

PEER REVIEWERS' RECOMMENDATIONS AND INE OF SPAIN IMPROVEMENT ACTIONS IN RESPONSE TO THE RECOMMENDATIONS

Peer reviewer's recommendations and improvement actions in response to the recommendations

- 1. The National Statistical Institute should carry out actions to promote the necessary legislative amendments, laying down clear provisions for the appointment and dismissal of the President of the National Statistical Institute, in line with the European statistics Code of Practice (European statistics Code of Practice, indicator 1.8).***

Current situation:

Law 6/1997, of 14 April on the Organization and Functioning of the General State Administration (LOFAGE) states that in order to guarantee objectivity in serving the general interests, the Law establishes the principle of professionalization of the General State Administration, under which the under-secretaries are "high officials" with managerial responsibility and shall be appointed from among civil servants for which higher qualification is required. Therefore, according to national law, the President's appointment is based on professional competence and experience criteria. He/she has the highest administrative status for which the law establishes professional requirements and controls the appointment and removal. Article 6 LOFAGE provides that every under-secretary is selected among career civil servants (PhD, bachelor or equivalent required). In fact, the principles governing the access to the public administration are recognized in the Spanish Constitution and in the Law implementing the Public Employee Basic Statute (EBEP). These principles are, among others, equal opportunities, merit and capacity in the access and the promotion for the professional career, equal treatment as regards gender, transparency and accountability. It is also required, as a basic principle, the publicity in the official announcement and the conditions of the open competitions and the transparency, impartiality and professional background of the members of the tribunal. In addition, Law 5/2006 regarding conflicts of interest of members of Government and of High Officials of the Central Government (<http://www.boe.es/buscar/act.php?id=BOE-A-2006-6473&lang=en>), states some extra guaranties and rules, because the President of the INE is not allowed to have participations or working arrangements with any company having contracts with the Public Administration.

The EBEP provides that the executive staff is assessed according to the efficiency and effectiveness criteria and accountability in their management and in the planned objectives.

Additionally, there are objective reasons for losing the civil servant status (art.63 EBEP), which also applies to the President of the INE. These reasons are: resignation; loss of the Spanish nationality; retirement; disciplinary sanction; absolute or special disqualification for holding any public job. The failure to comply with the principles and duties included in Law 19/2013 can also lead to losing the high official status. Therefore, the termination of the President incumbency cannot compromise professional or scientific independence because there are general objective reasons fixed by law.

Besides those objective reasons there are other criteria related with his/her managerial responsibility, which are: efficiency, effectiveness and accountability in his/her management. The termination on his/her incumbency based on his/her managerial responsibility shall be related to the competences and duties of INE's President set up in the Statute of the Institution and in the statistical law. Consequently, those reasons shall always respect the general principle of scientific independence of the INE recognized in the LFEP.

Improvement action 1.1. Make legal consultations to the State Legal Service on the interpretation of the legal provisions of the revision of Regulation 223/2009

The INE will make the necessary legal consultations to the State Legal Service for interpreting the legal provisions of the revision of Regulation 223/2009, especially as regards the professional independence, and its implications at national level.

Timeline:

2015 onwards.

Improvement action 1.2. Inform the General State Administration on the necessity of maintaining and strengthening the professional independence of the INE

The INE will inform the General State Administration on the necessity of maintaining and strengthening the professional independence of the INE, in line with the Regulation 223/2009 and the CoP.

Timeline:

2015 onwards.

Justification: Before implementing the revision of Regulation 223/2009, it is necessary to interpret it carefully within the national context. For this reason, the INE will consult the State Legal Service, which is an independent body of the Administration of the State, about the interpretation of this new law and its implications at national level.

2. The National Statistical Institute should carry out actions to promote the necessary legislative amendments, authorising the National Statistical Institute to access and utilise microdata from tax records for the purposes of compiling all official statistics set out in the National Statistical Plan (European statistics Code of Practice, Principle 2, indicators 8.7, 8.8 and 8.9, Principle 9 and indicator 10.3).

