IFF Research

ICO Data Controller Study: Technical Report

The Information Commissioner's Office

September 2024

Contents

1   Introduction

Objectives

The ICO's strategic vision, ICO25,[1] sets out four key objectives:

- Safeguard and empower people.

- Empower responsible innovation and sustainable economic growth.

- Promote openness and transparency.

- Continuously develop the ICO's culture, capacity, and capability.

To achieve each of the objectives in the ICO25, it is essential that the ICO has a detailed understanding of how data controllers within the UK economy collect, process and store personal data. This will be used to help the ICO build a comprehensive picture, which will in turn inform decision making and policy development.

The ICO commissioned IFF Research to conduct both quantitative data collection and qualitative interviews with organisations with the aim to understand:

- the demographic characteristics and personal data processing activities of data controllers;

- the technology used by data controllers;

- innovation considerations of data controllers;

- data controllers' views of both the work of the ICO and Data Protection regulation in general.

A mixed-method approach was undertaken, with a total of 2,280 quantitative questionnaires completed followed by 20 qualitative interviews.

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[1] [ICO25 strategic plan | ICO](#)

2 Methodological Approach

Outline of methodological approach

The Data Controller Study (the Study) comprises of a quantitative survey and qualitative interviews. This is the first round of data collection for the Data Controller Study. It is intended that there will be a minimum of two further waves of the Study, with each subsequent wave taking place in consecutive years following the first iteration of the survey.

The quantitative survey is a sample survey, designed to provide estimates of population values to support ICO25 objectives and inform measuring outcomes. As the sample represents a diverse population of organisations, the weighting approach used on the sampled data to produce representative population level estimates is of particular importance to the survey design approach.

As a result of the sampling approach taken, the first step in designing the methodology to be employed was to identify and learn more about the population of interest. The data controller population was defined as those organisations which process personal data, this therefore is a subset of all organisations operating in the UK, not all of which process personal data and so remain outside the scope of this survey.

Defining the Population of Data Controllers

In order to inform the sampling and weighting approach and to ensure fair representation of the population of data controllers, the ICO identified a set of characteristics that were used to produce representative population estimates.

We have used data from the DCMS Business Data Survey to identify the percentage of organisations that are data controllers from the broader population of organisations and data from the BEIS Business Population estimates to identify the population of organisations in private business sectors[2]. Table 2 of the Business Population estimates provides breakdowns of the population of Private Sector, Central and Local Government and Non-Profit organisations by the number of employees, providing a full picture of organisations operating in the UK for use in this survey,

Population weights were estimated for two characteristics, organisation size, defined as:

- sole traders 0-1 employees;

- micro 2-9 employees;

- small 10-49 employees;

- medium 50-249 employees;

- large 250+ employees.

The second characteristic considered was organisation type, defined as:

- private sector;

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[2] Business Population Estimates: https://www.gov.uk/government/statistics/business-population-estimates-2022

- public sector;

- not for profit organisations.

The characteristics were cross defined, so that for each organisation type there were five size bands, and for each size band there were three types of organisations. Hence, in total, 15 pairwise combinations of organisation size and type were identified. Each of these combinations was assigned a population weight, representing the proportion of the data controllers population which had this pair of characteristics. Overall these population weights add up to 100%, representing total coverage of the known population of data controllers.

For each of the 15 combinations of organisation size-type, the proportion of data controllers is defined as:

$$P_{ij} = \frac{\tilde{P}_{ij} W_{ij}}{\sum_{i=1}^{3} \sum_{j=1}^{5} \tilde{P}_{ij} W_{ij}}$$

Where:

- i is an indicator of the organisation type, representing which of the three organisation types the individual organisation belongs to;

- j is an indicator of organisation size, representing which of the five size bands the organisation belongs to;

- $\tilde{P}_{ij}$ is the proportion of the population of data controllers with the i-j combination characteristics, sourced from the BEIS Business Population Estimates, representing the size of all organisations of this type[3];

- W_{ij} is the proportion of organisations with the i-j combination of type and size characteristics, indicating they were data controllers, sourced from the DCMS Business Data Survey[4].

By multiplying the number of private businesses in the BEIS Business Population Estimates data, by the percentage of data controllers in the DCMS Business Data Survey data, we obtained an estimate for the number of organisations in each type and size category that were data controllers. It should be noted that both of the elements used in the calculation are sample estimates themselves, so there will be some unknown sampling error attached to the population proportions, though we do not consider this further in this survey.

The resulting estimates of the overall population of data controllers can be found in Table 2.1.

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[3]Business Population Estimates: https://www.gov.uk/government/statistics/business-population-estimates-2022
[4]UK Business Data Survey: https://www.gov.uk/government/statistics/uk-business-data-survey-2022

Table 2.1 ICO Population Estimates: Overall population of data controllers by type and size

	All	Private Sector Business	Public sector organisation	Non-profit organisation
All	100.00%	96.16%	0.36%	2.48%
0-1 employees	74.44%	73.37%	0.14%	0.93%
Micro (2-9 employees)	19.48%	18.38%	0.07%	1.03%
Small (10-49 employees)	4.84%	4.41%	0.04%	0.39%
Medium (50-249 employees)	0.96%	0.80%	0.06%	0.10%
Large (250+ employees)	0.28%	0.20%	0.05%	0.03%

Sample Design

The sample design was intended to achieve a broadly representative sample by organisation type and size.

A stratified approach to sampling was adopted to ensure sufficient sample sizes were achieved by key subgroups for analysis. Having identified the sample sizes which would produce a representative sample it was decided to increase the sample sizes of some organisation types in order to ensure all characteristics would be represented in the data in sufficient numbers to aid analysis. The target sample sizes are outlined in Table 2.2.

Table 2.2 Proposed primary sample frame of data controllers

	ALL	Private Sector business	Public sector organisation	Non-profit organisation
	2,250	2,125	50	75
0 -1 employees	875	825	50	50
Micro (2-9 employees)	615	600		25
Small (10-49 employees)	315	300		
Medium (50-249 employees)	225	200		
Large (250+ employees)	220	200		

In addition to overall organisation type, given the large proportion of private sector businesses it was also important to consider detailed sectors for private sector businesses as defined by the 2 digit Standard Industrial Classification (SIC) code relating to the primary activity of the organisation. Rather than setting specific targets and quotas, the research was instead monitored with the aim of reaching a broadly representative sample, in line with the profile shown in Table 2.3. The total number of surveys outlined in this table is 2,125, the total target for private businesses. The proportion of private businesses in each sector was taken from the Business Population Estimates for the UK by count of organisations[5].

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[5] Business Population Estimates: https://www.gov.uk/government/statistics/business-population-estimates-2022

Table 2.3 Proposed representative proportions of private business sectors

Private business sector	Population %	Sample Size	Sample %
	100%	2,125	100%
A Agriculture, Forestry and Fishing	2.69%	42	1.98%
B,D,E Mining and Quarrying; Electricity, Gas and Air Conditioning Supply; Water Supply; Sewerage, Waste Management and Remediation Activities	0.58%	14	0.66%
C Manufacturing	4.43%	84	3.95%
F Construction	16.60%	326	15.34%
G Wholesale and Retail Trade; Repair of Motor Vehicles and Motorcycles	9.95%	194	9.13%
H Transportation and Storage	6.15%	101	4.75%
I Accommodation and Food Service Activities	4.01%	69	3.25%
J Information and Communication	6.08%	127	5.98%
K Financial and Insurance Activities	1.52%	45	2.12%
L Real Estate Activities	2.36%	57	2.68%
M Professional, Scientific and Technical Activities	13.84%	310	14.59%
N Administrative and Support Service Activities	8.58%	200	9.41%
P Education	5.59%	143	6.73%
Q Human Health and Social Work Activities	6.19%	144	6.78%
R Arts, Entertainment and Recreation	4.99%	117	5.51%
S Other Service Activities	6.44%	152	7.15%

Questionnaire Development

The ICO and IFF Research worked collaboratively in developing the questionnaire, employing an iterative approach, with the ICO suggesting a questionnaire, and IFF suggesting refinements to the proposed questions to develop the final survey used for gathering responses. Survey design principles were followed and discussed during the development of the questions in order to minimise response bias wherever possible.

The themes covered in the survey incorporated elements relating to the ICO25 measures, and specifically focused on the core objectives of this piece of research, which included:

- gathering information on the **background of the data controllers**, such as the types of **services** they offer and whether they **store personal data**;

- what activities the organisations undertake to **collect and process personal data**;

- **technology and innovation** used and implemented when processing personal data, and;

- engagement with **data protection regulation and the ICO**, including costs incurred in complying with UK GDPR.

