EXPLANATORY MEMORANDUM TO

THE CENSUS (ENGLAND) REGULATIONS 2010

2010 No. 532

1.

1.1 This Explanatory Memorandum has been prepared by the United Kingdom Statistics Authority (in its capacity as the Statistics Board), and is laid before Parliament by Command of Her Majesty.

1.2 There are no special matters to bring to the attention of the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

2.1 The purpose of the Census (England) Regulations 2010 is to make provision for the operational arrangements and procedures necessary for the conduct of the 2011 Census and to prescribe the questionnaires that will be used; a specimen of each questionnaire has been annexed to the Regulations.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative context

4.1 The Census (England) Regulations 2010 enable the Census (England and Wales) Order 2009 (S.I. 2009/ 3210), to be carried into effect. The Census (England and Wales) Order 2009 was approved by Parliament in December 2009 and was made by Her Majesty in Council on 9 December 2009.

4.2 Section 1 of the Census Act 1920 (c. 41) ("the 1920 Act") enables an Order-in- Council to direct that a census be taken for Great Britain or any part of it. Section 2 of the 1920 Act creates duties to make arrangements for, and to do all things which are necessary to carry out a census in accordance with a relevant Order-in-Council and any Regulations created under the 1920 Act. In England and Wales, the burden of these duties was transferred to the Statistics Board, established by the Statistics and Registration Service Act 2007 (c. 18,) ("The 2007 Act"). In practise these functions are exercised by the Office for National Statistics which is an executive office of the Statistics Board.

4.3 Section 3 of the 1920 Act makes provision for Regulations to be made, setting out the procedures and practical arrangements needed to conduct a census pursuant to an Order-in-Council. Power to make these Regulations, for England, was transferred to the Minister for the Cabinet Office by the 2007 Act.

4.4 The power under section 3 to make Regulations in Wales is now exercisable by the Welsh Ministers and Regulations for the Census in Wales are being prepared by the Welsh Assembly Government, to be laid before the National Assembly for Wales.

4.5 Regulation (EC) No 763/2008 of the European Parliament and Council imposes obligations on the United Kingdom with respect to the provision of statistical outputs based on the Census (or comparable data sources) in the year 2011. These are provided to Eurostat, the Statistical Office of the European Community which is responsible for providing the European Union with statistics at European level that enable comparisons between countries and regions. The 2011 Census will thus assist the United Kingdom in carrying out its obligations under the Regulation.

5. Territorial extent and application

5.1 This instrument applies to England only.

6. European Convention on Human Rights

6.1 As this instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement regarding human rights is required

7. Policy background

7.1 The Census is a decennial survey of all people and households in the United Kingdom. It provides essential information from national to neighbourhood level for government, business, and the community.

7.2 Since 1801, every ten years the nation has set aside one day for the Census, except for 1941. It is the most complete source of information about the population that we have.

7.3 It is essential that every effort is made to include everyone, and that participation in the Census is a legal obligation (enforceable under the provisions of the 1920 Act and the Census (England) Regulations 2010) It is the only survey which provides a detailed picture of the entire population, and is unique because it covers everyone at the same time and asks the same core questions everywhere. This makes it possible to compare different parts of the United Kingdom.

7.4 The information that the Census provides allows central and local government, health authorities and many other organisations to target their resources more effectively and to plan housing, education, health and transport services for years to come.

7.5 The information collected in the 2011 Census will be used solely for the production of statistics and research. Usage will comply fully with the 1920 Act and the 2007 Act, as well as the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000. There are legal penalties for breaches of confidentiality or for the unlawful disclosure of personal information, which has been collected in the Census.

7.6 In England and Wales, the Census is planned and carried out by the Office for National Statistics. Elsewhere in the United Kingdom, responsibility lies with the General Register Office for Scotland and the Northern Ireland Statistics and Research Agency.

7.7 The White Paper on the 2011 Census *'Helping to shape tomorrow'*, was published in December 2008. This contained information about when, why and how the 2011 Census is to be taken, what benefits it provides, the topics and questions proposed, how much it will cost and who is to be involved.

