

Updated Response to the ONS Consultation on the Approved Researcher scheme

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Contents

Changes to the ONS Approved Researcher Scheme	3
Executive Summary	3
Proposal: To approve individuals and their research projects separately, and to approve researchers for a fixed period of time, before a renewal application is required	4
Proposal: To allow “on-going” access to datasets, for an agreed period of time	4
Proposal: Explicit qualifications and/or research experience requirements should be set in order to obtain Approved Researcher status	4
Proposal: To approve individuals without the required qualifications or research experience, providing they work exclusively under the direction of an experienced Accredited Researcher	5
Proposal: To allow individuals from overseas to apply for Approved Researcher status, and propose research projects of benefit to the UK	6
Proposal: To clarify requirements to undertake training and sign a “User Agreement” before access to data is granted, and ensure that any evidence of prior data misuse would result in Approved Researcher status being denied.....	6
Proposal: To publish a record of all Approved Researchers and require the publication of the results or outcomes of research projects within a set time period.....	7
Proposal: To update and clarify the definition of “public good” that must be satisfied for a research project to be approved.....	8
Proposal: To allow the exploratory analysis of ONS micro-data to be undertaken	9
Proposal: To allow researchers from the private sector access to data through the Approved Researcher scheme, and allow commercial use of these data	9
Summary of the changes to the Approved Researcher scheme	10
Members of the Expert Steering Group for the Approved Researcher Scheme Review	11
Getting in Touch	11
Accessibility.....	11

Changes to the ONS Approved Researcher Scheme

Executive Summary

As set out in the UK Statistics Authority's [Better Statistics, Better Decisions strategy](#) for official statistics, ONS aims to provide high quality statistics, analysis and advice on the UK economy and society to support democratic debate and improve decision making.

However, there are times when it is not possible to openly publish data because of the risk of disclosing information that breaches respondent confidentiality. The Approved Researcher scheme is used by ONS to grant access to unpublished data for statistical research purposes as permitted by the [Statistics and Registration Service Act 2007](#) (SRSA).

The criteria and process used to designate Approved Researchers were set by the National Statistician in 2008. Although these have worked well, a number of limitations were identified by ONS, its users and other bodies who disseminate access to micro-data, e.g. UK Data Service and the Health and Social Care Information Centre.

The National Statistician commissioned a review of the scheme, to establish whether improvements could be made and to ensure best use of its data and maximise the public good, whilst protecting the confidentiality of respondents. The review was carried out by an Expert Steering Group, composed of ONS staff and external stakeholders and included a public consultation from 26 February until 29 March 2015, on the criteria, processes and safeguards used in the Approved Researcher scheme. ONS received over 120 consultation responses and there was strong support for most proposals, particularly those that will reduce administrative burden and increase transparency. Respondents articulated that continuous access to data are very useful, e.g. for longitudinal analysis. The proposals allowing private sector access through the scheme received a mixed response. We published a [summary of the consultation feedback](#) on 3 July 2015.

The Expert Steering Group refined the proposals in response to stakeholder feedback and submitted recommendations to the UK Statistics Authority. This updated consultation response sets out the changes the Authority has agreed to the Approved Researcher scheme. These are described for each of the proposals set out in the public consultation. The aims of these changes are to:

- Increase the use of data held by ONS for statistical research purposes for the public good;
- Simplify and improve the arrangements for the Approved Researcher scheme to:
 - increase transparency;
 - clarify the criteria and conditions for which access to unpublished data will be granted under the Approved Researcher scheme; and
 - reduce the administrative burden on researchers and ONS;
- Ensure the safeguards governing data privacy and protecting respondent confidentiality remain appropriate; and
- Ensure that the updated Approved Researcher scheme is acceptable to the majority of stakeholders.

Summary of responses to proposals

Proposal: To approve individuals and their research projects separately, and to approve researchers for a fixed period of time, before a renewal application is required

You said

Over 80% of respondents supported this proposal, as it would reduce the burden on researchers and ONS, and should speed up the application process. Around 70% of respondents thought that individuals should be approved for a period of three years or more.

We will

Improve the Approved Researcher scheme to separate the accreditation of researchers and approved projects. Researchers will only need to submit a single application to be accredited and this will last for a fixed period of 5 years before the need for a new application. A separate research proposal application will be required for each project and we will set appropriate time limits for these based on the complexity of the analysis proposed. Accredited Researcher and research project application forms are available on the [ONS website](#).