The research objectives were designed to provide evidence that informs and supports a range of ICO activities.

Cognitive questionnaire testing

The survey was cognitively tested between 18th and 27th September 2023, to check how the questionnaire flowed and to assess respondent understanding and comprehension of the questions.

The cognitive interviews took approximately 45 minutes each; this is longer than the quantitative interviews, as would be expected, due to the additional questions participants were asked to assess their understanding of the survey questions. Participants were recruited from the same source as the mainstage telephone survey (from Market Location[6]) and were told of the additional time the interview would take. Participants were paid £40 for taking part in the cognitive interviews.

A total of five respondents took part in the cognitive testing. Testing showed that the survey questions were well understood by respondents, and while some linguistic adjustments were made, no substantive changes were required.

Pilot testing phase

Prior to commencing mainstage quantitative fieldwork, a pilot testing phase, consisting of 50 survey completions was undertaken. The research team monitored questionnaire flow and respondent understanding, as well as feedback from the fieldwork team.

A total of 50 surveys were completed, including 42 online surveys, completed through the panel provider, and 8 CATI interviews. The breakdown of these interviews by organisation type and organisation size is shown in Table 2.4.

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[6] Market Location are a sample provider with a database of contact details for organisation across a range of organisation types, sizes and locations.

Table 2.4 Pilot stage surveys completed by organisation type and size

Number of pilot interviews by organisation type and size		
Organisation type	**Private sector businesses**	44
	Public sector organisations	3
	Non-profit organisations	3
Total		**50**
Size of organisation	**0-1 employees**	4
	2-9 employees	3
	10-49 employees	18
	50-249 employees	13
	250+ employees	12
Total		**50**

Data from the pilot testing was then collated and reviewed. A minor change was made to the survey, adding question B2A, to allow for better quota matching in public sector organisations by asking about the type of the respondent public sector organisation; for example asking whether a public sector organisation was a local government organisation or a central government department.[7]

All data collected as part of the pilot study was included in the final data collected from the main quantitative survey and the 50 pilot responses are included in the final sample of results for 2,280 organisations.

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[7] In the data tables, these three public sector organisations have been forced into the base at B2A to ensure the base here is complete. Their individual response to question B2A is recorded as 'Don't know'.

3 Data collection / Fieldwork

Data Collection

For the quantitative survey, a total of 2,280 interviews were conducted using both Computer Assisted Telephone Interviewing (CATI) with the sample sourced from the Market Location database, and online surveys completed through Internet Research Bureau (IRB) panel. A mixed approach was agreed between the ICO and IFF Research to pragmatically maximise the achieved sample size and make sure all organisation size and type combinations were represented.

Quantitative fieldwork was conducted between 19th October and 24th November 2023. All interviews were conducted with:

- organisations that met the definition of a data controller: *they collect, process or store personal data, other than for personnel, HR or related purposes*;

- a person with responsibility for the processing of personal data within the organisation.

The questionnaire is included in Annex A., and was broadly structured as follows:

- main organisation profile screening;

- data controller background;

- personal data processing activities;

- technology and innovation;

- regulation and the ICO;

- about your organisation.

There were two sources used to recruit respondent organisations into the sample:

- for the CATI interviews, IFF Research sourced participant organisations' contact data from the Market Location database. This contained information on organisation type, size and nation;

- for online interviews, IRB, the panel provider, invited organisations likely to be in scope. These invitations contained a link to the IFF Research administered survey. Prior to proceeding with completing the online survey, participants completed a short screening stage in order to ensure that they met the survey sample requirements.

On average the quantitative questionnaire took 25 minutes to complete by phone and 15 minutes to complete online.

CATI approach

The Computer Assisted Telephone Interviewing (CATI) approach was conducted by IFF interviewers between 19th October and 24th November 2023.

The sample for the CATI interview was sourced from Market Location's commercial business database.

Online approach

The online survey was conducted through the IRB panel using their database of businesses between 16th October and 27th October 2023. IRB hold information on the size and type of business so were able to target these to some extent. However, this was checked in the screening part of the survey to ensure full accuracy.

Quality assurance and exclusions

CATI interviews were regularly checked for issues by the internal IFF Research quality assurance team to ensure the correct respondent was being reached and questions were being asked as intended. Due to the high level of experience amongst the team, no interviews were excluded from CATI fieldwork.

For the panel completes, the IFF research team checked completed online surveys for any issues. In total, 73 completions through the panel were excluded from the final data due to being completed online too quickly (less than five minutes) or where concerns were raised over the quality of open-ended responses.

A further 22 exclusions were made where key information (size and sector) was missing.

Achieved sample

Through the CATI route, 1,252 interviews were completed, while a further 1,028 were completed through the online panel, for a total of 2,280 surveys completed.

A final sample of 2,280 was achieved for the quantitative survey. In summary, the final achieved sample:

- over-represented each of the larger organisation size groups (2-9 employees, 10-49 employees, 50-249 employees, 250+ employees) to ensure sufficient sample sizes for meaningful sub-group analysis was achieved;

- under-represented sole traders with 0-1 employees. Difficulties in securing interviews with these organisations, and fieldwork delivery period considerations meant fewer interviews with the smallest organisations were achieved than originally planned.

Organisations were invited to take part in the survey based on information held on Market Location databases for the CATI survey and on IRB databases for online surveys. However, in order to ensure accuracy in the size and sector data, for both methodologies, organisation details were double checked during the screening process. The screening data was used for quotas, and to confirm that the size information provided by the panel providers accurately represented the organisations' actual size. Small discrepancies were identified implying there was some inaccuracy in the records held by Market Location, these were established and updated during screening. For example, a small number of data controllers moved up or down a size band once asked in the survey compared to what was recorded in the information held about them to determine their inclusion in the sample.

Responses were closely monitored throughout fieldwork, and it became clear that a large number of organisations that we expected to be in the 0-1 employee category, actually had more employees. In order to complete the fieldwork within the agreed timeframe we agreed to reduce the 0-1 quota to a minimum of 500 interviews (against an original target of 875) and make up any short fall in the total by increasing the number of organisations surveyed in the next two largest size groups quotas.

The final sample achieved, categorised by organisation size and type is outlined in Table 3.1.

Table 3.1 Achieved sample of data controllers (size x organisation type)

	ALL	Private Sector business	Public sector organisation	Non-profit organisation
	2,280	**1,996**	**105**	**179**
0 -1 employees	**588**	517	8	63
Micro (2-9 employees)	**808**	734	17	57
Small (10-49 employees)	**378**	325	16	37
Medium (50-249 employees)	**297**	262	23	12
Large (250+ employees)	**209**	158	41	10

Table 3.2 outlines the breakdown by specific type of private sector organisation.

Table 3.2 Achieved sample of data controllers – private business sector split

Private business sector	Sample Size
	1,996
A Agriculture, Forestry and Fishing	46
B,D,E Mining and Quarrying; Electricity, Gas and Air Conditioning Supply; Water Supply; Sewerage, Waste Management and Remediation Activities	37
C Manufacturing	378
F Construction	138
G Wholesale and Retail Trade; Repair of Motor Vehicles and Motorcycles	262
H Transportation and Storage	86
I Accommodation and Food Service Activities	59
J Information and Communication	74
K Financial and Insurance Activities	127
L Real Estate Activities	65
M Professional, Scientific and Technical Activities	272
N Administrative and Support Service Activities	86
P Education	132
Q Human Health and Social Work Activities	79
R Arts, Entertainment and Recreation	69
S Other Service Activities	69
Not classified	17

Notes on raw data

Approach to back-coding

In some questions organisations were able to specify responses by the use of open text boxes, commonly labelled as 'Other'. Where respondents enter verbatim into 'Other specify', IFF's coding team will either; back-code them into an existing code in the list or create new codes to record their answers. This ensures maximum insight and reduces the proportion of responses that sit in 'other'. However, in some instances, this retrospective coding that takes place at the data production and analysis phase can impact follow-up questions due to routing, meaning base sizes of these follow-up questions look incorrect.

Rather than making manual edits it was agreed to keep base sizes as they were captured 'live' accepting that there will be a handful of discrepancies in the base size.