7.8 The Census (England and Wales) Order 2009 (S.I. 3210), provides for the Census to cover all individuals present in England or Wales on census night and, in addition, people who are absent if they are usual residents. It provides for the responsibility to fill in the census questionnaires to be placed on householders and on individuals and people in charge in communal establishments, with exceptions to deal with particular circumstances. These provisions are broadly similar to those for previous censuses, with changes to take account of the evaluation of the 2001 Census and subsequent consultation.

8. Consultation outcome

8.1 The content of the 2011 Census has been driven principally by the demands and requirements of users of census statistics, as well as the evaluation of the 2001 Census and the advice and guidance of organisations with experience of similar operations. Its design has been determined by extensive consultation, beginning in 2005, through a structure of formal advisory committees, topic-related working groups and public meetings, and via media such as consultation and information papers, and the Census website.

8.2 The Office for National Statistics has also been consulting Parliament on various aspects of the Census proposals since the White Paper was published in 2008. Letters were sent to those Parliamentarians, who have expressed an interest in the Census proposals, or have written to the Office for National Statistics regarding any aspect of the Census.

8.3 The Office for National Statistics has met with a number of All-Party Parliamentary Groups, and appeared before various Select Committees meetings as well as several Committees of the National Assembly for Wales and engaged with Welsh Ministers. An event was held in Portcullis House on 4 November 2009, to raise awareness of the 2011 Census amongst Parliamentarians and staff.

8.4 All feedback received since the White Paper was published, results of trials and question testing as well as all responses to consultation have been taken into account when preparing the final proposals for the 2011 Census.

9. Guidance

9.1 The Office for National Statistics will, in close co-operation with the Census Offices in Scotland and Northern Ireland, and supported by a dedicated telephone helpline, arrange nationwide and local publicity to explain the purpose and value of the Census, to encourage householders to return completed questionnaires and to ensure that they know when and how to do so, and to give assurances about confidentiality and data security.

9.2 Special assistance will be available to anyone who has difficulty in completing the census questionnaire**,** for example those with language difficulties or disabilities. Field staff speaking English and other languages, and/or signers will be employed, and where possible, they will be supported by translations of the census questions and a general information leaflet in a large number of prevalent foreign languages; this will also be available via a dedicated on-line help centre. Publicity for, and the enumeration of, the Census in Wales will be conducted bilingually in English and Welsh.

10. Impact

10.1 The impact on business, charities or voluntary bodies of this legislation is considered to be minimal. This is because the purpose of the Census is not to collect business data, and the only impact on business will be the requirement for persons in charge of commercial communal establishments, to make a return in respect of the establishment and of any residents or inmates residing within their premises, who are unable to make a return for themselves.

10.2 However, it is important to note that the statistical data gained via the Census will be beneficial to many different bodies. Commercial business, professional organisations and the public at large, all need reliable information on the number and characteristics of people and households if they are to conduct many of their activities effectively.

10.3 The impact on the public sector of this legislation is again minimal, although Government, local authorities, the health service, the education and academic community and other public bodies, all rely upon Census data to aid planning of budgets, services and resources nationwide.

10.4 An Impact Assessment has been prepared for this instrument and is available to download on the Office for National Statistics website.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring and review

12.1 This legislation aims only to allow for, and governs, the undertaking of the proposed 2011 Census. Therefore, it will have achieved its aims and will have been proved to be successful, if the Census is taken on the appointed day in 2011, and the associated activities and processes necessary to undertake the Census are a success with people completing their questionnaires as requested, and these questionnaires being collected, processed and analysed to produce statistical outputs.

12.2 Consultation is on going to find out what statistical data or 'outputs' users of the 2011 Census want from the information gathered during the Census, and to help the Office for National Statistics to prioritise identified output needs. This started in early 2008 with an on-line survey, followed by roadshow events around England and Wales in autumn 2009. The survey was supported by a website featuring a blog and a forum, which allowed expert-users to collaborate and generate a rich source of information. The website is still being used to carry this consultation on.

