

**Report on
Information Commissioner's Office
Annual Track**

2006

Organisations

Prepared by SMSR Ltd

SMSR House
51/52 Market Place
Kingston upon Hull
HU1 1RQ

Tel: 01482 211200
Fax: 01482 211201

E-mail: info@smsr.co.uk
Website: www.smsr.co.uk

***Celebrating over 15 years of Excellence
In Consultation 1991 - 2006***

July 2006 Final Version

Contents

1.0. Introduction	3
2.0 Executive Summary	4
3.0. Methodology	7
4.0 Results	11
APPENDICES	33

1.0. Introduction

- 1.1 Since the Data Protection Act came into force in 1998, the Information Commissioner's Office has monitored awareness of this legislation amongst organisations and individuals about whom information is held.
- 1.2 In addition to this, the Freedom of Information Act was passed in 2000, and was fully into enforced at the start of 2005. This Act governs public authorities only and research is undertaken to monitor awareness and understanding of this Act amongst public authorities. The Information Commissioner's Office also requires research to measure awareness and understanding of the Freedom of Information Act amongst individuals.
- 1.3 In summary, the work covered the following broad groups:
 - 1 Organisations - data controllers for data protection (public and private sectors) and public authorities only for freedom of information
 - 2 Individuals - i.e. the general public
- 1.4 This report contains the results for 2004/05/06 specifically relating to organisations. The objectives were;
 - i) Data Protection Act: To identify the relevant officer and levels of awareness, understanding, compliance, benefits, and expectations of the Act.
 - ii) Freedom of Information Act (public sector only): To identify the relevant officer and their awareness of, compliance with and understanding of the Act.
 - iii) Information Commissioner's Office: To measure their awareness and understanding of the Information Commissioner's Office activities and functions.

2.0 Executive Summary

Data Protection

- 2.1 The vast majority of organisations (94%) correctly identified that individuals have the right to see information held about them. This compares to 91% in 2005 and 89% in 2004.
- 2.2 There is an overwhelmingly positive response to the impact of the Data Protection Act within organisations. This has continued to increase over the last two years. 89% felt the Act was needed, 84% felt that it improved management information (75% in 2005 and 78% in 2004), 66% said it adds value (55% in 2005 and 54% in 2004) and just 16% felt it was a burden (23% in 2005 and 29% in 2004).
- 2.3 The Information Commissioner's website is a very important source of advice for data protection responsibilities for organisations, in particular public sector organisations. The internet was also the main source of information on the Data Protection Act.
- 2.4 Almost half (44%) were aware that the Information Commissioner's Office enforced the Act.
- 2.5 Criminal records (1), health information (2), financial data (3), race or ethnic origin (4), data and personal contact details (5) were considered the five most sensitive types of information. Individuals also mentioned three of these issues as the most important: financial data (1), health information (2) and personal contact details (3). This is a positive correlation for all concerned.

Freedom of Information

- 2.6 The vast majority of organisations (94%) correctly identified that individuals have the right to request information held by the government and other public authorities. This was the same in 2005.
- 2.7 Awareness and understanding of the Freedom of Information Act remains high – probably due to the fact that it is solely the domain of the more conscientious and easier-to-target public sector.
- 2.8 Authorities remain positive with regards to how the Freedom of Information Act has improved records management (79%) and the majority of organisations said that the Freedom of Information Act is needed (82%). Negative perceptions of the Act have decreased as 36% felt that Act was a burden on their organisation compared with 38% in 2005 and 51% in 2004 and 73% said it meant extra work compared with 83% in 2005.
- 2.9 Almost three quarters of organisations knew the Information Commissioner's Office was responsible for enforcing the Freedom of Information Act. Awareness of the obligations was high: producing a publication scheme was 85%; making the public aware of any charges for information was also 85%.

- 2.10 Almost two-thirds of respondents indicated that they would turn to the Information Commissioner's Office by some means for advice on the Freedom of Information Act. The information Commissioner's office was mentioned by 63% of the organisations, the website is particularly important with 54% using this resource and 26% like to telephone the Information Commissioner's Office for advice.

