



## CENSUS ADVISORY GROUP

AG (07) 11

### 2011 CENSUS WHITE PAPER AND LEGISLATIVE PROCESS

#### Introduction: Purpose of the White Paper

- 1 The Census White Paper is the vehicle by which the respective Government/Administrations in England, Wales, Scotland and Northern Ireland will formally announce the proposals for the Census. It provides the opportunity for informed public and Parliamentary debate before the necessary secondary legislation is considered by the UK Parliament in Westminster and the respective legislatures for Wales, Scotland and Northern Ireland.
- 2 The White Paper will set out the respective governments' proposals for the 2011 Census, covering (among other issues):
  - the date of the Census;
  - strategic aims;
  - the population base;
  - questions to be included;
  - those questions considered but not included;
  - the field operation (delivering the forms and collecting the completed returns);
  - processing the data;
  - disseminating the results;
  - confidentiality and disclosure control; and
  - the legislative process.
- 3 The content of the respective White Paper will reflect the outcome of consultation with a wide range of users of census data on their requirements for information from the Census and the results of a programme of both small- and large-scale question tests.
- 4 **Advisory Group Members are invited to note the content of the White Paper for England and Wales and the proposed timetable for this and the subsequent legislative process, and to comment as necessary.**

## Scope and timetable

- 5 Current planning is on the basis that a single White Paper for England and Wales will be prepared for presenting before both the UK Parliament at Westminster and (in English/Welsh language versions) the National Assembly for Wales at the end of **October 2008**, and that a similar timetable will be followed for the separate White Papers to be prepared by the General Register Office for Scotland and the Northern Ireland Statistics and Research Agency.
- 6 Before then, however, it is proposed that Government Departments and Welsh Assembly Ministers would have the opportunity to consider the White Paper proposals. A similar process is anticipated in Scotland and Northern Ireland.
- 7 The proposed timetable for the key milestones in the preparation of the White Paper is set out at Annex A; the scope of the White Paper is set out in more detail at Annex B.
- 8 Following the presentation of the White Paper to Parliament and the Welsh Assembly, the processes for the necessary secondary legislation can begin.

## Legislative procedures

- 9 The Census in England and Wales is taken under the terms of primary legislation - the Census Act 1920 but before any particular census, two pieces of secondary legislation are required - the *Census Order* and *Census Regulations*.

### *Census Order*

- 10 The Census Order directs that a particular census shall be taken, and is a function of the Queen's Privy Council. The Draft Order is laid before both Houses of Parliament under Section 1(2) of the Census Act and prescribes:
  - the date of the Census;
  - the areas to be covered by the Census;
  - the persons required to complete the returns;
  - the persons required to be included in the returns (that is, the enumeration base); and
  - the particulars (that is the question items) to be recorded in respect of each person.
- 11 The topics in respect of which particulars *may* be asked in the Census (though not necessarily required to be asked) are as set out in the Schedule of the 1920 Census Act and cover:
  1. Name, sex, age.
  2. Occupation, profession, trade or employment.
  3. Nationality, birthplace, race, language.

4. Place of abode and character of dwelling.
  5. Condition as to marriage, civil partnership, relation to head of family, issue born in marriage.
  - 5A Religion
  6. Any other matters with respect to which it is desirable to obtain statistical information with a view to ascertaining the social or civil condition of the population.
- 12 The Census Order for England and Wales requires the approval of both Houses of Parliament. Questions included under paragraphs (1)-(5A) of the Schedule are specific and can be included in the Census without a formal motion of approval, that is, they are subject to negative resolution. However, those questions to be asked on other topics included under paragraph 6 may only be included if they receive approval of Parliament by affirmative resolution. (For the 2011 Census these would apply, for example, to any questions on means of transport to work, higher qualifications, long-term illness, and carers.)
- 13 The timing of the Order is important since until this is made in Council the Regulations cannot be made, which in turn provide for the appointment of the necessary field staff (see below). Current planning requires the Census Order to be made in Council by January 2010 for a March 2011 Census date. .

### *Census Regulations*

- 14 To enable a particular Census in England to be carried out, the Chancellor is empowered by Section 3 of the Census Act 1920 to make Regulations governing the detailed arrangements for the conduct of the Census, principally covering the data collection activities such as:
- the division of the country into enumeration areas;
  - the appointment of field staff;
  - the arrangements for the delivery and collection of the census forms to households and communal establishments, and any information relating to special arrangements such as the return of forms in sealed envelopes or on-line; and the treatment of special population groups such as persons sleeping rough;
  - the duties of enumerators and, specifically, the details of any particulars to be collected by enumerators;
  - the information to be provided by persons in charge of communal establishments and vessels;
  - follow-up and non-compliance procedures;
  - the management of field materials and documentation;
  - other duties and obligations of field staff; and
  - security and confidentiality procedures.

