



PACAC (Public Administration and Constitutional Affairs Committee)

House of Commons · London SW1A 0AA

Tel 020 7219 3268 Email pacac@parliament.uk Website www.parliament.uk/pacac

Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
Cabinet Office
70 Whitehall
London, SW1A 2AS

6th July 2021

Dear Michael,

The Government's second response to PACAC's Eighth Report, Government transparency and accountability during Covid 19: The data underpinning decisions.

Thank you for your letter of 28th June responding to the Committee's outstanding questions on our Eighth Report of session 2019-21, *Government Transparency and Accountability during Covid-19: The data underpinning decisions*. Unfortunately, the Committee still feels that the Government's response on a number of key issues has been inadequate in addressing our legitimate concerns surrounding the use of data during the pandemic.

Strengthening of the Ministerial Code to ensure that Ministers abide by the UKSA's Code of Practice.

The Committee is aware that the Ministerial Code already covers the use of official statistics by Ministers. However, our findings clearly evidenced that it is insufficient to simply ask Ministers to be "mindful" of the UKSA's Code of Practice as there was evidence of Ministers failing to adhere to it.¹ As such, we do not agree with the Government's conclusion that strengthening the Ministerial Code is unnecessary and continue to call on the Government to strengthen the Ministerial code so it is clear that Ministers are required to abide by the UKSA Code of Practice in their presentation of data.

Display and use of data

In its report, the Committee recommended that when Ministers or senior officials quote statistics, the underlying data must be published². We welcome the Government's

¹ [Data Transparency and Accountability: Covid 19 \(parliament.uk\)](#), page 47, paragraph 7.

² [Data Transparency and Accountability: Covid 19 : The data underpinning decisions. Eight report of Session 2019-21. HC 803. Page 47, Recommendation 5.](#)

commitment to engage with the Chief Statistician in the Scottish Government to explore the best practice they exhibited around publishing supporting evidence for decision-making during the pandemic. The Committee looks forward to receiving an update on this in due course.

Thresholds for decisions

The Committee has been consistently clear that, in our view, the Government should publish the thresholds for decisions when they are made to increase the transparency of decision-making and correspondingly to increase public trust and confidence in those decisions. We are therefore disappointed with the Government's refusal to publish the thresholds on which decisions on key elements of the return to normality and strongly encourage the Government to reconsider this decision, and to publish the thresholds for key decisions in the roadmap.

I am placing a copy of this letter in the public domain.

Yours ever,

A handwritten signature in blue ink, appearing to read 'W. Wragg', with a long horizontal flourish extending to the right.

William Wragg MP
Chair, Public Administration and Constitutional Affairs Committee



Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
Cabinet Office 70 Whitehall London
SW1A 2AS

William Wragg MP
Chair, Public Administration
and Constitutional Affairs Committee
House of Commons
London
SW1A 0AA

Our reference: MC2021/12989

By email: pacac@parliament.uk

28 June 2021

Dear William,

Thank you for your letter of 15 June requesting further clarification following the Government's response to the Committee's report "*Government transparency and accountability during COVID-19: The data underpinning decisions*", and the evidence session of 27 May. I thank you and the whole Committee once again for the report, and for the Committee's continued work and scrutiny in this area, and will respond to your questions in turn.

Why was the government unable to state whether each of the Committee's recommendations were accepted or rejected?

The Government has considered all recommendations made and we have responded through the formal response to the report published on 25 May and related correspondence to the Committee. I hope the additional explanations in this letter will provide further reassurance to the Committee.

**Why does the Government disagree on the strengthening of the Ministerial Code to ensure ministers abide by the UKSA code of practice? *and*
Could you explain why the potential need to utilise emerging information prevents Ministers from abiding by the UKSA Code of Practice?**

The Government's response to the Committee's report set out why a change is not necessary to the Ministerial Code. As the response explained, Section 8.15 of the Ministerial Code already covers the use of official statistics by Ministers.

In relation to emerging information, there may be occasions where it is in the public interest for Ministers to use emerging information in order to provide the best available picture to Parliament. Section 8.15 therefore sets out a wider expectation to be mindful of good practice in relation to all official statistics, not just those covered by the statutory requirements of the legislation.

Will the Government learn from the best practice evidenced by the Scottish Government and ensure that they consistently publish all statistics and underlying data when it is referenced? *and*

Will the Government provide a firmer commitment to this recommendation instead of simply saying that it will ‘endeavour’ to adhere to guidelines?

The response to COVID-19 has seen unprecedented use and transparency of data. This has increased across the crisis.

The Government can commit to publishing statistics and underlying data before, or at the same time as, they are referenced in Ministerial statements or elsewhere. This will apply to data used more generally, or specifically related to COVID-19. However, given the fast rate of progress in different aspects of this pandemic, it may not be practical to do so every time. In the event that the Government needs to draw quickly on emerging (unpublished) data to underpin decisions relating to the COVID-19 pandemic, and to refer to these data as part of explaining the decision, we will publish as soon as it is feasible afterwards.

We are grateful for the Royal Statistical Society’s views on this issue in their written evidence to the inquiry. We will engage with the Chief Statistician in the Scottish Government, drawing on any best practice around publishing the supporting evidence for decision-making, and discuss any further practical implications of publishing underlying data in this way. We will update the Committee on this in due course.

Why is the Government not able to be more transparent with the thresholds that they use for assessing the data?

The data underpinning our strategy to easing lockdown are provided in full in the ‘COVID-19 Response - Spring 2021’ roadmap and in the 48-page data annex supporting the publication. The data underpinning the four tests in the roadmap are assessed and published at each step and this includes the SAGE papers and advice that the Government has received at each decision point. We have chosen not to put exact thresholds on each step to allow for the use of judgement, given the fast-moving and often unpredictable nature of the pandemic.