12.3 As with previous censuses, there will be a review of the 2011 Census Programme as a whole, after it has been undertaken. This will evaluate how it was planned and carried out. This will subsequently be laid before Parliament for scrutiny.

13. Contact

13.1 Mr Ian White, Head of Census Legislation at the Office for National Statistics (Tel: 01329 44 4526 or email: ian.white@ons.gsi.gov.uk) can answer any queries regarding the instrument.

Summary: Intervention & Options		
Department /Agency: Office for National Statistics	**Title:** Impact Assessment of 2011 Census	
Stage: Implementation	**Version:** Final	**Date:** 23 February 2010
Related Publications: 'Helping to shape tomorrow' the 2011 Census White Paper, Census (England and Wales) Order 2009 (S.I. 2009/ 3210)		

Available to view or download at: http:www.ons.gov.uk

Contact for enquiries: Nicola Shearman **Telephone:** 01329 444016

What is the problem under consideration? Why is government intervention necessary?

The census undertaken by the Office for National Statistics (ONS) is a decennial survey of all people and households in England and Wales. It provides essential information from national to neighbourhood level for government, business, and the community.

Since 1801, every ten years the nation has set aside one day for the census, except for 1941.

It is the most complete source of information about the population that we have. It is the only survey which provides a detailed picture of the entire population, and is unique because it covers everyone at the same time and asks the same core questions everywhere. This makes it possible to compare different parts of England and Wales. Separate census offices in Scotland and in Northern Ireland also undertake a census allowing comparability of data across the UK as a whole.

It provides population statistics from a national to neighbourhood level for government, local authorities, business and communities, which are used to allocate £100 billion worth of public spending each year to local services. Obtaining the best quality population statistics for government and other users is therefore essential for future national and local government planning and resource allocation.

There are currently no administrative data sources that match the census for quality and coverage. The census is the only viable source of such statistics.

The White Paper (*Helping to shape tomorrow*, Cm 7513) was published in December 2008 setting out the UK Statistics Authority's proposals for the next census of population and housing in England and Wales to be conducted on 27 March 2011.

The primary legislation that provides for the taking of a Census in England and Wales - the Census Act 1920 - requires an Order in Council to be made to prescribe: the date on which the census is to be taken; the persons by whom and with respect to whom the returns are to be made; and the particulars to be stated in the returns. The Census (England and Wales) Order 2009 S.I 2009/3210 was approved by both Houses of Parliament in December 2009 and then made by Privy Council on 9 December 2009.

Under Section 3 of the Census Act 1920, for the purpose of enabling an Order in Council to be carried into effect, the Minister for the Cabinet Office may make Regulations to provide, for the detailed arrangements for the conduct of the census in England.

What are the policy objectives and the intended effects?

To provide high quality, value for money, population statistics, as required by key users, on a consistent and comparable basis across England and Wales. The information the census provides allows central and local government, health authorities and many other organisations to target their resources more effectively, to monitor discrimination and disadvantage and to plan housing, education, health and transport services for years to come.

The census is the only reliable source of data for small areas and small population groups.

Each question on the census questionnaire meets a demonstrated need and is suitable for a self-completed questionnaire. The questions have been extensively tested, with a large scale census test, several postal tests, focus groups and cognitive testing. These studies have shown the questions to be generally acceptable to the public. ONS has also been working with census offices in Scotland and

What policy options have been considered? Please justify any preferred option.

There is no single alternative to a full census operation in 2011 that can deliver all three aspects of census data (population units, population structures and population characteristics).

Options that have been evaluated are:

- do nothing and base future population estimates on the data from the 2001 Census;
- produce statistics based on aggregate adminstrative data sources;
- a rolling census;
- a mixed short form/long form census;
- a simple headcount; and
- an Integrated Population Statistics System, linking administrative data sources and surveys based on a national population register.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?