- 15 The Regulations are approved by Parliament by negative resolution. By virtue of the Transfer of Functions (No.2) Order 2006 separate Regulations covering the conduct of the Census in Wales are required to be approved by the Welsh Assembly Ministers. The Regulations include facsimile copies of the Census questionnaires (including, for Wales, the provision for both English and Welsh language versions). All wording of the census questions and instructions to the formfiller must therefore be finalised by the time the Regulations are made. The deadline for this is currently **March 2010**.

**ONS**  
**October 2007**

**WHITE PAPER TIMETABLE: KEY MILESTONES****2007**

Sept- Mid Dec 1<sup>st</sup> - 4<sup>th</sup> drafts prepared and reviewed by various internal business areas/ QA teams and United Kingdom Census Committee.

Mid Dec-end Jan 4<sup>th</sup> draft to ONS Minister, Departmental Heads of Professions (HoPs) and Welsh Assembly Government for Ministerial comments.

**2008**

End Jan-end Feb Ministerial comments and results of 2007 Census Test evaluation incorporated into 5<sup>th</sup> draft – for internal review.

Early March 6<sup>th</sup> draft to HoPs/Welsh Assembly Government to brief Ministers/Update briefing for FST

Mid April Submission from ONS Minister to Cabinet Committee (Domestic Affairs Committee) and Welsh Assembly Ministers

Mid Apr-Mid Jun Draft White Paper considered by DA Committee and Welsh Assembly Ministers  
Translation into Welsh

July Comments from DA Committee/Welsh Assembly Ministers incorporated

End July ONS Minister sends out Final draft White Paper for DA Committee/Welsh Assembly Ministers approval

Early August DA Committee/Welsh Assembly Ministers approve Draft White Paper

End October White Paper published and laid before Parliament/Welsh Assembly and announced by means of a Ministerial statement

## **PROPOSED SCOPE OF THE 2011 CENSUS WHITE PAPER IN ENGLAND AND WALES**

### **1 Introduction**

- Decision on the Census (Census date)
- Role of the Census in meeting the need for information
- The role of ONS as an independent statistics agency
- Giving greater autonomy to the National Assembly for Wales
- Separate considerations of the proposals for the Census in Scotland and N Ireland within the context of a UK Census
- International perspective and EU Regulations
- Recommendations from the 2001 Census and strategic aims for 2011
- Cost and financial control

### **2 Consultations and Census Tests**

- Consultations
- Requirements for topics
- Census tests
- Census Rehearsal

### **3 Populations and topics to be covered by the Census**

- Population base
- Selecting topics to be included in the Census
- Questions to be asked at all addresses
- Questions to be asked of households
- Questions to be asked of residents in households
- Questions to be asked of visitors
- The case for and against including a question in income
- The government's views on including a question on sexual orientation
- Topics and features considered but not included in the Census
- Revised definition of household

### **4 Collecting the information**

- Operational objectives
- Post-out and the development of a household frame
- Temporary field staff
- Recruitment, training and pay
- Address checking
- Form delivery

- Collection of completed returns
- Follow-up
- Communal establishments
- Special populations and hard-to-count groups
- Non-compliance
- Arrangements in Wales in respect of the Welsh Language act
- Planning Enumeration areas
- Coverage and data quality
- Outsourcing parts of the Census operation
- Local and Community Liaison
- Publicity
- Equality impact assessment

## **5 Processing the data and disseminating the results**

- Data processing
- Data capture operations
- Downstream processing
- Coverage assessment and adjustment
- Quality assurance
- Output production
- Disseminating the results
- Planning output geography

## **6 Confidentiality, privacy and computer security**

- Confidentiality principles
- Statistical confidentiality and disclosure control
- Linked surveys, the Longitudinal Study and data protection issues
- Data sharing
- Reviews of confidentiality and computer security
- Privacy and the Human Rights Act
- Government policy on public access to historical census records

## **7 The Parliamentary process**

- Primary census legislation
- Devolution of the Census in Scotland and Northern Ireland
- Secondary legislation
- Arrangements for the Census in Wales

## **8 The future of the Census and population statistics**