Current situation:

Currently, the National Institute of Statistics, on the basis of agreements signed with the State Agency for Tax Administration (AEAT), has access to the microdata tax files that are needed to produce European statistics. However, there is no obligation that these tax files can be used for other statistics. Peer Reviewers recommend to abolish the legal restrictions on the INE in the use of tax individual records for all statistical purposes, as applied in Community statistics.

The INE has been taking various initiatives aligned with this recommendation that include contacts, as with the AEAT and the Spanish Data Protection Agency. Such initiatives have not been successful to date.

Improvement action 2. Continue with proposals related to access to, and use of, tax records for statistical purposes.

The INE will continue presenting proposals in the appropriate fora (CSE, CIME, ... and in any other deemed appropriate) focused on promoting access and use of all tax records for conducting statistics included in the National Statistical Plan, even if they are not backed up by European regulations.

Timeline:

From 2015 onwards.

3. The National Statistical Institute should carry out actions to promote the necessary legislative amendments, making it mandatory for holders of administrative records and registers, which are or may be used for statistical purposes, to inform and consult the Institute on planned changes of the registers and on the design and specifications of registers in order to make them fitter for statistical utilisation (European statistics Code of Practice, Principle 2, indicators 8.7, 8.8. 8.9 and 10.3).

Current situation:

The review team noted the potential risks that involve unanticipated changes in the design or in their specification of registers for its statistical use. To avoid this, it is recommended, that the INE is informed and consulted on changes in the registers.

Improvement action 3.1. Undertake an analysis of the legal changes needed to fulfil the recommendation.

Given the complexity of this issue, it is necessary to undertake an analysis of the legal changes needed for making it mandatory for holders of administrative records and registers, to inform and consult the Institute on planned changes of the registers and on the design and specifications of registers.

Moreover, the ongoing reform of the European Statistical Act (Regulation 223/2009) contains provisions on the right to access to and the use of administrative records by statistical offices, when it comes to its use to carry out European statistics. Therefore, the revised Regulation 223/2009 will be taken into account in order to carry out the above mentioned analysis.

Timeline:

December 2016

Improvement action 3.2. Propose specific improvement actions in the appropriate fora, from the conclusions drawn in action 3.1.

Based on the results obtained in action 3.1, specific actions towards the realization of the recommendation would be carried out

Timeline:

From 2017 onwards

4. The National Statistical Institute should carry out actions to promote the necessary legislative amendments, authorising the Institute and other producers of official statistics to grant access to confidential data, including microdata, for research purposes and to lay down the main conditions for such access (European statistics Code of Practice, indicator 15.4).

Current situation:

Access to confidential data for scientific purposes is not explicitly provided for by the Spanish Statistical Act. Access to researchers is allowed under the premise of signing a contract and considering the process of analysing information as part of the statistical process. By this contract researchers are considered statistical staff and therefore subject to the obligation of preserving statistical confidentiality. Besides this, every researcher has to sign an individual confidentiality undertaking.

The fact that the Spanish Statistical Act does not cover explicitly the access to confidential data for scientific purposes has never been an obstacle for European Statistics since EU legislation prevails over national law according to the principle of Primacy of the EU Law. Nevertheless, in the name of the legal certainty, it would be desirable to develop a national regulation regarding access to confidential data.

Improvement action 4. Development of a national regulation regarding access to confidential data for research purposes.

Make proposals to adopt a legal act to specifically allow access to confidential data for scientific purposes. This regulation should cover the access to confidential data for scientific purposes in an explicit way, in line with Regulation 557/2013.

Timeline:

Approval of the first draft of the proposal by the Statistical Secrecy Committee: December 2015
Approval of the proposal by the INE Board of Directors: March 2016
Presentation of the proposal to the High Council on Statistics: June 2016 (Permanent Commission)
Approval of the proposal by the High Council on Statistics: December 2016 (Plenary)
Beginning of the procedures to approve the legal proposal as a regulation: 2017

5. The Spanish authorities should lift the temporary freeze on recruitment to allow recruitment of skilled staff at the National Statistical Institute (European statistics Code of Practice, indicator 3.1).