Information Commissioner's Office

- 2.11 The Information Commissioner's Office still tends to be seen as a regulatory body rather than one that promotes the awareness and benefits of the Acts. The private sector perceives more association with the Data Protection Act and the public sector with the Freedom of Information Act.
- 2.12 Of those aware of the Information Commissioner's Office, over half of respondents had seen information about the Information Commissioner's Office on the internet and over a quarter through newspapers/ magazines.
- 2.13 Organisations expressed a preference towards non face-to-face methods of communicating with the Information Commissioner's Office for advice and guidance. More than a third said they would like to receive advice and guidance from the Office via stand alone e-mail request.

Public / Private Sector Trends

- 2.14 A slightly higher number of public sector organisations (96%) were aware of the individuals' right to see information held about them compared to the private sector (93%).
- 2.15 The public sector were much more aware of the ICO and consequently were more aware of the ICO's enforcement of the Data Protection Act (75% compared with 14%) and the public sector were also significantly more likely to use the ICO as a source of advice (66%) than the private sector (13%).
- 2.16 Unlike last year the private sector places greater levels of importance than the public sector on social workplace issues. However, overall levels of importance on all the issues are still very high and have increased since 2005.
- 2.17 The private sector associated higher levels of sensitivity with personal data such as financial data (96% v 86%), personal contact details (90% v 75%), and employment history (76% v 63%) whereas the public sector placed greater emphasis on areas such as criminal records (96% v 82%) and health information (97% v 87%).
- 2.18 There were close similarities between the types of data that organisations considered the most sensitive and that which individuals considered the most sensitive.

- 2.19 The public sector demonstrates a greater commitment to notification and drives the overall notification rate. 76% indicated that they knew to notify and already had done compared to only 27% of private sector organisations. There have been increases in awareness amongst the public sector that it is a criminal offence not to notify (72% unprompted / 94% prompted in 2006 v 56% unprompted and 94% prompted in 2005).

3.0. Methodology

- 3.1 As in previous years, the consultation was undertaken by telephone. Organisations were subdivided by size, in order to be able to identify variations between larger and smaller organisations and to provide the Information Commissioner's Office with the necessary information to ensure all organisations are managing to implement the relevant Acts within their operations.
- 3.2 The total required sample was 800: 400 private and 400 public organisations. The achieved sample was 809.

	Private		Public	
	Quota	Achieved	Quota	Achieved
Total	400	409	400	400
Large	200	200	200	199
Small	200	209	200	201

	Private		Public	
	Quota	Achieved	Quota	Achieved
Answered Data Protection Act section	400	409	400	400
Answered Freedom of Information Act section	0	0	400	400

- 3.3 This allowed the analysis to be undertaken by the following groups (in addition to overall):

Freedom of Information Act

- Large public authorities
- Small public authorities

Data Protection Act

- Large public authorities
- Small public authorities
- Large private organisations
- Small private organisations

- 3.4 A precise definition of large/small, public and private can be found in Appendix 1.0. The actual organisations to be included in the sample were selected by business directories and internet searches.

- 3.5 In respect of the public authority sample, there was a need in some instances to speak to two different individuals for questions regarding the Data Protection Act and the Freedom of Information Act respectively. Results from 2005 demonstrated that in approximately 11% of cases a separate interview was required (i.e. the Data Controller Officer was not responsible for Freedom of Information Act). In 2006, 17% required a separate interview.
- 3.6 It was predicted that in large organisations there may be difficulty in terms of selecting the correct data controller. Where an organisation is multi branch, there can be a dilemma in respect of the selection of a local officer from the quota region (who often only implemented policy) or the head office official, who often set policy and had much greater awareness and knowledge of the use of the Act, but was out of the quota region.
- 3.7 A particular difficulty encountered in undertaking this year's Information Commissioner's Office track, was the local elections taking place in May 2006. This necessitated a complete block on any fieldwork until the elections had taken place. This compressed the fieldwork into a period of 4 weeks.
- 3.8 All the interviews were conducted in house by SMSR's telephone interviewing team.

Questionnaires

- 3.9 The questionnaires were developed from previous years to ensure comparability. They were amended where necessary in conjunction with BDH and the Information Commissioner's Office, extensively piloted and amended accordingly.
- 3.10 The questionnaires covered the tracking questions to supply the necessary data for the information published in the Information Commissioner's Office annual report (Q11, Q22 and Q23 - see questionnaire in Appendix 3).

Respondents' area of responsibility

3.11 Over half of respondents were solely responsible for data protection, 36% were responsible for both data protection and freedom of information. Less than 9% were solely responsible for the Freedom of Information Act.