This impacts the following questions in the data controller survey:

- **Statements at E3:** *Have you considered using any of the following technologies to help with processing personal data, but ultimately not used the technology?* These statements are asked of those who do not select the named technology at E2. However, a small number did not select named technology but were back-coded to the relevant technology based on their response in 'other'. This means they should not have been asked the follow up E3 question but were due to their original response given before coding was completed. This leads to small discrepancies in the base size relating to consideration to use the technology at E3 (discrepancy in brackets):

  - E3_4: Facial or biometric recognition technology (1 respondent);

  - E3_5: Cloud Storage (1 respondent);

  - E3_6: Physical Data Server (16 respondents);

  - E3_7: Encryption (1 respondent);

  - E3_8: Software / hardware for managing Data Protection compliance (15 respondents), and;

  - E3_10: Cloud processing facilities (1 respondent).

Inconsistency in responses

During analysis it was noted that contradictory answers were given by some respondents when asked the following question:

F2   How many employees, including yourself, have at least some responsibility for managing Data Protection compliance in your organisation over the past 12 months?

SINGLE CODE PER ROW. READ OUT.

	0-1 employees	2-9 employees	10-49 employees	50-249 employees	250+ employees	Don't Know
_1 Full time employees (FTE)	1	2	3	4	5	6
_2 Part-time employees	1	2	3	4	5	6

Some respondents indicated that more employees were responsible for managing Data Protection compliance than worked at their organisation, which may not be reasonable for all organisations. In order to avoid making assumptions about responses, these responses have remained as they were given by respondents. However, in future waves, logic checks will be built into the survey script to avoid this discrepancy. The number of responses impacted are set out in Table 3.3.

Table 3.3 Number of respondents giving contradictory answers at F2 taking in consideration organisation size

Size of organisation	Number of organisations that give contradicting response at F2_1 (Full-time employees)	Number of organisations that give contradicting response at F2_2 (Part-time employees)
0-1 employees	39	26
2-9 employees	10	9
10-49 employees	10	5
50-249 employees	15	0
Total	**74**	**40**

Qualitative Interviews

A qualitative fieldwork stage was included subsequent to the completion of the quantitative survey, with a target of speaking with 20 organisations in more detail about their experiences processing personal data, as well as their interactions with Data Protection legislation, experiences with innovative new technologies and the costs and benefits of data protection more generally.

The qualitative interviews aimed to engage with a range of organisation types, in order to complement findings from the quantitative survey. Interim examination of the data sample indicated emerging findings such as data controllers viewing Data Protection legislation as both an enabler and a constraint to their core activities. Expanding the discussion on these findings would provide useful insights in data controllers' views about interactions with Data Protection legislation and personal data collecting, processing and storing activities.

The qualitative survey participants were recruited from those agreeing to participate after having completed the quantitative survey.

Qualitative Interviews Fieldwork

As part of the research, in order to gather further insight, 20 qualitative interviews were carried out between 29th November 2023 and 2nd February 2024. There was one additional interview completed which was excluded due to lack of knowledge from the respondent and lack of insight provided. Each interview fed into individual case studies, to provide further details on data controllers' processing activities, technology and innovation and interactions with Data Protection legislation.

The 20 interviews were conducted by members of the IFF research team, as well as three experienced qualitative specialists, and were split across different quotas, shown below.

The qualitative interview guide used is included in Annex B.

Table 3.4 Qualitative sample structure

	Completed interviews
TOTAL	**20**
Organisation type	
Private	15
Public	3
Non-profit/charity	2
Organisation size	
0 – 1 employees	2
Micro (2 – 9 employees)	8
Small (10 – 49 employees)	7
Medium (50 – 249 employees)	1
Large (250 or more employees)	2
View of Data Protection legislation	
Constraint only	2
Enabler only	7
Both	6
Neither	5
Costs incurred	
Software only	2
Both software and hardware	6
No costs incurred	12

4   Weighting

As the achieved sample was not representative of the population it was necessary to use the population weights to provide representative sample statistical estimates by organisation size and type. The weighting

approach described has allowed us to produce statistics which better represent the overall population of data controllers.

The complete dataset was weighted to match the full population of data controllers by organisation size and organisation type as set out in the population estimates section earlier in this report. Table 4.1 outlines the proportion of the population for each combination of organisation size by organisation type.

Table 4.1 Population of data controllers by organisation size and organisation type

	All	Private Sector Business	Public sector organisation	Non-profit organisation
All	100.00%	96.16%	0.36%	2.48%
0 -1 employees	74.44%	73.37%	0.14%	0.93%
Micro (2-9 employees)	19.48%	18.38%	0.07%	1.03%
Small (10-49 employees)	4.84%	4.41%	0.04%	0.39%
Medium (50-249 employees)	0.96%	0.80%	0.06%	0.10%
Large (250+ employees)	0.28%	0.20%	0.05%	0.03%

These weights can be applied to the average sample response values within each of the size-type categories. The values, such as the percentage of respondents strongly agreeing with a statement are calculated for responses within each size and type category, for example the proportion of responders within a size-type category who are aware of the ICO, is weighted using the weights above for the same size and type category to form a population estimate. That is:

$$\bar{P} = \sum_{i=1}^{3} \sum_{j=1}^{5} P_{ij} \bar{S}_{ij}$$

Where $\bar{S}_{ij}$ is the response score/average for the i-j cell.

P_{ij} is the population weight for the i-j cell.

It is useful to note that there are two weight levels and we can use either to produce summary statistics for either a given organisation size across the three sectors, or sector across the five organisation sizes. Applying both, as in the equation above yields the estimated population measure.

As a stratified approach to sampling was undertaken, and larger organisations and the public sector were over represented to ensure reliable sample size, individual observations weighting is required to ensure that the estimates of population values are representative of the underlying population.

In the full data set this weighing can be done on an individual response level. The weighting was applied by IFF's Data Services team, with each individual response allocated a weight, taking into account the number of surveys completed by the organisation size-type against the proportion identified in the population. Every record in the same cell in the weighting grid above is applied the same individual weight, and these weights are shown in Table 4.2. Either of the approaches described here are equivalent and the two accomplish the same calculations at the population level.

Table4.2 The weight applied to every individual record within each cell

	Private Sector Business	Public sector organisation	Non-profit organisation
0 -1 employees	3.2357037	0.390000	0.3372952
Micro (2-9 employees)	0.5706523	0.0938824	0.4124000
Small (10-49 employees)	0.3093785	0.0570000	0.2409405
Medium (50-249 employees)	0.0697053	0.0594783	0.1919000
Large (250+ employees)	0.0290051	0.0278049	0.0706800

These weights are calculated using the formula below:

$$W_{ij} = \frac{\tilde{P}_{ij}}{S_{ij}}$$

Where $\tilde{P}_{ij}$ is the population proportion for the i-j size and organisation type and S_{ij} is the proportion of the total sample for the same combination.

For example, private sector businesses, 0-1[8]:

$$\frac{77.37}{22.68} = 3.2357037$$

As the weighting is applied at an individual level, where tables are filtered on a particular base (e.g. those who offer online products), the findings will represent the population within that subgroup. Adding filtering to a table effectively rescales the proportions to result in the new subgroup population, and as a result the weights used to combine averages or observations will differ to match to this new population.

5   Limitations

Outline of caveats and limitations to the method

While the questions were designed to be administered both over the phone and online, there remains some risk of modal completion bias.

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[8] There is some slight rounding here in the two proportions used.

The use of a panel provider for the online survey was highlighted as a limitation due to having less control over who completed the survey and a mixed mode of completion was used to provide mitigation for this limitation. Strict screening criteria were applied to reach the right person within organisations and post-fieldwork QA checks mitigated this risk, though it is impossible to remove it entirely.

A quota sampling approach carries more risk of survey bias than a pure random probability approach to sampling. However this method was considered to be appropriate to meet the budgetary and timescale requirements, as a random probability approach would have required a sufficiently large sample to provide reliable findings and a representative sample was used to mitigate for the quota sampling approach.

As the largest businesses represent a very small proportion of the data controllers population, the design effects associated with the weighted dataset are relatively large. However, overall the sample size is robust, and within size/organisation type sub groups the sample sizes allow for detailed sub group comparisons. Additionally, as larger businesses were oversampled to generate sufficient data, weighting was applied to bring findings back in line with population estimates.

As this is a sample survey there remains an issue relating to sampling error and there are three known sources of this: the answers to this survey, the business population estimates and the sample error relating to the Business Data Survey estimates. As a result there will be a complex, compound error resulting from the interaction of these three sources of error. The estimation of such errors is beyond the scope of this work, however those making use of the results should be aware of its existence and potential impact.