Current situation:

The INE, as part of the Spanish Public Administration, is subject to programs of the budgetary constraints of the Public Sector, as well as of reduction of its qualified staff. The review team believes that if these restrictions on recruitment persist, they threaten INE's ability to perform its tasks in the medium and long term.

In fact, in spite of those budget cuts, the INE has been continuously requesting an increase in the staff. As a first result of those efforts, the 2014 Public Employment Offer (that refers to staff increases scheduled for 2015) has authorized a small increase in the technical staff of the INE (four new "Higher Body of State Statisticians" posts and six "Graduate Body of State Statisticians" posts). However, this is not enough and the INE plans to continue with this effort, requesting each year an increase in the number of qualified public job offer.

Moreover, some other initiatives are going to be developed in the medium term: In action 5.1 it is proposed to develop a Master Plan reflecting the strategic lines of the INE, covering among other topics, the availability of and the needs for human resources, in a medium-term horizon.

Improvement action 5.1. Formulation of a Master Plan

Timeline:

December 2015: First draft of the Master Plan.

June 2016: Definitive version of the Master Plan. Presentation of the Plan to the INE Board of Directors

Improvement action 5.2. INE's initiatives on the availability of human resources

The INE will continue to request each year an increase number of qualified public job offers (Statistical bodies and Information Technology and Communication bodies) through the Public Employment Offer.

Timeline:

Annual implementation from 2015.

6. The National Statistical Institute should organize and implement a system of regular staff appraisal and interviews (European statistics Code of Practice, indicator 10.1).

Current situation:

According to the reviewer's report, the absence of a policy of continuous evaluation of human resources in the INE, is an obstacle to properly distribute the tasks and the use of existing resources. Therefore, reviewers recommend to establish a system of regular evaluation of staff, in which direct contacts with them would take place.

Improvement action 6.1. Establish an internal draft assessment methodology of the regular staff.

Establish an internal draft assessment methodology of the regular staff, containing: objectives, assessment criteria, application coverage, evaluation process, monitoring and any other necessary characteristics to carry it out.

Timeline:

December 2017

Improvement action 6.2. Approval of the final assessment methodology

Timeline:

December 2018

Improvement action 6.3. Pilot test of the assessment methodology

Timeline:

September 2018

7. The National Statistical Institute and other producers of European statistics should extend and harmonise the use of administrative records through increased utilization of existing registers, adaptation of registers and creation of new registers for statistical purposes (European statistics Code of Practice, Principles 2 and 3, indicators 6.1, 6.2, 8.7, 8.8, 8.9,, Principles 9 and 10).

Current situation:

The use of administrative registers in official statistics in Spain is a widespread and well established practice in many statistics. However, in order to enhance institutional and coordinated use of administrative registers, actions will be developed in order to: list the existing registers; specifying its content; some basic characteristics about usability and quality, as well as the use that is already being done from administrative registers in the different statistics. The objective is to put in place an information system to offer all the above mentioned information to the producers of statistics. This strategy is specified in the improvement actions described below.

Improvement action 7.1. Defining the list of metadata needed to decide whether an administrative register meets the requirements to be used for the production of statistics.

This improvement action has already been completed, since the Committee that deals with the use of administrative registers in official statistics, has already approved the list of metadata.

Timeline:

January 2015 (completed).

Improvement action 7.2. Designing and building a tool for storing, managing and querying the metadata.

Metadata of administrative registers should be managed with a tool that allows new registrations, deletions and modifications of the metadata. There should also exist a consultation system for all units within the INE that allows querying per different fields: variables, subject, managing body of the register, etc.

Timeline:

December 2015.