Responsibility of interviewee						
	Public		Private		Total	
	N°	%	N°	%	N°	%
<i>Total</i>	480	100%	409	100%	889	100%
Responsible for Data Protection Act	80	17%	409	100%	489	55%
Responsible for Freedom of Information Act ¹	80	17%	0	0%	80	9%
Responsible for both	320	66%	0	0%	320	36%

Types of organisations

3.12 The main types of organisations interviewed were as follows:

Type of private organisations		
Private industries	Count	%
Wholesale and retail trade	139	34.0%
Other community, social and personal service activities	58	14.2%
Financial intermediation	50	12.2%
Manufacturing	35	8.6%
Hotels and restaurants	25	6.1%
Transport, storage and communication	21	5.1%
Education	20	4.9%
Health and social work	19	4.6%
Construction	18	4.4%
Real estate, renting and business activities	9	2.2%
Public administration and defence	7	1.7%
Electricity, gas and water supply	4	1.0%
Agriculture hunting and forestry	2	0.5%
Fishing	1	0.2%
Extra territorial organisations and bodies	1	0.2%
Total	409	100.0%

¹ The Freedom of Information Act only applies to public authorities. This should be taken into account when looking at overall responsibilities.

Type of public authorities		
Large	Count	%
Local Authorities	110	22.9%
Police forces	36	7.5%
Central Government departments	29	6.0%
Higher Education	27	5.6%
Primary Care Trusts	8	1.7%
Fire Authorities	7	1.5%
Police Authorities	6	1.3%
Non departmental public bodies	5	1.0%
District Councils (Northern Ireland)	4	0.8%
Strategic Health Authority	3	0.6%
Mental Health Authorities	3	0.6%
Welsh Local Authorities	1	0.2%
Small/Medium	Count	%
Further Education Colleges	46	9.6%
Local health boards	40	8.3%
Primary schools	28	5.8%
Ambulance trusts	27	5.6%
Secondary schools	25	5.2%
Acute trusts	21	4.4%
Trusts (Wales)	10	2.1%
Magistrates courts committees	9	1.9%
Internal drainage boards	7	1.5%
Community Health Councils	5	1.0%
Health regulators	4	0.8%
National Parks	4	0.8%
Waste authorities	4	0.8%
Passenger transport authorities	3	0.6%
HSS Trust Agencies and Councils	2	0.4%
Public ally owned companies	2	0.4%
Port health authorities	1	0.2%
District drainage commissioners	1	0.2%
Parish / community councils	1	0.2%
District policing partnerships	1	0.2%

4.0 Results

The results are discussed for four main subjects:

- 1 General Workplace Issues
- 2 Data Protection Act
- 3 Freedom of Information Act
- 4 Information Commissioner's Office

4.1 General Workplace Issues

4.1.1 The Data Protection Act results are given under the following headings:

Type of personal information held

4.1.2 Organisations were asked to indicate whether they held information about employees, customers, clients and / or suppliers. The majority of respondents held information about employees (96%). Almost three quarters (73%) held information about suppliers, 64% regarding clients and 60% held customer information.

Information held by organisation (2006)						
	Public		Private		Total	
	N°	%	N°	%	N°	%
<i>Total</i>	480	100%	409	100%	889	100%
Employees	470	98%	381	93%	851	96%
Customers	271	57%	261	64%	532	60%
Clients	344	72%	221	54%	565	64%
Suppliers	383	80%	263	64%	646	73%

Responsibility

4.1.3 In smaller, private companies, managers and directors were often responsible for the Data Protection Act. In terms of public organisations, designated DPA / FOI officers or personnel / HR were responsible. This was similarly the case in 2005.

Importance of various topics

4.1.4 Respondents were asked to indicate how important various topics were within their business. All topics were very important to the majority of respondents. In 2005 importance was significantly (up to 10%) lower within private businesses than within public organisations. However, in 2006 importance was lower among public organisations. Overall, 89% of respondents felt that data protection was very important (a 3% increase since 2005) and 71% (of public authorities) felt that the Freedom of Information Act was important compared to 82% in 2005.

4.1.5 There has been an increase in importance in all topics since 2004. There has been a decrease of -11% in terms of the Freedom of Information Act since 2005 yet there is still an overall increase of 20% since 2004.