Annex A – ICO Data Controllers questionnaire

S   Screener - Telephone

ASK ALL

S1   **Good morning / afternoon. My name is NAME, calling on behalf of the Information Commissioners Office (ICO). I am looking to speak to the person who has responsibility for the processing of personal data in your business/organisation please?**

ADD IF NECESSARY: THIS MAY INCLUDE THE OWNER, MANAGING DIRECTOR, FINANCIAL DIRECTOR, SENIOR DIRECTORS, INFORMATION OFFICER, COMPLIANCE OFFICER, DATA PROTECTION OFFICER (CHOOSE APPROPRIATE, DON'T SUGGEST ALL)

ADD IF NECESSARY: THIS IS NOT A COMPLIANCE EXERCISE

SINGLE CODE.

Respondent answers phone	1	CONTINUE
Transferred to respondent	2	
Hard appointment	3	MAKE APPOINTMENT
Soft Appointment	4	
Engaged	5	CALL BACK
No reply / Answer phone	6	
Refusal	7	THANK AND CLOSE
Not available in deadline	8	
No reply / Answerphone	9	
Dead line	10	
Company closed	11	
Request reassurance email	13	COLLECT EMAIL ADDRESS THEN CONTINUE OR MAKE APPOINTMENT
Refer to someone else at establishment/organisation	14	TRANSFER AND RE-INTRODUCE COLLECT NAME AND EMAIL ADDRESS

ASK IF S1=1/2

S2: **Good morning/afternoon. My name is NAME, calling on behalf of the Information Commissioners Office (ICO) from IFF Research.**

The reason for my call today is we are supporting the ICO with research to improve understanding of data processing activities, interaction with the data protection regulation & use of relevant technologies.

Your views are important to us & participation is entirely anonymous. It only takes 20 minutes & by taking part you could help improve & influence future experiences. It would be helpful if we could run through these questions now if possible, please?

ADD IF NECESSARY: A DATA CONTROLLER CAN BE LIMITED COMPANIES, ORGANISATIONS, CHARITIES, PUBLIC AUTHORITIES, ASSOCIATIONS, OR BUSINESSES OF ANY SIZE, INCLUDING SOLE TRADERS, WHO MAKE DECISIONS ABOUT HOW PEOPLE'S PERSONAL INFORMATION IS HANDLED, AND HOW IT IS KEPT SAFE WITHIN THE CONDUCT OF THEIR ACTIVITIES.

SINGLE CODE

Willing to take part	1	CONTINUE
Hard appointment	2	MAKE APPOINTMENT
Soft Appointment	3	
Engaged / No reply / Answer phone	4	CALL BACK
Refusal	5	THANK AND CLOSE
Not available in deadline	6	
Request reassurance email	7	COLLECT EMAIL ADDRESS THEN CONTINUE OR MAKE APPOINTMENT

READ OUT TO ALL

S3 **Before we begin, I need to read out a quick statement regarding GDPR legislation:**

All information collected in this survey will be treated in the strictest confidence. IFF holds ISO/IEC 27001:2013 certification (the international standard for information security) as well as UK Cyber Essentials Plus. You have the right to a copy of your data, to change your data or to withdraw from the research. If you'd like to do this or find out more, you can consult our website at iffresearch.com/gdpr. Any identifiable information will be kept securely on our servers and deleted within 12 months after the completion of the project, which will be no later than December 2024. As part of our quality control procedures, all interviews are recorded. Is that OK?

SINGLE CODE

Yes – agree to continue	1	
Refuse to continue	2	THANK AND CLOSE

REASSURANCES TO USE IF NECESSARY
The interview will take around 20 minutes to complete.

Please note that all data will be reported in aggregate form and your answers will not be reported to the ICO in any way that would allow you to be identified.

IFF holds ISO/IEC 27001:2013 certification (the international standard for information security) as well as UK Cyber Essentials Plus.

If respondent wishes to confirm validity of survey or get more information about aims and objectives, they can call:
- **MRS: Market Research Society on 0800 975 9596**
- **IFF: XX at IFFdatacontrollerssurvey@IFFresearch.com or on 0800 804 8039**
- **ICO: datacontrollersstudy@ico.org.uk**

A   Landing page - Online

DISPLAY TO ALL

A2   **Welcome to the ICO data controllers survey.**

We are conducting a survey on behalf of the Information Commissioners Office (ICO). The purpose of the survey is to improve understanding of data controllers' personal data processing activities, use of relevant technologies, and interaction with the data protection regulation.

DS INSTRUCTION: ADD DEFINITION FOR DATA CONTROLLERS WHEN USER HOVERS OVER THE TEXT.

DATA CONTROLLER: DATA CONTROLLERS CAN BE LIMITED COMPANIES, ORGANISATIONS, CHARITIES, PUBLIC AUTHORITIES, ASSOCIATIONS, OR BUSINESSES OF ANY SIZE, INCLUDING SOLE TRADERS, WHO MAKE DECISIONS ABOUT HOW PEOPLE'S PERSONAL INFORMATION IS HANDLED, AND HOW IT IS KEPT SAFE WITHIN THE CONDUCT OF THEIR ACTIVITIES.

We would like to reassure you that participation is entirely anonymous and the ICO will not know who is taking part in the survey.

The survey should take around 15 minutes to complete.

When completing the survey, please only use the 'next' button on the page, rather than the 'back' and 'forward' buttons in your browser.

You can pause the survey at any time by clicking on the pause symbol at the bottom of the screen and can re-enter by clicking on the link again. You can come back to it at any time.

Click here to complete the survey	1	CONTINUE
Click here if you do not want to complete the survey	2	THANK AND CLOSE

IF CLICKS 'HERE' FOR MORE INFORMATION

How do I complete the survey?
When completing the survey, please only use the 'next' button on the page rather than the 'back' and 'forward' buttons in your browser.

If you need to exit the survey, you can come back to it to continue your answers from where you left off at a later stage by clicking on the original link we sent you.

Please don't share this link with anyone else as it is your own unique survey invitation.

How will my answers be used?

IFF Research operates under the strict guidelines of the Market Research Society's Code of Conduct and our research adheres to General Data Protection Regulation (GDPR). IFF holds ISO/IEC 27001:2013 certification (the international standard for information security) as well as UK Cyber Essentials Plus. If you would like to know more about IFF Research and our GDPR policy, you can visit our website: www.iffresearch.com.

If you do take part in the survey, your responses will be treated in the strictest confidence. Results from the survey will be reported to the ICO in an anonymised and aggregated format so they cannot be linked to you. IFF will not disclose who has taken part in the survey and responses will be used for research purposes only.

Where can I find out more information?
If you would like more information about the aims and objectives of the research, you can contact:

- **IFF Research:** XX at IFFdatacontrollerssurvey@IFFresearch.com or on 0800 804 8039.

- **ICO: datacontrollersstudy@ico.org.uk**

- **The Market Research Society** on 0800 975 9596 (they will be able to confirm that IFF is a genuine market research agency).

B Main Screening

We'd like to start by asking you some questions about your business/organisation, to help with our analysis.

ASK ALL

B1 **Does your organisation collect, process or store personal data, other than for personnel, HR or related purposes?**

By personal data we mean any information relating to a customer or member of the public such as a name, address, telephone number, or any other personal information.

Examples of how this might be used include, marketing, creating customer profiles, web analytics and monitoring.

SINGLE CODE.

Yes	1	
No	2	THANK AND CLOSE
Don't know	3	THANK AND CLOSE

ASK ALL

B2 **Which of the following best describes your organisation?**

SINGLE CODE. READ OUT.

Private sector business	1	
Public sector organisation, including central and local government	2	
Non-profit/ society / charity organisation	3	
Don't know	4	

ASK IF B2=2

B1a **Which of the following best describes your public sector organisation?**

SINGLE CODE. READ OUT.

Local government organisation (county council, district council, unitary authority, metropolitan district, London boroughs etc.)	1	
Central government department	2	
Organisations in the health sector (CCG, NHS Trusts and Foundation Trust, GP surgery etc.)	3	
Organisations in the Justice sector (Policing, Parole Boards, Tribunals etc.)	4	
Organisations in the education sector (FE institutions, Secondary Schools, Primary Schools, Exam Boards etc.)	5	
Other public authorities (Arts councils, regulators, executive agencies etc.)	6	
Don't know	7	

ASK ALL

B3 **Approximately how many people does your organisation employ, excluding yourself?**
SINGLE CODE.

PROMPT IF NECESSARY

0-1 employees	1	
2-9 employees	2	
10-49 employees	3	
50-249 employees	4	
250+ employees	5	
Don't know	6	
Refused	7	

ASK IF B2=1,3 AND ROUTE = WEB

B4 **Which of the following industry classifications best describes the primary sector your business/organisation operates in?**

SINGLE CODE.