As with previous censuses, there will be a review of the 2011 Census Programme as a whole, after it has been undertaken. This will evaluate how it was planned and carried out. This will subsequently be laid before Parliament for scrutiny after the 2011 Census Programme has completed all of its work including the production and dissemination of all statistical outputs. The current plan is that this will be completed in 2014.

Ministerial Sign-off For final proposal/implementation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) the benefits justify the costs.

Signed by the responsible Minister:

Rt Hon Angela E. Smith MP Date: 27 February 2010

Summary: Analysis & Evidence	
Policy Option: Census 2011	**Description:**

COSTS

ANNUAL COSTS		Description and scale of **key monetised costs** by 'main affected groups'
One-off (Transition)	**Yrs**	See table in section 3
£ 482m	12	
Average Annual Cost (excluding one-off)		
£ 0		**Total Cost** (PV) **£ 466m**

Other **key non-monetised costs** by 'main affected groups'

Local authorities will accrue some costs during the 2011 Census as they have been asked to appoint liaison staff to work with ONS to support the census field operation, to resolve address list anomalies and further community engagement. More information on these costs can be found later in this document in paragraph 3.6

BENEFITS

ANNUAL BENEFITS		Description and scale of **key monetised benefits** by 'main affected groups'
One-off	**Yrs**	A full business case for the 2011 census has been produced and scrutinised by HM Treasury and the Office of Government Commerce. This clearly demonstrates the unique value of the census, and that the benefits of having the information far outweigh the costs of its collection and processing.
£ 0m	10	More information on this is contained later in this document in section 2
Average Annual Benefit (excluding one-off)		
£ 95m		**Total Benefit** (PV) **£ 754m**

Other **key non-monetised benefits** by 'main affected groups'

Further information on the benefits provided by the 2011 Census are available later in this document in section 2

Key Assumptions/Sensitivities/Risks

This £750m figure is the total quantified benefits of the census. This is considered to be a significant underestimate of the total benefits as a further substantial number of benefits remain un-quantified

Price Base Year **2009/10**	Time Period Years **12**	**Net Benefit Range** (NPV) **£ 288m – £ 730m**	**NET BENEFIT** (NPV Best estimate) **£ 288m**

What is the geographic coverage of the policy/option?	England and Wales. See further information on this later in this document at section 4
On what date will the policy be implemented?	See further information on this later in this document in section 5
Which organisation(s) will enforce the policy?	UK Statistics

What is the total annual cost of enforcement for these organisations?			Current estimate is around £ 2.3m. This will be a one off cost	
Does enforcement comply with Hampton principles?			Yes	
Will implementation go beyond minimum EU requirements?			Yes See further information on EU requirements later in this document in section 6	
What is the value of the proposed offsetting measure per year?			See information on environmental issues later in this document in section 11	
What is the value of changes in greenhouse gas emissions?			As above	
Will the proposal have a significant impact on competition?			No	
Annual cost (£-£) per organisation (excluding one-off)	Micro **0**	Small **0**	Medium **0**	Large **0**
Are any of these organisations exempt?	Yes	Yes	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)				(Increase - Decrease)	
Increase of	£ 0	Decrease of	£ 0	**Net Impact**	**£** 0

Key:	**Annual costs and benefits:**	**(Net) Present**

1. The need for a census

1.1 A census has been undertaken in England and Wales once a decade since 1801, except 1941.

1.2 The planning process for the 2011 Census started in 2002 with a wide-ranging review of the future requirements for information, and alternative ways of gathering it. This confirmed that there is an ongoing need for high quality census information, and that it can only be provided by a traditional census in 2011. No alternative source would provide the quality of data required.

1.3 Extensive testing has been undertaken considering different options for the design of the census operation, including a test in 2007 covering 100,000 households across 5 different local authorities, and a rehearsal covering 135,000 households in October 2009.

1.4 The census provides three broad categories of information:

- counts of population units – people, households and dwellings
- population structures – e.g. family and households relationships, ethnic groups, and
- population and housing characteristics – e.g. health, employment etc.

