EXPLANATORY MEMORANDUM TO

THE OFFICIAL STATISTICS (AMENDMENT) ORDER (NORTHERN IRELAND) 2021

S.R. 2021 No. 127

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Finance to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under section 6(1)(b) and (2) of the Statistics and Registration Service Act 2007 (The Act) and is subject to the affirmative resolution procedure.

2. Purpose

2.1 This order specifies statistics produced, or to be produced, by the Education Authority, Invest Northern Ireland and the Labour Relations Agency as being "official statistics" under the Statistics and Registration Service Act 2007 ("the Act"). The effect of designation as official statistics is set out in section 3 below.

3. Background

3.1 The Act created a new non-ministerial department (The Statistics Board), to promote and safeguard the production and publication of official statistics that serve the public good. Under section 6(1)(a) of the Act, all statistics produced by government departments are designated as official statistics. Section 6(1)(b) and (2) of the Act allow orders to be made by a government department to specify other persons as producers of official statistics.

3.2 In 2011, the NI Executive approved the making of the Official Statistics Order (Northern Ireland) 2012. This order specified statistics produced, or to be produced, by the following bodies as 'official statistics': Agri-food and Biosciences Institute; Arts Council of Northern Ireland; Chief Constable of the Police Service of Northern Ireland; Council for the Curriculum, Examinations and Assessment; Livestock & Meat Commission for Northern Ireland; Cancer Registry at Queens University Belfast; Northern Ireland Housing Executive; Northern Ireland Library Authority; Northern Ireland Policing Board; Police Ombudsman for Northern Ireland; Probation Board for Northern Ireland; Regional Business Services Organisation; Sport NI and The Regional Agency for Public Health and Social Wellbeing.

3.3 The Statistics Board is required to monitor the production and publication of official statistics and to report relevant concerns to the person responsible for those statistics (section 8 of the Act). At the request of the appropriate authority (defined in section 12(7) of the Act) the Statistics Board must assess and determine whether the Code of Practice for Statistics has been complied with in relation to any official statistics and, if so, to designate those statistics as "National Statistics" (section 12 of the Act).

3.4 The impact of designation as official statistics on the producers of such statistics is that a) the production and publication of official statistics is subject to monitoring and reporting by the Statistics Board (section 8 of the Act); b) the persons producing official statistics must

comply with the relevant rules and principles relating to the granting of pre-release access to official statistics.

3.5 The proposed order applies to wholly Northern Ireland devolved statistics. Northern Ireland devolved statistics are defined under section 66(4) of the Act.

3.6 Any Minister may make such an order, but given that such orders are subject to the affirmative procedure, the most efficient use is made of Assembly time if the Finance Minister, as minister responsible for statistics, brings forward this order on behalf of other Ministers.

4. Consultation

4.1 As required by the Act, the Statistics Authority has been consulted on this order. Targeted consultation has been carried out with bodies that are being included in the order. This has been undertaken by the Senior Statistician in each Government department who has consulted directly with those bodies which are sponsored by that department.

5. Equality Impact

5.1 Section 75 screening has been carried out and the statutory rule has been found to have no equality impact implications.

6. Regulatory Impact

6.1 The statutory rule has an impact only on those bodies listed in the Schedule. These are all bodies in the wider public section. No impact on businesses, charities, social economy enterprises and the voluntary section is foreseen. The impact on the public sector is expected to be negligible. Therefore a full Regulatory Impact Assessment has not been produced for this SR.

7. Financial Implications

7.1 The statutory rule has no financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1 In the view of the Department of Finance the provisions of this statutory rule are compatible with Section 24 of Northern Ireland Act (1998).

9. EU Implications

9.1 Not applicable.

10. Parity or Replicatory Measure

10.1 The statutory rule is broadly similar to the Official Statistics Orders brought forward by the Cabinet Office for UK Statistics, those brought forward by the Scottish Government in relation to Scottish devolved statistics and those brought forward by the Welsh Government in relation to Welsh devolved statistics.

11. Additional Information

11.1 Not applicable.