A Agriculture, Forestry and Fishing	1	

B,D,E Mining and Quarrying; Electricity, Gas and Air Conditioning Supply; Water Supply; Sewerage, Waste Management and Remediation Activities	2	
C Manufacturing	3	
F Construction	4	
G Wholesale and Retail Trade; Repair of Motor Vehicles and Motorcycles	5	
H Transportation and Storage	6	
I Accommodation and Food Service Activities	7	
J Information and Communication	8	
K Financial and Insurance Activities	9	
L Real Estate Activities	10	
M Professional, Scientific and Technical Activities	11	
N Administrative and Support Service Activities	12	
P Education	13	
Q Human Health and Social Work Activities	14	
R Arts, Entertainment and Recreation	15	
S Other Service Activities	16	
Don't know	17	
None of these	18	
Refused	19	

ASK CATI ONLY

B5   **I have [READ OUT SECTOR DESCRIPTION FROM SAMPLE] as a general description of your business' principal activity. Bearing in mind this is a general description only, does this sound correct?**
SINGLE CODE

Yes	1	
No	2	
Don't know	3	

IF DISAGREE WITH SAMPLE SECTOR (B5=2/3) AND ROUTE = CATI

B6   **What is the main business activity of your business?**

INTERVIEWER PROBE FOR THE FOLLOWING - START WITH FIRST PROBE AND ONLY USE THE OTHERS IF NECESSARY TO GET CLEAR INFORMATION

What is the main product or service of this establishment?
What exactly is made or done at this establishment?

WRITE IN. TO BE CODED TO 4 DIGIT SIC 2007.

C   Data controller background

Now we'd like to ask you about the services your business/organisation provides.

ASK ALL

C1   **Does your organisation provide an online or internet enabled service?**

ADD IF NECESSARY: BY PRODUCT *WE MEAN AN ITEM, DIGITAL OR PHYSICAL, THAT YOU SEND TO CUSTOMERS. BY SERVICE WE MEAN WHERE YOU OFFER TO DO WORK FOR THE CUSTOMER.*

SINGLE CODE.

Yes – products	1	
Yes – services	2	
Yes – both products and services	3	
No	4	
Don't know	5	

ASK IF C1=2,3

C2   **And which of the following services do you provide online in the UK?**

MULTICODE. READ OUT.

Online marketplace for third party goods/services	1	
Online gaming / streaming	2	
Music and video streaming	3	
Social media services	4	
Online messaging or voice telephony service	5	
News / education websites / subscription services	6	
Educational Technology	7	
Electronic services controlling connected toys and other connected devices	8	
Preventative / counselling services	9	
Other (please specify)	10	
None of these services	11	

Don't know	12	

ASK IF C1=1,3,5 OR IF C1=2 AND C2=1-10,12

C3 **And is the revenue you generate from the delivery of online, or internet-enabled, products/services received through…?**

SINGLE CODE. READ OUT.

Direct payment or subscription from customers	1	
Generating money from user's data (e.g. through advertising)	2	
Both	3	
We don't generate revenue	4	
Don't know	5	

ASK ALL

C4 **Is any of the personal data your organisation processes, other than for personnel, HR or related purposes, stored digitally?**

SINGLE CODE. DO NOT READ OUT

Yes	1	
No, all data is held physically	2	
Don't know	3	

D Personal data processing activities

The following questions refer to use and processing of personal data and exclude employee or HR data.

ASK ALL

D1 **How does your business/organisation acquire, receive or collect personal data?**

SELECT ALL THAT APPLY. DS INSTRUCTION: PROVIDE A DEFINITION OF PERSONAL DATA WHENEVER USER HOVERS OVER THE TEXT

PERSONAL DATA: ANY INFORMATION RELATING TO A CUSTOMER OR MEMBER OF THE PUBLIC SUCH AS A NAME, ADDRESS, TELEPHONE NUMBER, OR ANY OTHER PERSONAL INFORMATION.

MULTICODE. READ OUT.

Directly from customers/public, online or offline, through offering your own products or services (for example, collected from own website/app)	1	
Using Cookies or similar online tracking technologies	2	
Using different types of data intermediaries (for example, tech platforms, data brokers)	3	
From other businesses or organisations, in the course of providing your products or services	4	
From publicly available databases	5	
From international sources	6	
Other (please specify)	7	
Don't know	8	

ASK ALL

D2 **What was the volume of personal data that you processed in the last 12 months, i.e. how many people do you think your business/organisation handled personal data for (excluding staff or employees)?**

An approximate estimate is fine if you don't know the exact figure

SINGLE CODE. READ OUT.

Less than 100	1	
100 to 999	2	
1,000 up to 9,999	3	
10,000 up to 49,999	4	
50,000 up to 99,999	5	
100,000 up to 499,999	6	

500,000 up to 2 million	7	
Over 2 million up to, but less than, 10 million	8	
More than 10 million	9	
Don't know	10	

ASK ALL

D3 **To what extent is your business/organisation dependent on processing personal data (belonging to people that aren't staff/partners etc) in providing its goods or services?**

MULTICODE OK 1-2. READ OUT

Essential to core functions of my business/organisational model	1	
Essential for supporting functions within my business/organisation (for example, accounting, invoicing and compliance)	2	
Useful but not necessary for my business/organisation	3	EXCLUSIVE
Not very important for any of the functions in my business/organisation	4	EXCLUSIVE
Don't know	5	

ASK ALL

D4 **Does your organisation process any sensitive personal data?**
DS INSTRUCTION: PROVIDE A DEFINITION OF PROCESS AND SENSITIVE WHEN USER HOVERS OVER THE TEXT.

DATA PROCESSING: DATA PROCESSING IS THE COLLECTION AND MANIPULATION OF DIGITAL DATA TO PRODUCE MEANINGFUL INFORMATION.

SENSITIVE DATA: SENSITIVE PERSONAL DATA, ALSO KNOWN AS SPECIAL CATEGORY DATA, IS A SPECIFIC SET OF CHARACTERISTICS INCLUDED IN THE EQUALITY ACT, FOR EXAMPLE, RACE, RELIGION, SEXUAL ORIENTATION, THAT MUST BE TREATED WITH EXTRA SECURITY.

SINGLE CODE. DO NOT READ OUT.

Yes	1	
No	2	
Don't know	3	

ASK IF D4=1

D5 **What type(s), if any, of sensitive personal data does your organisation process?**
MULTICODE. READ OUT.

Children and young people's data (personal data for under 18s)	1	
Data classified as 'Special Category' these include ethnic background, political, religious or philosophical beliefs, trade union membership, genetic, biometric or health data, and sexual orientation	2	
Criminal convictions & offences data	3	
Other (please specify)	4	
None	5	
Don't know	6	

ASK ALL

D6 **For what purposes does your business/organisation process the personal data you collect or acquire ?**
PLEASE SELECT ALL THAT APPLY

MULTICODE. READ OUT

Web analytics	1	
Product/service analytics necessary to deliver your core product / service offer ('service' also applies to public organisations, charities, etc.)	2	
Insights for online and offline advertising	3	
Supply chain efficiency	4	
Direct Marketing	5	
Customer research	6	
Product development/innovation.	7	
Internal research	8	
Regulatory and/or statutory requirements.	9	
Responding to requests from government authorities such as law enforcement	10	
Sell/ trade data to other businesses or organisations	11	
Other (please specify)	12	
Don't know	13	

ASK ALL

D7 **Does your business share personal data outside of your organisation?**

SINGLE CODE. DO NOT READ OUT.

Yes	1	
No	2	
Don't know	3	

ASK IF D7=1 (YES)

D8 **What parties does your business/organisation share data with?**

MULTICODE. READ OUT.

Data intermediaries	1	
Other businesses or organisations	2	
Other branches of your own business or corporate group or associated organisations	3	
Employees	4	
Customers, stakeholders	5	
Public bodies, such as government departments, HMRC, NHS, etc.	6	
Charities or non-profit organisations	7	
Academic and research organisations	8	
Others (please specify)	9	
Don't know	10	

ASK ALL

D9 **Does your business share special category / sensitive personal data?**
DS INSTRUCTION: PROVIDE A DEFINITION OF SENSITIVE PERSONAL DATA WHEN USER HOVERS OVER THE TEXT.

SENSITIVE DATA: SENSITIVE PERSONAL DATA, ALSO KNOWN AS SPECIAL CATEGORY DATA, IS A SPECIFIC SET OF "SPECIAL CATEGORIES" THAT MUST BE TREATED WITH EXTRA SECURITY.

SINGLE CODE. DO NOT READ OUT.

Yes	1	

No	2	
Don't know	3	

ASK IF D9=1 (YES)

D10 **What parties does your business/organisation share special category / sensitive personal data with?**

MULTICODE. READ OUT.