Proposal: To allow “on-going” access to datasets, for an agreed period of time

You said

Over 80% of respondents supported this proposal as continuous access is very useful for longitudinal analysis and reapplying for access to the same data every quarter or year is a significant burden. Almost 60% of respondents thought that such access should be approved for a period of between three and five years as three years is the typical lifespan of a major project, while five years would align with the most common academic funding cycle.

We have

Agreed with the majority of comments made by respondents to make the following decisions:

- To allow “on-going” access to data, where appropriate for research projects; and
- To grant such access for a maximum period of 5 years before requiring a new application. This is consistent with the changes to the researcher accreditation timescales.

Proposal: Explicit qualifications and/or research experience requirements should be set in order to obtain Approved Researcher status

You said

Around 80% of respondents supported this proposal in principle and welcomed the recognition that practical experience of quantitative research is also important. Respondents stated that greater clarity around acceptable degree subjects would be helpful and many considered that the minimum requirement should be a post-graduate degree or PhD.

We will

Require that to become an Accredited Researcher, an individual must meet the following criteria:

- Have an under-graduate degree (or higher) including a significant proportion of maths or statistics; or
- Be able to demonstrate at least three years quantitative research experience

In addition, Accredited Researchers will be required to:

- Have successfully completed the Safe User of Research data Environments (SURE) training course, run by ONS, the UK Data Service, the Administrative Data Research Network or HMRC;
- Agree to their inclusion in a list of all accredited researchers, published on the ONS website¹;
- Agree to publish the results of all research projects completed through the Approved Researcher scheme¹; and
- Sign and adhere to a formal Accredited Researcher Declaration.

Proposal: To approve individuals without the required qualifications or research experience, providing they work exclusively under the direction of an experienced Accredited Researcher

You said

Almost 80% of respondents supported this proposal in principle as it would allow individuals without required qualifications to build research experience. Most respondents, who were in favour, supported such access being granted for researchers with a minimum of an undergraduate qualification. Respondents stated that provisional researchers should only be permitted if both they and the lead researcher are contracted to same organisation. They also considered that sponsoring lead researchers may need additional support and specific training to help reduce potential burdens on them and help them supervise junior researchers. Further clarification was also requested on the sanctions that could be imposed if a Provisional Approved Researcher misused the data.

We have

Taken account of the comments made by respondents to make the following changes:

- 'Provisional' Accredited Researcher status will be granted to individuals without the required qualifications or research experience provided they are working under the direction of an experienced (supervising) Accredited Researcher, and where it would benefit the research project (e.g. by utilising coding experience or reducing project timescales);
- Provisional Accredited Researchers will be required to:

¹ ONS may grant exemptions to these criteria in exceptional circumstances (e.g. Where there are security concerns around naming individuals, or there is a need for confidentiality in the consideration of sensitive policy development within Government).

- Have successfully completed the Safe User of Research data Environments (SURE) training course, run by ONS, the UK Data Service, the Administrative Data Research Network or HMRC;
 - Agree to their inclusion in a list of all accredited researchers, published on the ONS website; and
 - Sign and adhere to a formal Accredited Researcher Declaration.
- Both the supervising and Provisional Accredited Researcher will be required to be contracted to the same organisation;
 - Provisional Accredited Researcher status will be granted for a maximum period of 1 year before requiring a new application;
 - Supervising Accredited Researchers must work on the same project(s) as the Provisional Accredited Researcher(s) they have responsibility for; and
 - Supervising Accredited Researchers will be given clear guidance on their responsibilities.

Proposal: To allow individuals from overseas to apply for Approved Researcher status, and propose research projects of benefit to the UK

You said

Almost 70% of consultation respondents supported the proposal. They reported that it would facilitate international collaboration and be compatible with European “Data Without Boundaries” project. Some respondents considered that it would be potentially difficult to apply sanctions for data misuse to overseas researchers and that Approved Researchers should have a legal or contractual connection to a UK-based organisation which would be accountable for the research project.

We will

- Allow Individuals based overseas to use the Approved Researcher scheme to access unpublished data provided all criteria are met;
- Require Accredited Researchers based overseas to undertake their analysis exclusively within a UK- based secure setting (e.g. the Virtual Microdata Laboratory) and have a UK-based sponsor for their project; and
- Ensure Accredited Researchers based overseas will only be permitted to carry out projects that deliver a public benefit for the UK.

Proposal: To clarify requirements to undertake training and sign a “User Agreement” before access to data is granted, and ensure that any evidence of prior data misuse would result in Approved Researcher status being denied

You said

Some 90% of consultation respondents supported the proposal. Respondents articulated that there should be a clear system of education, monitoring and training to help ensure appropriate use of data. You also told us that collaborative working with other bodies would have many benefits, such as sharing information and training, and potentially harmonising some processes and controls.

