff engaged in the process of producing and disseminating the official statistics in question (including those responsible for overseeing the process and some members of FSA Communications.)
- any persons requested to quality assure the statistics before their public release. In particular, brand owners will be informed of just those analytical results relating to their company several weeks before publication. This gives them time to comment on their accuracy of the information and to prepare for publication.
- Brand owners of samples taken in analytical surveys will also be informed on the rare occasions that results fall outside expected ranges. This allows them to take any necessary action to achieve compliance with regulations, to respond to the FSA, or to request one of the retained analytical sub-samples for their own independent analysis.
- Brand owners, Local Authorities and other stakeholders will be informed to take remedial action and warn the public if the analysis of a sample indicates possible health implications.
- Compilers of complementary reports due to be published at the same time as, or shortly after the statistics, so that they can incorporate the latest available figures.

The FSA's compliance arrangements with respect to such data are included in a Statement of Administrative Sources.

Pre-release access to official statistical outputs

The phrase 'pre-release access' covers privileged access to statistical releases in their final form prior to being placed in the public domain. In line with legislation, pre-release access to the organisation's official statistics is restricted to a maximum of 24 hours before their public release on the following day, which will be at 09.30.

Pre-release access to official statistics is limited to those needing to respond completely when questions arise at the time of release. This may include senior FSA officials, the FSA Board or representatives of industry. A record of people receiving pre-release access is available on request.

In exceptional circumstances only, and in accordance with Principle 5 of the Pre-release Access to Official Statistics Order 2008, the Head of Profession for Statistics may grant pre-release access in excess of 24 hours. They will only do this if, in their opinion, the public benefit outweighs the detriment to public trust, which is likely to result from such extended access. When this happens, the Head of Profession for Statistics their reasons for granting extended access, and will also inform the National Statistician.

Conditions of access

Those persons who are given access to the FSA's official statistics ahead of their release must keep the statistics secure and under embargo. They will be informed of the following conditions of access which they must abide by.

- They must not release the figures to anyone else or to report upon them until they have been officially released
- They must not provide any indication of the content, including descriptions such as "favourable" or "unfavourable". (They may indicate that a release is forthcoming).
- The information must be treated as Restricted, and not made available under the Freedom of Information Act or the Environmental Information Regulations.
- Any accidental or wrongful release should be reported immediately to the Head of Profession for Statistics.

In the event of a breach of the principles and rules set out in the legislation and described in this Statement, the HoP will notify the UK Statistics Authority of any breach and provide a written explanation. The National Statistician may decide to conduct and publish an inquiry as well as requesting remedial action to ensure future compliance.

FOIA and EIR Considerations

Statistics which are made available under Privileged Pre-Access Release will be published at the date and time of the official release. This information cannot be made available under the FOIA or the EIR as it is still in the course of completion.

STATEMENT ON REVISIONS AND CORRECTIONS

Corrections to statistics will be made if errors are found or if figures are amended as a result of changes to methodology or definitions. The revised report will be issued alongside the next version of the statistics output, or sooner if this is more appropriate. (Currently, none of the official statistics outputs produced by the FSA contain provisional statistics. Therefore, none are subject to scheduled revisions.)

The front page of the revised report will summarise what revisions were made and at what time. This information will be repeated on the webpage hosting the report as well. However, some corrections will not directly affect the figures in the statistical report. These amendments include correcting misspellings and formatting issues, updating contact details and re-wording confusing sentences. When such corrections are made, they will not be individually listed.

Errors in time series that appear in more than one edition will be corrected in the most recent edition only. Older editions will not need to be corrected.

After changes to the methodology or definitions, corrections to historical time series may be corrected to bring them in to line with the new approach. This may not be possible and depends on the data availability and the amount of work involved. The requirements of the users will be considered when making such decisions.

The Head of Profession for Statistics will advise the team responsible for the publication of any required corrective actions. We reserve the right not to publish corrections if the corrected figures are not yet available or if the resources required to issue them outweigh the benefits to stakeholders. In these situations, stakeholders will still be informed of the errors and their potential impact.

CODE OF PRACTICE BREACH REPORT

A breach of the Code of Practice for Official Statistics occurs where one or more provisions of the Code were not followed in situations where an exemption or exception had not been approved by the UK Statistics Authority's Head of Assessment.

It is for the relevant senior statistician of the organisation producing the set of statistics to determine whether a breach has occurred, and to document it appropriately. Any breaches in relation to equality of access, integrity, confidentiality and release practices must be reported to the National Statistician.

Breach reports submitted by the FSA to the National Statistician are listed below:

Date	Statistical Output	Type of breach
9 Feb 2010	National Diet and Nutrition Survey: results from year 1 (2008/2009)	Release not made at specified time of 9.30 am

Breach reports are published on the UK Statistics Authority website.