Data intermediaries	1	
Other businesses or organisations	2	
Other branches of your own business or corporate group or associated organisations	3	
Employees	4	
Customers, stakeholders	5	
Public bodies, such as government departments, HMRC, NHS, etc.	6	
Charities or non-profit organisations	7	
Academic and research organisations	8	
Others (please specify)	9	
Don't know	10	

ASK ALL

D11 **Does your business/organisation share UK residents' personal data internationally?**

SINGLE CODE. DO NOT READ OUT.

Yes	1	
No	2	
Don't know	3	

ASK IF D11=1 (YES)

D12 **Where does your business/organisation share UK residents personal data internationally?**

MULTICODE. DO NOT READ OUT.

EU	1	

USA	2	
Rest of the world	3	
Don't know	4	

ASK IF D12=3

D13 **Which countries does this include?**
DS INSTRUCTION: PROVIDE DROP DOWN LIST OF COUNTRIES

MULTI CODE. DO NOT READ OUT

	1	
Don't know	2	

E Technology and innovation

Now we'd like to discuss the technologies you use when processing personal data.

ASK ALL

E1 **Which of the following best describes how your organisation manages its IT functions?**

SINGLE CODE. READ OUT.

In-House: All IT functions are performed by internal staff	1	
Outsourced: All IT functions are contracted to external service providers	2	
Hybrid: Some IT functions are performed in-house, while others are outsourced to external service providers	3	
Don't know	4	

ASK ALL

E2 **When you are processing personal data , do you use any of the following technologies?**
PLEASE SELECT ALL THAT APPLY

DS INSTRUCTION: PROVIDE DEFINITIONS BELOW WHEN USER HOVERS OVER THE TEXT

ARTIFICIAL INTELLIGENCE AS A SERVICE: ARTIFICIAL INTELLIGENCE AS A SERVICE, OR AIAAS, IS AN OUTSOURCED SERVICE MODEL AI THAT CLOUD-BASED COMPANIES PROVIDE TO OTHER BUSINESSES, GIVING THEM ACCESS TO DIFFERENT AI MODELS, ALGORITHMS, AND OTHER RESOURCES DIRECTLY THROUGH A CLOUD COMPUTING PLATFORM

MULTICODE. READ OUT.

	Yes
1_ AI decision making systems / Artificial intelligence as a service (AIaaS)	1
2_Anonymisation technology / processes	2
3_Pseudonymisation technology / processes	3
4_Facial or biometric recognition technology	4
5_Cloud storage	5
6_Physical data server	6
7_Encryption	7

8_Software/hardware for managing Data Protection compliance	8
9_Statistical Analysis Tools	9
10_Cloud Processing Facilities	10
11_Other privacy enhancing technology (please specify)	11
12_Don't know	12
13_ We do not use any digital technologies as all data is held physically.	13

ASK ALL

E3 **Have you considered using any of the following technologies to help with processing personal data, but ultimately not used the technology?**
DS INSTRUCTION: ONLY PIPE THROUGH OPTIONS USERS HAVE <u>NOT</u> SELECTED AS PART OF E2.

SINGLE CODE PER ROW. READ OUT.

	Yes	No	Don't Know
1_AI decision making systems / AIaaS	1	2	3
2_Anonymisation technology / processes	1	2	3
3_Pseudonymisation technology / processes	1	2	3
4_Facial or biometric recognition technology	1	2	3
5_Cloud storage	1	2	3
6_Physical data server	1	2	3
7_Encryption	1	2	3
8_Software/hardware for managing Data Protection compliance	1	2	3
9_Statistical Analysis Tools	1	2	3
10_Cloud Processing Facilities	1	2	3
11_Other privacy enhancing technology	1	2	3

ASK IF THEY HAD CONSIDERED ADOPTING ANY TECHNOLOGIES (E3_1-12=1)

E4 **Where you have considered but ultimately did not use any of the technology(ies) in the previous question, which of the following were factors in your decision not to use the technology(ies) in question?**

MULTICODE. READ OUT.

High cost of the technology	1	

No time to implement	2	
Lack of expertise / staff training required	3	
Ultimately saw no need	4	
Effort required in understanding compliance requirements (i.e. time spent reading guidance)	5	
Legislative requirements (e.g. GDPR)	6	
Other (please specify)	7	
Don't know	8	

ASK ALL

E5 **To what extent do you agree with the following statements in relation to your core activities over the past 12 months?**
SINGLE CODE PER ROW. READ OUT.

	Strongly agree				Strongly disagree	Don't Know
_1 Data protection law has provided clarity on the types of innovation that are compliant with personal data protection	1	2	3	4	5	6
_2 Data protection law has revealed data security and compliance gaps that we are addressing	1	2	3	4	5	6
_3 Data protection law has identified new uses of personal data to improve or expand our existing goods or services	1	2	3	4	5	6
_4 Data protection law has helped to identify, use and store personal data more efficiently and at a lower cost	1	2	3	4	5	6
_5 Data protection law has helped identify new processes to assist with innovating responsibly	1	2	3	4	5	6

ASK ALL

E6 **Overall, how familiar would you say you are personally with Data Protection law?**

SINGLE CODE. READ OUT.

Very familiar	1	
Fairly familiar	2	
Not very familiar	3	
Not at all familiar	4	
Don't know	5	

ASK ALL

E7 **To what extent do you agree or disagree that data protection laws have been an enabler that have positively influenced you undertaking your core activities over the past 12 months?**

SINGLE CODE. READ OUT.

Strongly agree	1	
Tend to agree	2	
Neither agree nor disagree	3	
Tend to disagree	4	
Strongly disagree	5	
Don't know	6	

ASK ALL

E8 **To what extent have data protection laws placed constraints on your core activities in the last 12 months?**

SINGLE CODE. READ OUT.

To a very large extent	1	
To a large extent	2	
To some extent	3	
To little extent	4	
To no extent	5	
Don't know	6	

ASK E8=1,2,3

E9 **What are the constraints that data protection laws have placed on your core activities?**
PLEASE SELECT ALL THAT APPLY

MULTICODE. READ OUT.

Unable to implement new or improved product or business model	1	
Uncertainty about adopting an innovative product or service with unclear compliance assurance	2	
Costs involved with DP compliance too high	3	
Lack of clarity about data protection law requirements	4	
It has identified new processes that restrict innovation	5	

It has made trading with other businesses challenging	6	
Other (please specify)	7	
Don't know	8	

F Regulation and the ICO

Finally we'd like to ask you some questions about your relationship with the Information Commissioner's Office and data protection regulation.

ASK ALL

F1 **To what extent would you agree with the following statements?**

SINGLE CODE. READ OUT.

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
1_ Before completing this survey, I was aware of the ICO and its work	1	2	3	4	5	6

ASK IF F1=1-2

F2 **To what extent do you agree with the following statements?**

SINGLE CODE PER ROW. READ OUT.

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
1_ The ICO resources provide clarity about what the law requires	1	2	3	4	5	6
3_ The ICO understands the issues you face	1	2	3	4	5	6
4_ The ICO understands and anticipates developments in the markets it regulates	1	2	3	4	5	6
5_ The work of the ICO, for example the Business Advice Service and Certification Schemes, reduces your compliance costs	1	2	3	4	5	6

ASK F1=1-2

F3 **Which of the following ICO material or services has your business/organisation used in order to comply with data protection regulations in the past 12 months?**
PLEASE SELECT ALL THAT APPLY

MULTICODE. READ OUT.

Called the ICO to lay a complaint	1
Accessed, read or used ICO guidance to improve understanding with UK GDPR, PECR, FOIA, EIR, and NIS	2
Accessed, read or used ICO guidance to improve understanding of compliance activities such as ROPA, DPIA	3
Subscribed to ICO newsletter	4
Accessed information about the regulatory sandbox	5
Accessed business advice services	6
Accessed innovation advice services	7
Accessed certification scheme	8
Accessed information about codes of conduct	9
Accessed guidance and support around children's privacy	10
Requested an assessment of your data protection service or audit	11
Accesses SME hub	12
Reported a breach	13
Others (please specify)	14
Don't know	15
None of these	16

ASK ALL

F4 **To what extent do you agree or disagree that the following are challenges in processing personal data for your business/organisation?**

SINGLE CODE PER ROW. READ OUT.