Importance of									
% Very important	Private			Public			Total		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
Health and Safety	92%	86%	98%	94%	93%	94%	93%	89%	95%
<i>Data Protection</i>	78%	82%	92%	82%	90%	85%	80%	86%	89%
Security	86%	84%	93%	83%	85%	82%	84%	85%	87%
Equal opportunities	75%	76%	93%	93%	89%	92%	85%	83%	93%
Freedom of Information Act ²	37%	n / a	n / a	63%	82%	71%	51%	82%	71%
Risk management	68%	73%	90%	71%	83%	84%	70%	79%	87%
Staff development	65%	65%	81%	74%	89%	73%	70%	73%	77%

² This option only relates to public authority respondents
Organisations: Annual Track Results 2006 Main Findings
SMSR Ltd

4.2 Data Protection Act

4.2.1 The Data Protection Act results are given under the following headings:

- Type of personal information held
- Importance of various topics
- Familiarity with the Data Protection Act
- Awareness of individuals' rights
- Sensitivities of different types of information
- Source of advice on the Data Protection Act
- Knowledge of organisations responsible for enforcing the Data Protection Act
- Notification
- Consequences of the Data Protection Act on organisations
- Source of information on the Data Protection Act

4.2.2 The results are presented overall by combining public and private sector findings highlighting differences between them where significant.

Familiarity with the Data Protection Act

- 4.2.3 Respondents were asked about their familiarity with the Data Protection Act. Overall, 31% were very familiar and 59% quite familiar (90% familiar). Private businesses indicated less familiarity than public organisations.
- 4.2.4 There has been a slight increase in terms of those being very familiar with the Data Protection Act overall (+7% since 2004). There has been an increase in familiarity since 2004 from both the public and private sectors and an overall increase since 2005.

Familiarity with the Data Protection Act									
Response	Private			Public			Total		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
Very familiar	17%	24%	21%	45%	35%	42%	31%	29%	31%
Quite familiar	55%	58%	61%	49%	57%	55%	52%	58%	59%
Not very familiar	25%	17%	14%	6%	7%	4%	15%	12%	9%
Not at all familiar	2%	2%	1%	0%	0%	0%	1%	1%	1%
<i>Base:809</i>									

Awareness of individuals' rights

- 4.2.5 Respondents were asked about their awareness of the rights of individuals in respect of personal information processed by organisations. This was an unprompted awareness assessment of Data Protection Act rights. Although almost two-thirds of organisations mentioned an individual's right to see information this has decreased from 71% in 2004 to 65% in 2005.

Awareness of Data Protection Rights					
<i>(unprompted)</i>	2002 ³ (600)	2003 (1004)	2004 (802)	2005 (830)	2006 (809)
The right to see information about them	27%	53%	69%	71%	65%
The right to correct inaccurate information	2%	13%	21%	21%	20%
The right to confidentiality	33%	34%	23%	35%	20%
The right to say who can see the information	4%	12%	12%	11%	12%
The right to ask for information to be removed	0%	8%	8%	8%	11%
The right to claim compensation for information held inaccurate	1%	5%	7%	4%	5%
Information cannot be passed on ⁴	0%	2%	2%	n / a	n / a

³ This refers to the fact that the 2002 questionnaire had slight alternative question wording compared to other years

⁴ This was not an option in 2005 and 2006

- 4.2.6 Respondents were read a list of rights – two of which are the actual legal rights relating to the Data Protection Act. Interviewers asked which of these rights respondents felt applied to the Data Protection Act.
- 4.2.7 The two actual rights ‘the right to see information about them’ and ‘the right to correct inaccurate information’ achieved the highest levels of awareness. These have both increased since 2004.

Awareness of Data Protection Rights					
<i>(prompted)</i>	2002 (600)	2003 (1004)	2004 (802)	2005 (830)	2006 (809)
The right to see information about them	91%	92%	89%	91%	94%
The right to correct inaccurate information	87%	91%	92%	85%	92%
The right to confidentiality	87%	96%	90%	93%	91%
The right to ask for information to be removed	75%	73%	77%	68%	72%
The right to say who can see the information	77%	75%	60%	59%	58%
The right to claim compensation for information held inaccurate	43%	49%	57%	48%	55%
Information cannot be passed on ⁵	2%	1%	1%	n / a	n / a

- 4.2.8 The table below compares private and public sector awareness of individuals’ rights under the Data Protection Act. The awareness of the two actual rights had either increased or remained the same since 2004.