Improvement action 7.3. Setting up a procedure to collect metadata involving both statistical units and managers of the register

The task of feeding and maintaining the metadata database on which the previous application is based, requires a procedure to collect metadata involving both statistical units and managers of the registers. This must be organized in any of the coordination fora of the National Statistical System

Timeline:

June 2016

8. The National Statistical Institute should elaborate and implement procedures and validation rules for assessing and checking the quality of administrative data. Furthermore, the Institute should put in place arrangements for regular provision of feedback to owners of administrative registers used for official statistics on the quality of the register data (European statistics Code of Practice, indicators 8.4, 8.5, 8.9).

Current situation:

There are no common methodologies to assess the quality of administrative registers recognized by the various thematic sectors of the producers of statistics and that are at the same time shared by the users. Same situation is given when talking about the quality of statistics based on registers or mixed sources of information. The progress of the project to determine these quality indicators should go in the same direction and in similar terms to those included in the ESS.VIP.ADMIN project.

Improvement action 8. Developing a procedure and indicators for assessing the quality of administrative registers.

To develop a procedure and indicators for assessing the quality of administrative registers following the methodology that might be carried out at European level (in the ESS.VIP.ADMIN project).

Timeline:

From 2016 onwards

9. The National Statistical Institute should apply standard tools for anonymisation of microdata files for researchers as well as a tool for monitoring access by database administrators to databases with confidential data (European statistics Code of Practice, indicators 5.5 and 15.4).

Current situation:

There is a Handbook on Statistical Confidentiality in the Dissemination Process available on the INE intranet where the staff can consult the different methods against the disclosure of confidential information and techniques to measure information loss. Most frequently used methods include global recoding and local suppression for tables and public use files of microdata. Security of information is prioritised for general dissemination products.

Confidential microdata to be used by researchers might contain more variables or more detailed information, but are subject to an anonymization process with the techniques previously mentioned.

However, there are no standard tools completely adapted to the INE production process. On many occasions anonymization is done using ad hoc procedures and the efficiency of the system could be improved if a general anonymization tool could be applied.

As regards to the second part of the recommendation (tools for monitoring the activity of privileged users), already during 2014, the INE has developed two different action lines for monitoring the activity of privileged users:

- 1] Z/OS Environment: In December 2014, a successful pilot has been completed, using a transparent sniffer that records all the activities and alerts related to unusual users' behaviour.
- 2] Regarding the rest of the environments, some legal restrictions have been identified (protection of privacy) and a way (a partial way) to deal with them.

Improvement action 9.1. Evaluation of Argus software

The INE will evaluate the new developments of Argus software in open source code in order to use them as a general tool for anonymisation of microdata files for researchers. The INE will report once a year about the progress of this work.

Timeline:

2015- onwards

Improvement action 9.2. Z/OS Environment update

Z/OS Environment: Production deployment and enrichment of the current protocol in place by means of additional protocols.

Timeline:

9.2.a. Production Deployment: April 2015

9.2.b. Purchase of licenses for new protocols: 2Q2015

Improvement action 9.3. Open Systems: Pilot implementation for servers located in the demilitarized zone (DMZ).

Timeline:

9.3.a. Pilot project: 15th of March – 15th of May

9.3.b. Evaluation and purchase of the final license: 15th April – 15th June

9.3.c. Production deployment: End of June 2015

10. The National Statistical Institute should develop and implement a plan to involve external experts in regular reviewing of key statistical outputs (European statistics Code of Practice, indicator 4.4).

Current situation:

The review team noted as an important strength of the INE having an advanced structure of advisory bodies in the exercise of the statistical activity of the state administration: the High Council on Statistics (CSE), the Interministerial Statistical Commission (CIME) and the Inter-territorial Statistical Committee (CITE). In particular, the CSE is an advisory body in which producers, users and respondents of statistics, are presented. It is also a forum where participation of all members is favored, by creating specific working groups to study concrete aspects of the statistical activity.

Moreover, during the preparation of the National Statistical Plan 2017-2020, currently underway, the CSE has proposed that an operating system for evaluating statistical operations was established. Its findings would condition the incorporation, continuity and characteristics of these operations in the Plan.