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Disagree strongly	Don't know
1_ Ensuring personal data is accurate.	1	2	3	4	5	6
2_ Ensuring personal data is not out of date	1	2	3	4	5	6
3_ Ensuring personal data is not easily	1	2	3	4	5	6

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Disagree strongly	Don't know
retrievable/usable by people outside the business or organisation						
4_ Cyber security concerns	1	2	3	4	5	6
5_Unauthorised access	1	2	3	4	5	6
6_Human error	1	2	3	4	5	6
7_Intentional non-compliant processing	1	2	3	4	5	6
8_Reducing personal data processing to avoid data subject complaints	1	2	3	4	5	6
9_Lack of clarity about regulatory requirements	1	2	3	4	5	6
10_Difficulties in understanding how to share data with other organisations	1	2	3	4	5	6
11_Lack of expertise in understanding data processing legal requirements	1	2	3	4	5	6
12_Lack of expertise in processing personal data taking into consideration external risks	1	2	3	4	5	6

ASK ALL

F5 **Over the past 12 months have you faced any of the following costs in complying with UK GDPR?**

SINGLE CODE PER ROW

	Yes	No
_1 One-off direct costs in complying with UK GDPR	1	2
_2 On-going direct costs in complying with UK GDPR	1	2
_3 One-off indirect costs in complying with UK GDPR	1	2
_4 On-going indirect costs in in complying with UK GDPR	1	2

ASK IF F5_1=1 OR F5_2=1 OR F5_3=1 OR F5_4=1

F6 **Which of the following types of costs have you incurred in complying with UK GDPR?**
PLEASE SELECT ALL THAT APPLY

MULTICODE. READ OUT.

Existing employee undertaking regulatory compliance work	1	
Existing employee undertaking regulatory compliance training	2	
Data Protection Officer (Newly appointed or existing)	3	
Software	4	
Hardware	5	
Privacy Enhancing Technology	6	
Consulting	7	
Other (please specify)	8	
Don't know	9	

ASK IF F5_1=1 OR F5_2=1 OR F5_3=1 OR F5_4=1

F7 **Approximately, what has been the total cost of complying with UK GDPR regulations?**

SINGLE CODE. READ OUT.

£0	1	
1-£9,999	2	
£10,000-£19,999	3	
£20,000-£29,999	4	
£30,000-£39,999	5	
£40,000-£49,999	6	
£60,000-£69,999	7	
£70,000-£79,999	8	
£80,000-£89,999	9	
£90,000-£99,999	10	
Over £100,000	11	
Don't know	12	
Refused	13	

£50,000-£59,999	14	

ASK ALL

F8 **How many employees, including yourself, have at least some responsibility for managing Data Protection compliance in your organisation over the past 12 months?**

SINGLE CODE PER ROW. READ OUT.

	0-1 employees	2-9 employees	10-49 employees	50-249 employees	250+ employees	Don't Know
_1 Full time employees (FTE)	1	2	3	4	5	6
_2 Part-time employees	1	2	3	4	5	6

G About your organisation

ASK ALL

G1 **How does your business/organisation engage with its customers?**

SINGLE CODE. READ OUT

Online only business – no bricks and mortar premises for customers to access	1	
Bricks and mortar only, no engagement with digital economy, for example, no use of email or card payments	2	
In both ways - Bricks and mortar and online customer presence (potential sub-categories: website, social media, advertise online, using email, accepting card payments)	3	
Don't know	4	

ASK ALL

G2 **Where is your business/organisation's head office located?**

SINGLE CODE. DO NOT READ OUT

East Midlands	1	
East of England	2	
London	3	
North East	4	
North West	5	
South East	6	
South West	7	
West Midlands	8	
Yorkshire and the Humber	9	
Northern Ireland	10	
Scotland	11	
Wales	12	
Don't know	13	
Refused	14	

ASK ALL

G3 **If you had to estimate the annual turnover of your business for the 12 months to the end of October 2023 into which of the following bands would the business fall?**

SINGLE CODE. READ OUT

Less than £50,000	1	
Over £50,000 up to £100,000	2	
Over £100,000 up to £500,000	3	
Over £500,000 up to £2 million	4	
Over £2 million up to £10 million	5	
Over £10 million	6	
Don't know	7	
Refused	8	

H Close of survey – Telephone

ASK ALL

H1 **That is the end of the survey, thank you very much for your time.**

We would like to conduct some follow-up research on the topics covered in the survey. Are you happy to be re-contacted by IFF to be invited to take part in future research? It will take place in the next few weeks.

SINGLE CODE. DO NOT READ OUT.

Yes	1	
No	2	

IF YES:

H2 **What is the best way to contact you?**

WRITE IN EMAIL ADDRESS	1	ALLOW REFUSAL
WRITE IN TELEPHONE NUMBER	2	ALLOW REFUSAL

ASK ALL

H3 **On the behalf of the Information Commissioners Office (ICO) and IFF Research, thank you very much for taking the time to complete this important study.**

Just to confirm, we'll be keeping your contact details and answers until December 2024 and the ICO will hold the anonymised data for up to 6 years.

If you'd like a copy of your data, to change your data or for your data to be deleted then please go to http://www.iffresearch.com/gdpr/ for more information.

You also have the right to lodge a complaint with the Information Commissioners Office (ICO) and you can do so by calling their helpline on 0303 123 1113.

I   Close of survey - Online

FINAL SCREEN

I1   **That is the end of the survey, thank you very much for your time.**

On the behalf of the Information Commissioners Office (ICO) and IFF Research, thank you very much for taking the time to complete this important study.

Just to confirm, we'll be keeping your answers until December 2024 and the ICO will hold the anonymised data for up to 6 years.

If you'd like a copy of your data, to change your data or for your data to be deleted then please go to http://www.iffresearch.com/gdpr/ for more information.

You also have the right to lodge a complaint with the Information Commissioners Office (ICO) and you can do so by calling their helpline on 0303 123 1113.

Annex B – Qualitative interview guide

A   Introduction – 5 minutes

INTERVIEWER TO INTRODUCE THEMSELVES AND THE RESEARCH

Good [*morning/afternoon*]. Thank you very much for your time today.

As you are aware, the Information Commissioner's Office (referred to from here as the ICO) have commissioned IFF Research to carry out research to help them understand data processing activities and interaction with the Data Protection compliance regulation. I would like to thank you for taking part in the initial survey and flagging your interest in taking part in this call to go into more detail around some of your answers. Your input is greatly appreciated and will help to provide insight to the ICO.

Just to reassure you, nothing you say will be directly attributed to you or your organisation and the ICO does not know who is participating in this research.

The interview should take around 60 minutes.

Just to remind you, as a thank you for participating in the research we are offering a £40 incentive paid directly to yourself through Wise or PayPal, or as a donation to one of our approved charities.

GDPR, Consent and Commercial-In-Confidence

All information collected in this survey will be treated in the strictest confidence. IFF holds ISO/IEC 27001:2013 certification (the international standard for information security) as well as UK Cyber Essentials Plus.

You have the right to a copy of your data, to change your data or to withdraw from the research. If you'd like to do this or find out more, you can consult our website at http://www.iffresearch.com/gdpr.

Any identifiable information will be kept securely on our servers and deleted within 12 months after the completion of the project, which will be no later than December 2024.

Recording

We would like to record the interview so that we can accurately capture everything that you tell us. Is that okay?

Thank you. Do you have any questions before we start?

B   Background – 5 minutes

I'd like to start by getting a bit of background about you, your organisation and your organisation's data processing activities.

INTERVIEWER NOTE: IF TALKING TO A SOLE TRADER OR MICRO BUSINESS USE "YOUR BUSINESS" INSTEAD OF "YOUR ORGANISATION" THROUGHOUT THE GUIDE. TAILOR ANY OTHER LANGUAGE TO FIT.

ASK ALL

B1   **Could you briefly summarise your organisation and its main activities for me?**

Note: We are not asking about the organisation in its role as a data controller, and a short answer here is fine.

ASK ALL

B2   **What do you understand personal data to be?**

Could you briefly summarise what personal data your organisation processes and for what purpose?

ASK ALL

B3   **How much of your time / role is devoted to issues regarding data protection compliance?**

Could you talk to me about any challenges you face?

C   Data protection legislation impact – 15 minutes

Now we're going to talk about the impact of Data Protection legislation, like UK GDPR, on your organisation.

ASK ALL

C1   **In the survey, we discussed whether Data Protection laws have positively impacted your organisation's core activities. Do you feel this has been the case?**
PROBE:

IF YES: Can you share an example of a time Data Protection legislation has positively impacted your business?

IF YES: Was the positive impact of Data Protection legislation expected?

IF YES: Of the positive impacts Data Protection legislation has had on your organisation, which has been the most important?

IF YES: Have the positive impacts of Data Protection legislation changed over time? In what ways?