Awareness of Data Protection Act rights, By sector (Prompted)									
Response	Private			Public			Total		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
The right to see information about them	87%	86%	93%	91%	96%	96%	89%	91%	94%
The right to correct inaccurate information	89%	82%	89%	95%	89%	96%	92%	85%	92%
The right to ask for information to be removed	74%	66%	66%	79%	70%	78%	77%	68%	72%
The right to confidentiality	93%	94%	92%	88%	92%	89%	90%	93%	91%
The right to say who can see the information	65%	61%	62%	55%	56%	54%	60%	59%	58%
The right to claim compensation for information held inaccurate	48%	48%	48%	66%	49%	61%	57%	48%	55%

⁵ This was not an option in 2005 and 2006

4.2.9 The table below shows awareness of rights in terms of familiarisation with the Data Protection Act. There was greater awareness of the right to see information among those either very familiar or quite familiar with the Data Protection Act compared to those not very familiar or not at all familiar. (2005 figures are found in brackets).

4.2.10 Again the awareness of the actual Data Protection Rights ('the right to see information' and 'the right to correct inaccurate information') had increased with those that were familiar and were not familiar with the Act.

Awareness of rights in terms of how familiar respondents are with the Data Protection Act		
	Familiar	Unfamiliar
The right to see information about them	95% (92%)	86% (84%)
The right to correct inaccurate information	93% (86%)	86% (79%)
The right to ask for information to be removed	73% (69%)	55% (65%)
The right to confidentiality	91% (93%)	91% (91%)
The right to say who can see the information	58% (58%)	62% (62%)
The right to claim compensation for information held inaccurate	55% (50%)	49% (35%)

Sensitivities of types of information

4.2.11 Respondents were asked to rate how sensitive they felt the following types of information were.

<i>Sensitivity of types of information⁶</i>			
<i>Type of Information</i>	Private	Public	Total
Criminal records	82%	96%	94%
Health information	87%	97%	92%
Financial data	96%	86%	91%
Data concerning race or ethnic origin	81%	87%	84%
Personal contact details	90%	75%	83%
Sexual information	73%	90%	81%
Genetic information	68%	83%	76%
Employment history	76%	63%	69%
Religious or philosophical beliefs	57%	80%	68%
Biometric information	59%	77%	68%
Education qualifications	66%	60%	63%
Trade-union membership	53%	72%	62%
Political opinions	48%	71%	59%
Membership of political party / organisation	46%	70%	57%
Clickstream data	46%	54%	50%

⁶ This percentage of sensitivity refers to the respondents that stated a 7 -10 on the questionnaire scale with 10 being extremely sensitive
Organisations: Annual Track Results 2006 Main Findings
SMSR Ltd

Source of advice on the Data Protection Act

4.2.12 Respondents were asked where they would go to obtain advice on their responsibilities relating to the Data Protection Act. Main responses are shown below:

Sources of advice on the Data Protection Act									
Response	Private			Public			Total		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
Any mention of Information Commissioner's Office	30%	28⁷%	13%	64%	53⁸%	66%	47%	43%⁹	39%
Solicitor	21%	20%	13%	20%	22%	16%	20%	21%	15%
Head office	10%	20%	37%	5%	9%	6%	8%	14%	22%
Citizens Advice Bureau	n/a	n/a	11%	n/a	n/a	2%	n/a	n/a	6%
Government Departments	n/a	n/a	4%	n/a	n/a	3%	n/a	n/a	4%
Information Commissioner's website	19%	19%	10%	39%	40%	52%	29%	30%	31%
Information Commissioner (by telephone)	9%	11%	5%	27%	25%	35%	18%	18%	20%
Information Commissioner (by other mean)	9%	5%	2%	15%	12%	11%	12%	9%	7%

4.2.13 The percentage of respondents mentioning the Information Commissioner's Office has decreased from 43% in 2005 to 39% in 2006. This figure is based on anyone who mentioned the ICO at least once on this question. This figure has increased by 13% within the public sector and decreased by 12% within private companies.

Knowledge of organisation responsible for enforcing the Data Protection Act

4.2.14 Respondents were asked to identify any organisations that they were aware of, which they believed were responsible for enforcing the Data Protection Act. 44% were aware that the Information Commissioner's Office enforced the Act. Public sector awareness was highest at 75% with only 14% of private organisations being aware that the Information Commissioner's Office enforces the Act.