1.5 A wide range of users rely heavily on census results for a countless range of purposes. The list of users includes central government, local government, the health sector, businesses and market researchers, academic researchers and the education sector, genealogists and the public at large. The six broad purposes for which they use census data are:

- resource allocation;
- targeting investment;
- service planning;
- policy making and monitoring;
- academic and market research; and
- as a benchmark for other National Statistics.

1.6 Taking account of the many comments, evaluations and recommendations arising from the 2001 Census, the design of the 2011 Census is based on a number of key strategic aims:

- to give the highest priority to getting the national and local population counts right;
- to maximise overall response and minimise differences in response rates in specific areas and among particular population sub-groups;
- to build effective partnerships with other organisations, particularly local authorities, in planning and executing the field operation;
- to provide high quality, value-for-money, fit-for purpose statistics that meet user needs and which are as consistent, comparable and accessible across the UK as is possible; and
- to protect, *and be seen to protect*, confidential personal census information.

2. Quantifying the benefits of the census

2.1 A full business case for the 2011 Census has been produced and scrutinised by HM Treasury and the Office of Government Commerce. This clearly demonstrates the unique value of the census, and that the benefits of having the information far outweigh the costs of its collection and processing. For example, for the first of the six uses listed above (para 1.5), over £100 billion per year (over £1 trillion in the decade between each census) is allocated from central government to local authorities and to NHS Primary Care Trusts on the basis of census data.

2.2 Extensive work has been undertaken to quantify the benefits of the census in financial terms. For example, if census data were not available, the £82 billion allocated each year by the Department of Health to each Primary Care Trust, would be based on data using existing information available within the NHS. Detailed analysis has shown that using such lower quality data sources would result in over £800 million being misallocated per year, with some individual PCTs gaining, or losing, to the tune of millions of pounds. Clearly, the net cost to HM Treasury of such misallocation would be zero, but the costs to society would be significant, resulting in significant discrepancies in the services available in different areas. Clearly, attributing a financial value to this cost to society is very difficult, but using standard economic methods that work on the premise that "a pound in your pocket is worth more if you're poor than if you're rich," a cost to society of £600 million over the decade has been estimated. Adding in similar quantified benefits for funding allocations to local authorities from the Department for Communities and Local Government, and private sector benefits (assessed through improved decision making about the location of retail stores and the use of census data by market researchers) the quantified discounted benefits of the census amount to over £750 million over the decade between censuses.

2.3 Furthermore these quantified benefits relate to only three of the six types of use of census data (para 1.5) and only three groups of users. When considering that over 500 organisations responded to the census topics consultation, that there are a further three very significant key uses of census data, and that the Online Neighbourhood Statistics Service (just one route of access to census data) has over 100,000 hits per month, the un-quantified benefits will be very substantial.

2.4 The quantified discounted benefit of circa £750 million is therefore considered to be a very significant under-estimate.

3. The cost of the census

3.1 The total cost of the census over the ten year period is currently estimated to be £482 million. The benefits of the census therefore significantly outweigh the costs.

3.2 The following table gives an overview of how the estimated £482m will be spent:

	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	Total
Design and quality assurance	0.9	1.7	2.0	1.7	2.5	2.8	4.8	4.5	1.8	0.1	0.0	0.0	**22.**
Mgmt and Security	0.6	1.1	1.6	1.5	3.8	4.0	4.0	4.5	3.1	1.9	1.4	0.4	**27.**
Address List Devt	0.0	0.0	0.0	0.1	2.2	1.3	7.6	1.5	0.0	0.0	0.0	0.0	**12.**
Field Operations	0.2	0.6	1.0	2.3	5.9	5.8	45.9	103.6	0.7	0.0	0.0	0.0	**166.**
Data Processing	0.0	0.1	0.8	3.4	29.0	26.3	82.0	61.6	6.7	1.5	1.0	0.0	**212.**
Output Production	0.0	0.0	0.8	0.6	0.7	1.0	0.7	0.9	3.1	3.8	1.8	0.8	**14.**
Stakeholder Engagement and Publicity	0.1	0.2	0.2	0.7	1.4	3.6	13.8	2.6	1.4	0.9	0.5	0.4	**25.**
Total	**1.9**	**3.7**	**6.5**	**10.4**	**45.4**	**44.7**	**158.6**	**179.3**	**16.7**	**8.2**	**4.8**	**1.7**	**482.**