IF NO: Has this always been the case?

ASK ALL THAT VIEW DATA PROTECTION LEGISLATION POSITIVELY

C2   **Thinking about the positive impacts that Data Protection legislation has enabled, do you think they are here to stay?**

PROBE FOR

Do you see any new benefits/positive impacts arising in the future?

What might these be?

ASK ALL

C3   **In the survey, we also discussed whether Data Protection laws have placed constraints or challenges on your organisation's core activities. Do you feel this has been the case?**
PROBE:

IF YES: Can you share an example of a time Data Protection legislation has been a constraint?

IF YES: Were any of these constraints unexpected?

IF YES: Of the negative impacts Data Protection legislation has had on your organisation, which has had the most impact?

IF YES: Have any of these constraints changed over time?

IF YES: Were you able to mitigate potential constraints?

- IF YES: How?

- IF YES: What do you think other organisations can learn from ways you have mitigated these potential constraints?

IF NO: Has this always been the case?

ASK ALL THAT VIEW DATA PROTECTION LEGISLATION AS A CONSTRAINT

C4   **Thinking about the constraints that Data Protection legislation has brought to your organisation, do you see any changes to them in the future?**
       PROBE FOR

       Do you see any new constraints arising in the future?

       What might these be?

       ASK THOSE WHO VIEW DATA PROTECTION LEGISLATION AS BOTH A CONSTRAINT AND AN ENABLER

C5   **It sounds like Data Protection Legislation has been, to some extent, both an enabler AND a constraint to your organisation's core activities. How do you feel the balance is in terms of positive and negative impacts?**
       PROBE:

       Does one outweigh the other?

       IF YES: Why?

       Has this balance changed over time?

       Can you share an experience of Data Protection legislation being both an enabler and a constraint?

       ASK ALL

C6   **Looking now to the future, do you think anything will change?**
       PROBE:

       Do you feel the positive impacts Data Protection legislation has led to are long-term?

       Will any new positive impacts appear?

       And what about the constraints you face currently? Are they permanent, or temporary?

       And do you anticipate any new constraints appearing?

D Costs of Data Protection legislation – 15 minutes

Let's move on to discuss the costs your organisation has incurred in order to comply with Data Protection legislation. You may remember that we asked about this in the survey, but we want to go into more detail.

ASK ALL

D1 **In the survey, we discussed direct and indirect costs in complying with UK GDPR. Can you share more detail about the costs your organisations has experienced?**

What do you understand by direct and indirect costs in terms of complying with UK GDPR?

Can you share examples of these types of costs that you have incurred?

Approximately, what proportion of your total costs are covered by these individual costs?

Were any of these costs non-financial? Can you share any examples?

Overall, were these costs significant to your business?

- How do you define significant?

What was the impact of these costs on your organisation?

Do you feel the costs were proportionate to the risks faced, both in terms of:

- risks to the safety of your data, and
- the risk of non compliance with legislation? Why/Why not?

ASK ALL

D2 **As well as whether the costs were direct or indirect, we also want to understand whether they are one-off or ongoing costs. Have you incurred one-off, or ongoing costs? It could be both?**

Can you share examples of these types of costs incurred?

IF BOTH ONE-OFF AND ONGOING: You can approximate here; what proportion of your total costs are made up by these costs?

IF ONE-OFF: Did these one-off costs all occur at once, or were they spread out?

- IF SPREAD OUT: What costs were most commonly spread out?

IF ONGOING: Now thinking about the ongoing costs, are they predicable?

- In terms of price?
- What about frequency?
- Or timing?

Have any of these costs been non-financial? Can you share any examples?

Overall, were these costs significant to your business?

- IF NOT ASKED IN D1: How do you define significant?

What was the impact of these costs on your organisation?

Do you feel the costs were proportionate to the risks faced, both in terms of:

- Risks to the safety of your data and
- the risk of non-compliance with legislation? Why/Why not?

ASK ALL THAT HAVE FACED ONGOING COSTS IN COMPLYING WITH UK GDPR

D3 **What is the pattern of these ongoing costs?**
PROBE:

Is it stable and predictable, or does it change over time in terms of:

- cost?

- frequency?

Do you believe these patterns will stay this way or will it change? Why/Why not?

ASK ALL

D4 **In the survey, we discussed incurring costs from purchasing new software to help your compliance with UK Data Protection law. Have you invested in any software?**
PROBE:

What software have you invested in?

Approximately what was the cost of this new software?

Do you feel this investment was necessary for compliance, or did it make compliance easier?

Is there any software that would help that have not invested in?

- IF YES: What is the reason for this? A lack of expertise in the team to use it? Prohibitive costs?

ASK ALL

D5 **In the survey, we also discussed incurring costs from purchasing new hardware. Have you invested in any hardware?**
PROBE:

What hardware have you invested in?

Approximately what was the cost of this new hardware?

Do you feel this investment was necessary for compliance, or did it make compliance easier?

Is there any hardware that would help that you have not invested in?

- IF YES: What is the reason for this? A lack of expertise in how to implement it? Prohibitive costs?

E   Resources used – 15 minutes

In this final section, we'll talk about what resources, in particular what ICO resources, if any, your organisation uses to help with data compliance.

ASK ALL

E1   **Firstly, could you talk me through what resources (for example guidance, training materials, consultant support etc.) does your organisation typically use when making decisions on data processing and data storage policies?**

PROBE:

Which, if any, of these resources does your organisation pay for?

What resources are most effective?

- Why do you say that?

What resources are least effective?

- Why do you say that?

Where did you hear or find about these resources?

ASK ALL

E2   **[IF NOT COVERED IN E1: Did you use ICO materials or services? If yes] Can you tell me about your experiences of using ICO materials and services?**

PROBE:

How does your organisation make use of these materials and/or services?

Can you provide us with some examples of times that you have used these resources/services?

Is there anyone specific within your organisation makes use of these resources/services?

- This could be a certain department or job role that finds them particularly useful.

ASK ALL THAT HAVE USED ICO RESOURCES OR SERVICES

E3   **How have you found using these ICO resources or services?**
     PROBE:

How useful have they been to you? Or your organisation?

Did you find the information you needed?

Were they effective?

How could they be improved?

How do you feel about the accessibility of the resources?

- Was the language appropriate?

- Was the language easy to understand?

What improvements could the ICO make to these resources or services to make them more effective or accessible for you?

ASK ALL THAT HAVE USED ICO RESOURCES OR SERVICES

E4 **Are there any gaps in the resources or services from the ICO which you feel would allow your organisation to better understand and be compliant with Data Protection legislation?**

PROBE IF YES:

Which resources are these?

What form would these take?

ASK ALL THAT HAVE NOT USED ICO RESOURCES OR SERVICES

E5 **Have you ever considered using ICO resources?**
PROBE:

Why/Why not?

Do you know what resources are available?

F   Final comments and wrap-up – 5 minutes

Thank you for your time so far, I just have one final question before we finish.

ASK ALL

F1   **Do you have any final comments or anything on the topics we have discussed today you would like us to pass on to the ICO?**

THANK AND CLOSE

On behalf of the ICO and IFF Research, thank you very much for taking the time to speak to me about this important research.

Just to confirm, we will be keeping your anonymised responses to the interview for analysis purposes, and if you would like a copy of your data, to change your data, or for your data to be deleted then please get in contact with Euan Fox Marshall (euan.foxmarshall@iffresearch.com).

IF NECESSARY:

You also have a right to lodge a complaint with the Information Commissioners Office (ICO), and you can do so by calling their helpline on 0303 123 1113.

I declare that this survey has been carried out under IFF instructions and within the rules of the MRS Code of Conduct.
Interviewer signature:

> " ˙ Research illuminates the world for organisations businesses and individuals helping them to make better-informed decisions."

Our Values:

1. Being human first:

Whether employer or employee, client or collaborator, we are all humans first and foremost. Recognising this essential humanity is central to how we conduct our business, and how we lead our lives. We respect and accommodate each individual's way of thinking, working and communicating, mindful of the fact that each has their own story and means of telling it.

2. Impartiality and independence:

IFF is a research-led organisation which believes in letting the evidence do the talking. We don't undertake projects with a preconception of what "the answer" is, and we don't hide from the truths that research reveals. We are independent, in the research we conduct, of political flavour or dogma. We are open-minded, imaginative and intellectually rigorous.

3. Making a difference:

At IFF, we want to make a difference to the clients we work with, and we work with clients who share our ambition for positive change. We expect all IFF staff to take personal responsibility for everything they do at work, which should always be the best they can deliver.

IFF Research