Therefore, the INE proposes to include the recommendation of having external experts in the evaluation of statistical products within the framework of the performance of these bodies, and especially within the CSE.

Another alternative to meet the recommendation: in the INE medium-term strategy, encouraging relationships with universities and research institutions is foreseen. This will help to achieve greater participation of those skilled users in official statistics. This action is meant to be achieved by holding conferences or regular meetings with representatives of these institutions.

Therefore, including in those conferences, monographic sessions focusing on specific INE's statistical operations could be studied. It would allow collecting qualified opinions and would constitute a subsidiary element for the evaluation of statistics.

Improvement action 10.1. Design a process to assess on a regular basis statistical operations within the collegiate bodies of the Statistical System.

The preliminary proposal will be drafted by the Quality Unit and shall be submitted to the CSE for analysis.

Timeline:

December 2016

Improvement action 10.2. Pilot test of the assessment procedure

Once the procedure has been designed, a pilot test will be carried out to assess whether it meets the objectives

Timeline:

June 2017

Improvement action 10.3. Approval of the assessment procedure by the CSE and implementation of the process

On the basis of the pilot test, a final plan shall be presented for discussion and approval to the CSE. The launching of the project shall be carried out afterwards, subject to the available resources.

Timeline:

2017 onwards

Improvement action 10.4. Holding conferences with researches and academics about INE's statistical operations: feasibility study

The INE is planning to hold some conferences with researchers and academics. The objective would be to design a plan to introduce monographic sessions on specific INEs surveys within this project. A feasibility study will be carried out, subject to the available resources

Timeline:

December 2016

11. The National Statistical Institute should intensify its efforts to specify and start applying the Generic Statistical Business Process Model across the statistical production processes and introduce systematic standardisation for the different stages of the statistical production process (European statistics Code of Practice, Principle 4, indicators 7.2 and 12.1).

Current situation:

The GSBPM model is considered the ideal tool to gather information on how the production processes of each statistical operation is carried out, so that metadata thus obtained can be used to compare the different production methods. But nevertheless, it is necessary to develop the GSBPM model for adapt it to these objectives and to the way in which the INE produces. The project proposed implies in practice to develop a third level of GSBPM providing it with greater specificity and facilitating comparative analysis between various statistical operations. Its implementation will have three phases that are described in actions 11.1, 11.1 and 11.3 respectively.

Another complementary action has as well been added and is described in action 11.4. Its objective is to update the INE's documentation about the statistical production process, according to the new standards.

Improvement action 11.1. Establish a process metadata standard file covering the entire GSBPM life cycle

Its objective is to establish a process metadata standard file covering the entire GSBPM life cycle, while adapting to European standards that could be developed in this area. As stated above it is considered necessary to adapt the international standard to the INE's needs.

Timeline:

June 2015

Improvement action 11.2. Collection of the information following the above standard for all the statistical operations of the INE.

The collection of the information on the production method of all the INE's statistical operations, represents a considerable effort throughout the organization and therefore a task that must be properly planned.

Timeline:

June 2016

Improvement action 11.3. Establish a work plan as described below

Establish a work plan that includes the following steps:

- Analysis of the degree of standardization of the statistical process and identification of the phases, tasks or subtasks likely to be standardized, based on the information derived from process metadata standard file;
- Development of the standard methodologies to be applied in the different identified phases, tasks or subtasks;
- Design and implementation of the standard tools to apply the methodology developed.

From the analysis of the metadata described above, the INE will proceed to detect the phases of the production process where it is necessary to develop methods and tools to achieve standardization. And once the inventory of these needs is fulfilled, a work plan for its development and implementation will be set up.

Timeline:

December 2016

Improvement action 11.4. Adaptation of the document describing the methodological framework of the INE statistical production process to the GSBPM.

As a first result of the analysis of the process metadata, the aim is to adapt the document of the methodological framework of the INE statistical production process to the GSBPM and its further extension to all the different phases of the process.