3.3. Equivalent costs for countries who undertake similar censuses are shown below

Country	**New Zealand**	**Canada**	**Australia**	**Eire**	**USA**	**Scotland**	**England and Wales**

Census Frequency	5 yrs	5 yrs	5 yrs	5 yrs	10 yrs	10 yrs	10 yrs
Total cost (£m)	£34m	£321m	£172m	£55m	£6,729m	£65m	£482m
Population (millions)	4.0	31.6	22.2	4.6	315.5	5.1	55.7
Cost per person (£)	£8.42	£10.14	£7.71	£12.12	£21.33	£12.39	£8.72
Cost per person per year (£)	£1.68	£2.03	£1.54	£2.42	£2.13	£1.24	£0.87

3.4 Note that Canada, Australia, New Zealand and Eire carry out a census every 5 years, compared with once a decade in England and Wales, giving significantly higher costs per year.

3.5 These figures demonstrate that the projected England and Wales census costs are comparable with those in Canada, Australia and New Zealand (who all hold five-yearly censuses and have scope for re-using infrastructure) and are significantly lower than the USA.

3.6 Local authorities will incur some expense as a result of their co-operation with ONS in the planning and delivery of the field operation. Each local authority has been asked to appoint a Census Liaison Manager and an Assistant Census Liaison Manager. These are not considered to be full time posts and it is expected that in most local authorities, existing officers would be able to take on these duties alongside their normal role. Local authorities are also being asked to help resolve anomalies in the address registers. In addition ONS is asking local authorities to help it with developing community liaison contacts, supporting local field staff and promoting the census in their areas. The cost of these activities varies across the country depending on the size of the authority, so it is not possible to calculate an accurate average cost, although local authorities agree that the benefits of getting an accurate population estimate in a local authority area far outweigh the costs incurred.

4. Geographic coverage of the policy

4.1 The 2011 Census undertaken by ONS will cover England and Wales only. Elsewhere in the United Kingdom, responsibility lies with the General Register Office for Scotland and the Northern Ireland Statistics and Research Agency, with each being responsible to separate Parliaments and Assemblies. The three Census Offices seek to coordinate census questions, census operations and census outputs. An agreement in principle, between the Registrar Generals, was signed in 2005 and is regularly reviewed and updated.

4.2 ONS has been working with the other UK census offices to ensure that questions on the Census are as harmonised as possible. However there are legitimate reasons why the best questions for each country may not be identical. Differences in access to alternative sources of data, demography, public attitudes and the political climate of each country each can be a factor in the reason for differences in questions

4.3 The Census (England) Regulations 2010 apply to the undertaking of the 2011 Census in England only, as the power to make Regulations in relation to a census in Wales now rests with Welsh Ministers. It is expected that separate secondary legislation providing for individual censuses to be taken in Scotland and in Northern Ireland on the same date, will be submitted for approval by the Scottish Parliament and Northern Ireland Assembly respectively

5. Date that the policy will be implemented

5.1 Census day is 27 March 2011, as prescribed by the Census (England and Wales) Order 2009 (S.I. 2009/3210). However the planning process for the 2011 Census started in 2002 and consultation on the preparation and planning for the 2011 Census began in 2005. The first set of census results is expected in autumn 2012.

6. EU Requirements.

6.1 The 2011 Census is not driven primarily by EU requirements, although Regulation (EC) No 763/2008, of the European Parliament and Council, imposes obligations on the United Kingdom with respect to the provision of statistical outputs based on the Census (or comparable data sources) in the year 2011. These are provided to Eurostat, the Statistical Office of the European Community which is responsible for providing the European Union with statistics at European level that enable comparisons between countries and regions. The 2011 Census will thus assist the United Kingdom in carrying out its obligations under the Regulation

7. Other Impact Assessments

7.1 A large amount of work has been undertaken to develop the questionnaire for the 2011 Census and numerous impact assessments have been undertaken. Listed below are details of some of the other 'Impact Assessment' work that has been carried out.