The traffic light system for international travel categorises countries based on risk to public health and the vaccine rollout from variants of COVID-19. The Joint Biosecurity Centre (JBC) produces risk assessments of countries and territories. Key factors in the JBC risk assessment of each country include genomic surveillance capability, COVID-19 transmission risk and Variant of Concern transmission risk. A summary of the JBC methodology is published online,¹ alongside key data that supports Ministers’ decisions.² Decisions on Red, Amber or Green List assignment and associated border measures are taken by Ministers, who consider the JBC risk assessments and wider public health factors.

¹<https://www.gov.uk/government/publications/COVID-19-risk-assessment-methodology-to-inform-international-travel-traffic-light-system>

²<https://www.gov.uk/government/collections/data-informing-international-travel-risk-assessments>

I remain very grateful to the Committee for its ongoing consideration of the Government's response to COVID-19.

With every good wish,

A handwritten signature in black ink that reads "Michael Gove". The signature is written in a cursive style with a large initial 'M' and a long, sweeping tail.

**Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
and Minister for the Cabinet Office**



PACAC (Public Administration and Constitutional Affairs Committee)

House of Commons · London SW1A 0AA

Tel 020 7219 3268 Email pacac@parliament.uk Website www.parliament.uk/pacac

Rt Hon Michael Gove
Chancellor of the Duchy of Lancaster
Cabinet Office
70 Whitehall
London, SW1A 2AS

15th June 2021

Dear Michael,

The Government's response to PACAC's Eighth Report, Government transparency and accountability during Covid 19: The data underpinning decisions

The Committee has received and published the Government's response to the Committee's Eight Report, *Government Transparency and Accountability during Covid-19: The data underpinning decisions*. The Committee was not entirely satisfied with the response to some of the recommendations that we put forward, as we noted during your recent evidence session on 27th May, and feels that some of the Committee's concerns have not been adequately addressed. In light of this, the Committee would be grateful if you could respond to the following points:

Acceptance or rejection of recommendations

In the report's recommendations the Committee requested that the Government respond and state whether they accept or reject each of the recommendations. This request was not fulfilled in the response the Committee received.

Why was the government unable to state whether each of the Committee's recommendations were accepted or rejected?

The Ministerial Code

We recommended that the Ministerial Code needs to be strengthened so it is clear that Ministers are required to abide by the UKSA Code of Practice in their presentation of data. In our report we heard concerns about Ministers presenting data that is framed by political consideration. There was further evidence of instances where the UKSA intervened on the incorrect use of data by Ministers.

Why does the Government disagree on the strengthening of the Ministerial Code to ensure ministers abide to the UKSA code of practice?

In your response to this recommendation, you stated that “There will be occasions where it is in the public interest to utilise emerging information, such as to provide a more accurate and up to date response to Parliament. As such, the Government does not agree that a change is necessary to the Ministerial Code”.

Could you explain why the potential need to utilise emerging information prevents Ministers from abiding by the UKSA Code of Practice?

Display and use of data

We made the following recommendations in our report:

1. When Ministers or senior officials quote statistics, the underlying data must be published. This is already an Office for Statistics Regulation expectation.¹
2. Going forward, Ministerial statements published on Government websites must include hyperlinks or footnotes directing to the detailed data underpinning any numbers or statistics quoted. This should apply to all areas where data is used, not just in relation to this pandemic”.²

When you appeared before the Committee to provide oral evidence on the Covid Vaccination Certification inquiry, we asked you why the Government would not commit fully to meeting the Government Statistical Service (GSS) good practice guidelines, but you were unable to answer this question at the time. Moreover, in the formal response to the report it states that the Government will “endeavour to publish all statistics and underlying data when referenced publicly”³. The Committee finds this response to be unsatisfactory.

We would draw your attention to an example of best practice highlighted by the Royal Statistical Society, who praised the Scottish government for ensuring that data referenced in daily Covid-19 briefings was published alongside that briefing. when referencing data in the daily briefings ensured that the data was published alongside the briefing.

¹ [Data Transparency and Accountability: Covid 19 : The data underpinning decisions. Eight report of Session 2019-21. HC 803. Page 47, Recommendation 5.](#)

² [Data Transparency and Accountability: Covid 19 : The data underpinning decisions. Eight report of Session 2019-21. HC 803. Page 47, Recommendation 6.](#)

³ Government transparency and accountability during Covid 19: The data underpinning decisions: Government’s response to the Committee’s Eighth Report of Session 2019–21 First Special Report of Session 2021–22 Ordered by the House of Commons to be printed 24 May 20, Page 1, recommendation 3



Will the Government learn from the best practice evidenced by the Scottish Government and ensure that they consistently publish all statistics and underlying data when it is referenced?

Will the Government provide a firmer commitment to this recommendation instead of simply saying that it will 'endeavour' to adhere to the guidelines?

Thresholds for decisions

Finally, the Committee recommended that the Government publish thresholds aligned to the roadmap in ranges or using minimum requirements, and with appropriate caveats if needed. However, the Government rejected this by saying that the indicators of whether to lift or impose restrictions were indefinable criteria. Given the Government's data not dates approach, we would expect the Government to be able to provide the thresholds set within the data. We note that the failure to set out thresholds, on the basis of which decisions are made, has presented as an issue with the 'Traffic light system' for international travel as whilst the Government have made clear the factors that guide the assessment criteria, they have not shared the threshold used to dictate which category a country falls in to or when a country moves from one category to another.

Why is the Government not able to be more transparent with the thresholds that they use for assessing the data?

I would be grateful if you could respond to the Committee on these points by Tuesday 29th June 2021.

Yours

William Wragg MP
Chair, Public Administration and Constitutional Affairs Committee