Timeline:

June 2017

12. In its announcements of delayed publications, the National Statistical Institute should include explanations of the reasons for the divergence from the release calendar (European statistics Code of Practice, indicator 13.4).

Current situation:

In November of each year, the INE publishes the calendar of every short term indicator that will be released the coming year (exact dates). Also the calendar for structural statistics is published (exact month).

Monthly, the INE announces the exact date of the release of the structural statistics to be published two months later. Weekly a brief calendar is sent to journalists and released in the website where the releases for the coming week are reminded to the users.

Changes in the schedule of any statistics are immediately incorporated to the release calendar. So the calendar is always updated. There is a register of changes publicly available to the users where they can see every change happened during a year.

Improvement action 12. Publication of the reasons of any delay in the release calendar.

The INE will include the explanations of reasons to delay any scheduled publication in the register of changes of the advanced release calendar which is publicly available to the users.

Timeline:

December 2015

13. The National Statistical Institute should develop and implement remote access to microdata for research purposes and lay down specific protocols for such access. (European statistics Code of Practice, indicator 15.4).

Current situation:

In order to consult secure use files, the INE offers the possibility of accessing via secure places, but there is no possibility of implementing remote access in the short term. No solution has been explored in this field due to the lack of resources.

Improvement action 13. Feasibility study on the implementation of remote Access in line with the European guidelines in force.

The INE will follow the progress of the technical and organisational solutions implemented in the ESS to facilitate the remote access to confidential data for researchers (DARA project) and will try to adapt these solutions to their needs.

Timeline:

2016-onwards

14. The statistical entities of the different ministries in Spain should take the following actions:

- **Assume sole responsibility for the press releases and publication of their statistical outputs (European statistics Code of Practice, indicator 1.6 and Principle 6).**
- **Bring their release calendar practices fully in line with the Code of Practice (European statistics Code of Practice, Principles 13 and 15).**
- **Adopt and publish clear procedures for the handling of errors and revisions (European statistics Code of Practice, Principle 12).**

Current situation:

The report's recommendations concerning the ONAs, emphasize some identified shortcomings as regards to dissemination issues: lack of best practices in the statistical release calendars and in the press releases, and lack of a policy for handling errors and revisions. Although the INE agrees to promote actions that may require improvements in this field, it should be noted that, in some cases, dissemination tools are already regulated since many years ago. Since 2006, the INE website publishes calendars of all statistics for state purposes (those included in the National Statistical Plan) i.e., those produced by the statistical services of the State Administration (Included in the Royal Decree by which the annual programme is approved since 2006).

The recommendation emphasizes the need to establish additional measures to ensure the implementation of the Code of Practice.

In fact, the INE has already begun to take some actions to follow this recommendation in February 2015.

Improvement action 14.1. Proposal of guidelines on the release calendar of the ministerial departments

The Interministerial Statistical Commission at its meeting of the 24th February 2015, has adopted some additional rules to monitor the progress of the dissemination release calendars: for the dissemination of statistics for State purposes, the latest data releases should specify the reference date and the exact dissemination date (day, month and year). This rule has been included in the Guidelines for the preparation of the 2017-2020 National Statistical Plan and its annual programs.

Timeline:

(Completed) February 2015

Improvement action 14.2. The INE will inform the statistical services on the recommendation

The INE, as general coordinator of the statistical services of the State Administration, will contact all ministerial departments informing them about this specific peer review recommendation, exhorting them to take it into account.

Timeline:

July 2015

Improvement action 14.3. Drafting of a report on the situation in the ministerial departments. Proposal of specific actions

The INE in collaboration with the members of the CIME:

- will produce a report on the situation in the ministerial departments, regarding the three aspects included in the recommendation.
- will determine the requirements to be fulfilled by the ministerial departments in order to meet the recommendations in each of the three aspects.

Afterwards, taking into account the report and the requirements, specific actions will be proposed.

Timeline:

December 2016