8. Equality Impact Assessment

8.1 Independent Equality Impact Assessments were carried out on behalf of ONS on the development of the ethnicity, identity, language, religion and disability questions for the 2011 Census. Initial assessments were also carried out for the questions relating to age and sex, and the conclusion was that full assessments for these topics would not be necessary. An Equality Impact Assessment was also carried out on the exclusion of the topic of sexual identity from the 2011 Census. All of these Assessments are available on the National Statistics website.

8.2 Currently, ONS is drafting two more Equality Impact Assessments. These cover the recruitment and appointment of census field staff and the community liaison for the 2011 Census. These are due for publication in March 2010 and April 2010 respectively.

8.3 Three additional Equality Impact Assessments, covering non-compliance, marketing and census outputs are planned.

9. Human Rights

9.1 The 2011 Census is compatible with the Human Rights Act 1998. In particular a Privacy Impact Assessment, undertaken by ONS, concluded that the census is not incompatible with a person's rights under Article 8 of the Act.

9.2 In 2001 this point was challenged by Liberty, with a court agreeing that the census was not incompatible with Article 8 rights.

10. Privacy Impact Assessment

10.1 A Privacy Impact Assessment has been completed and published on the ONS website. Conclusions of the Privacy Impact Assessment found that any impact that the census may have on people's privacy is outweighed by the benefits a census brings.

10.2 Privacy and confidentiality have been long-standing concerns for ONS and for censuses in England and Wales, so most of the good practice enshrined in the Privacy Impact Assessment process is well established within the 2011 Census Programme.

10.3 Different types of privacy impact are possible depending on the scale and nature of the project. ONS carried out a full-scale Privacy Impact Assessment which is available on the ONS website.

11. Environmental Impact Assessment

11.1 ONS has an environmental management system, which the 2011 Census Programme will comply with. The questionnaires will be printed on paper from a sustainable source, unfortunately ONS can not use recycled paper as it does not provide the quality needed for the scanning and processing of completed questionnaires, however all returned questionnaires will eventually be pulped and recycled.

11.2 ONS proposes to undertake an Environmental impact Assessment and Carbon Assessment of the 2011 Census programme at a later date, this will then be published on the ONS website.

12. Business case

12.1 The 2011 Census business case, which has already been scrutinised by HM Treasury and the Office for Government Commerce, is still a working document until final decisions on census operational issues have been made following a full analysis of the census rehearsal.

12.2 The business case is scheduled for publication in the spring of 2010 on the National Statistics website. It was made available to the Public Administration Select Committee in June 2009 for its hearing on official statistics and the 2011 Census (but not put into the public domain because of the commercial in confidence information it contains). A précis was made available to the Lords Committee on the Merits of Statutory Instruments, when it considered the Census (England and Wales) Order 2009 (S.I. 2009/3210) in October 2009.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	***Results in Evidence Base?***	***Results annexed?***
Competition Assessment	No	No
Small Firms Impact Test	No	No
Legal Aid	No	No
Sustainable Development	No	No
Carbon Assessment	No	No
Other Environment	No	No
Health Impact Assessment	No	No
Race Equality	Yes	No
Disability Equality	Yes	No
Gender Equality	Yes	No
Human Rights	Yes	No
Rural Proofing	No	No

Annexes

The Equality Impact Assessments mentioned in section 10 of this document are available to download at:

http://www.ons.gov.uk/census/2011-census/2011-census-questionnaire-content/question-and-content-recommendations-for-2011/index.html

The Privacy Impact Assessment mentioned in section 12 of this document is available to download at:

http://www.ons.gov.uk/census/2011-census/2011-census-project/commitment-to-confidentiality/index.html