
Ed Humpherson, Director General for Regulation

Dr Nicola Williams
Director, Fair Play for Women

10 November 2021

Dear Nicola,

Thank you for your email of 3 November. In response, I wanted to explain our processes around assessment of statistics and awarding National Statistics designation.

The Code of Practice for Statistics, under the Trustworthiness pillar and Data Governance principle, requires organisations to '*...manage data in ways that are consistent with relevant legislation...*'. In our assessments of compliance with the Code, we do not undertake an in-depth review of legislative compliance by an organisation; there is a reasonable expectation that all official statistics producers follow the law. Instead, we consider evidence submitted by the statistics producers and are alive to any known issues with or concerns about whether legal requirements have been met through our engagement with expert users and our own horizon scanning.

For our assessment of the Censuses in the UK, we have taken into account the outcome of the legal challenge in England and Wales and how the Office for National Statistics has acted in response to that. We will do the same for any pending legal challenge in Scotland.

Our assessment process for the UK Censuses is ongoing and we will take into account evidence from across the census planning, operations, and data processing phases before we make our recommendations for National Statistics designation. This will happen just prior to the first census outputs being published; for National Records of Scotland that is likely to be early 2023.

I hope this explains our position at this time and our expectations as the statistics regulator.

Yours sincerely,



Ed Humpherson
Director General for Regulation