We have

Revised the guidance and application process for the Approved Researcher scheme to clearly specify how we will judge that individuals are demonstrating their professionalism and commitment to maintaining the confidentiality of ONS data at all times. We have clarified the requirements for researchers to complete training and sign a declaration (previously “User Agreements”) to demonstrate their understanding and implementation of the arrangements governing data access. To be accredited under the Approved Researcher scheme, researchers will be required to:

- successfully complete the Safe User of Research data Environments (SURE) training to demonstrate they have an understanding of why data must be accessed safely and the penalties for misuse; understanding how to prepare non-disclosive outputs for release and using the secure setting; and
- sign an Accredited Researcher Declaration committing them to all relevant requirements governing data access, data handling, training and output checking, and confirming that they understand the legal protection given to ONS micro-data and the penalties for misuse.

We are working collaboratively with other bodies that give access to legally protected data, including the Administrative Data Research Network (ADRN), UK Data Service (UKDS) and Her Majesty’s Revenue and Customs (HMRC) to:

- Deliver harmonised training on secure data access (the SURE training course);
- Seek to harmonise controls where possible; and
- Share information on any data misuse by an individual and use this to deny their Accredited Researcher status

We are exploring the possibility of enabling transferability of researcher accreditation between schemes managed by different bodies, where the standards are consistent.

Proposal: To publish a record of all Approved Researchers and require the publication of the results or outcomes of research projects within a set time period

You said

Over 80% of respondents supported the proposal to maintain a public record of all Approved Researchers. The reasons set out included greater transparency and greater awareness of research projects that might be of interest to others.

- Over 70% of respondents supported the proposal to require the publication of the results or outcomes of research projects as this would help demonstrate that the ‘public good’ test was being met.
- Further access to data should be dependent on meeting these conditions.
- A minority of respondents had concerns about publishing results for a range of reasons. These included a need for confidentiality in the consideration of sensitive policy development within Government.

We will

- Publish a record of all Accredited Researchers together with details of their research projects on the ONS website. Agreeing to this will be a condition of being granted access to data under the new scheme;
- Require all researchers to publish the results of their research following completion. The details of what should be published and the expected timescale for this will be confirmed by ONS and set out in the Data Access Agreement for each research project;
- Require all researchers to notify us once they have published the results of their research and provide us with details of where these can be found; and
- Only allow exemptions in exceptional circumstances, such as where there are security concerns around naming individuals, or there is a need for confidentiality in the consideration of sensitive policy development within Government.

Proposal: To update and clarify the definition of “public good” that must be satisfied for a research project to be approved

You said

Seventy percent of consultation respondents supported the proposal in principle. The most commonly expressed opinions were that clarification would help applicants decide whether or not to submit a research proposal and that the current definition is “too narrow”.

Many respondents disagreed with some of the proposed definitions for serving the public good, most notably providing an evidence base for commercial decisions and improving the economic competitiveness of the UK, as there might be little or no benefit to wider society.

We have

Taken account of respondent feedback to update and clarify the definition of “public good” that must be satisfied for a research project to be approved, removing or modifying those definitions for which there were significant concerns.

The definition of what constitutes “public good” has been updated to include:

- To provide an evidence base for public policy decision-making;
- To provide an evidence base for public service delivery;
- To provide an evidence base for decisions which are likely to significantly benefit the UK economy, society or quality of life of people in the UK;
- To replicate, validate or challenge official statistics;
- To replicate, validate or challenge existing research;
- To significantly extend understanding of social or economic trends or events by improving knowledge or challenging widely accepted analyses; and
- To improve the quality, coverage or presentation of existing statistical information.

Research proposals will only be approved where the primary aim is to serve the public good in one or more of the ways specified.

Proposal: To allow the exploratory analysis of ONS micro-data to be undertaken

You said

Seventy percent of consultation respondents supported the proposal under certain circumstances including access being granted for shorter periods of time and with an express ban on the publication of findings. It was also suggested that the word 'exploratory' should be used rather than 'speculative'. Respondents commented that exploratory analysis would enable researchers to understand strengths and limitations of data and inform the development of more detailed research proposals, where the results of subsequent research are considered likely to deliver public benefits.

We have

Taken account of stakeholder feedback to refine the proposals for exploratory analysis. As a result, we will:

- Only permit exploratory analysis by Accredited Researchers to help them to assess data and inform future research proposals that are likely to deliver public good;
- Require that all exploratory analysis must take place within the VML and that the use or publication of the results from exploratory analysis is prohibited;
- Grant access to the data for a maximum of one year; and
- Publish information about all exploratory analysis carried out under the Approved Researcher scheme as part of the public record of Accredited Researchers on our website.

Proposal: To allow researchers from the private sector access to data through the Approved Researcher scheme, and allow commercial use of these data

You said

Almost 60% of respondents did not agree that the sale of results from such analysis should be permitted, even where projects are judged to serve the public good. There was a groundswell that selling results of public research could adversely affect the trust between ONS and the data subjects and that the public do not want profit to be made from the analysis of their data.

Many stakeholders considered that the public good would not be served solely by a commercial organisation making a profit, and that wider public benefits would need to be demonstrated before approval could be given.

However, a significant minority (40%) of respondents were in favour of this proposal with many stating that:

- Allowing such access would be consistent with Government "Open Data" Principles (as set out in 2012 White Paper), which support "free re-use, including commercial re-use"; and
- Analysis by agencies and value added resellers should be encouraged, to make the most of data that have been collected.

We have

Listened carefully to feedback from stakeholders to significantly modify and clarify this proposal. The updated scheme will support the principle of equality of access, recognise that profiting from the use of unpublished Government data would not be publically acceptable and ensure appropriate safeguards are in place to ensure all use of such data serves the public good.

Under the new scheme, the following arrangements will be in place:

- Individuals from any sector may be granted Accredited Researcher status as long they meet the requirements for appropriate qualifications, experience, training and transparency;
- No sale, or other use, of unpublished analysis of the source ONS data will be permitted;
- Accredited Researchers may undertake analysis that delivers a clear public benefit, on commission from a public sector organisation, and profit from this arrangement (e.g. a private company can be paid to carry out analysis on behalf of a local authority);
- Accredited Researchers from the private sector are allowed to undertake research projects without commission, subject to the following constraints:
 - Research proposals must be approved by the [National Statistics Data Ethics Advisory Committee](#), to provide independent assurance that they are ethically sound, and in the public interest, before access to data is granted;
 - All research results must be published, and ONS notified of publication, not kept for exclusive use of the researcher or their organisation – this is consistent with the requirements for all who use the Approved Researcher scheme, regardless of sector; and
 - Research results must be published before commercial use can be made of them (e.g. development of a “value added” product) by the researcher, and any other organisation, as is permitted with all data published by government departments.

Summary of the changes to the Approved Researcher scheme

- Researchers must meet explicit qualifications and/or research experience requirements to be granted accredited status
- Accredited Researchers and their research projects will be approved separately
- Accredited Researchers will be approved for five years before a renewal application is required
- Accredited Researchers will have on-going access to datasets for a period of five years
- Individuals from overseas may be granted Accredited Researcher status subject to meeting the criteria
- Provisional Accredited Researcher status maybe granted for individuals without the required qualifications or research experience, providing they have the appropriate supervision
- Accredited Researchers will be required to successfully complete training and sign a declaration before access to data is granted

- Accredited researchers from the private sector will be allowed to access data through the Approved Researcher Scheme under strict conditions
- A list of all Accredited Researchers will be published together with details of their research projects
- The definition of “public good” that must be satisfied for a research project to be approved has been clarified and updated
- Exploratory analysis of ONS micro-data will be allowed under certain conditions
- These changes will come into effect from 12 July 2016

Members of the Expert Steering Group for the Approved Researcher Scheme Review

Guy Goodwin/Glenn Everett – Chair, Director of Public Policy Analysis, ONS

Shirley Coleman – Royal Statistical Society

Ben Smith – Independent, private sector, researcher

Julie Stroud – Health and Social Care Information Centre

Professor Matthew Woollard – UK Data Service, University of Essex

Pete Brodie – Digital Services, Technology and Methodology, ONS

Roma Chappell - Public Policy Division, ONS

Ben Humberstone - Administrative Data Division, ONS

Peter Patterson – Office of the Chief Economic Advisor, ONS

Pete Stokes - Public Policy Division, ONS

Jennet Woolford – Life Events and Population Sources, ONS

Getting in Touch

If you have any queries or comments about the consultation process, please email Simeon Bowen at ons.communications@ons.gsi.gov.uk or call 0845 601 3034.

You can also write to us at the following address:

Consultation Coordinator,
Office for National Statistics,
Government Buildings,
Cardiff Road,
Newport,
South Wales,
NP10 8XG.

For further information on ONS consultations, please visit <https://www.ons.gov.uk/aboutus/whatwedo/statistics/consultationsandsurveys>

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Accessibility

All material relating to this consultation can be provided in braille, large print or audio formats on request. British Sign Language interpreters can also be requested for any supporting events.