⁷ This figure was incorrectly reported in 2005 as 35%

⁸ This figure was incorrectly reported in 2005 as 77%

⁹ This figure was incorrectly reported in 2005 as 57%

4.2.15 There has been a slight decrease in unprompted awareness of the Information Commissioner's Office from 52% to 44% since 2005. However, there has been a 5% increase in awareness within the public sector and a 20% decrease within the private sector.

Awareness of organisation responsible for enforcing the Data Protection Act									
<i>Unprompted</i>	Private			Public			Total		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
Information Commissioner's Office (ICO)	20%	34%	14%	76%	70%	75%	48%	52%	44%
Government	9%	10%	9%	5%	5%	3%	7%	7%	6%
Data Protection Agency	8%	11%	5%	3%	7%	2%	6%	9%	4%
Data protection Registrar / Commissioner	7%	7%	2%	8%	4%	2%	7%	5%	2%
Department for Constitutional Affairs	0%	0.5%	0.2%	2%	6%	2%	1%	3%	1%
Office of the Scottish Information Commissioner (OSIC)	n/a	n/a	0.2%	n/a	n/a	1%	n/a	n/a	0.4%
None	26%	10%	4%	4%	5%	2%	15%	7%	3%
Don't know	27%	28%	60%	6%	9%	17%	16%	19%	39%

Notification

4.2.16 Respondents were asked to indicate which of the following statements described their situation in terms of the notification process. Half had already notified. 76% of public authorities and 27% of private organisations had done so.

4.2.17 There has been a 15% overall decrease in organisations saying they had notified with a 3% decline among public organisations and a decrease of 27% among the private sector, however 46% of private organisations did say it was the head office's responsibility.

Notification									
(prompted)	Private			Public			Total		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
I do need to and have already done so	39%	54%	27%	82%	79%	76%	60%	66%	51%
It is head office's responsibility	9%	11%	46%	3%	4%	6%	6%	7%	26%
It is somebody else's responsibility	8%	10%	5%	4%	10%	8%	6%	10%	6%
I was not aware of the need to	7%	4%	7%	1%	1%	3%	4%	3%	5%
I do not know what you mean by notify or register	7%	4%	6%	2%	2%	2%	4%	3%	4%
I have checked and my organisation is exempt	12%	7%	2%	6%	1%	3%	9%	4%	3%
I do need to but have not yet done so	5%	4%	2%	2%	2%	2%	4%	3%	2%
I have not checked whether I need to	11%	5%	4%	1%	1%	0.5%	6%	3%	2%
I am aware that I have to but don't know how to	2%	0.5%	0.5%	0%	0%	0.3%	1%	0.2%	0.4%

4.2.18 Respondents who had or were due to notify were asked to provide a reason for notifying. Almost two thirds felt that it was a criminal offence not to do so, an increase of 14% since 2005. Almost a third felt that they should do so to comply with the Data Protection Act, a decrease of 21%. There was a significant increase within the public sector in terms of those feeling it is a criminal offence not to notify from 56% in 2005 to 72% in 2006.

Reasons for notifying			
<i>(Unprompted)</i>	Private	Public	Total
It is a criminal offence not to (legally required)	46% (43%)	72% (56%)	65% (51%)
To comply with the Data Protection Act	37% (58%)	30% (50%)	32% (53%)

Base: 432 respondents

4.2.19 The majority of respondents who were aware of the need to notify and who were responsible for notification felt that a confirmation letter, registration number and advice on how to comply should all be provided by the Information Commissioner's Office when notifying. All aspects were agreed with by over half of all respondents.

Receive on notification (agree ¹⁰)			
<i>(prompted)</i>	Private	Public	Total
Confirmation letter	83% (84%)	89% (89%)	87% (87%)
A registration number	81% (81%)	90% (86%)	87% (84%)
Advice on how to comply	76% (79%)	81% (82%)	80% (80%)
Email bulletins	56% (66%)	76% (70%)	70% (70%)
Copy of register	72% (70%)	68% (70%)	69% (70%)
An official symbol	56% (59%)	61% (55%)	60% (56%)
A certificate	57% (63%)	55% (54%)	55% (58%)
Base number	138	314	452

4.2.20 All respondents who were aware of the notification process were asked to indicate whether they were aware of the following:

Awareness in terms of notification			
<i>(prompted)</i>	Private	Public	Total
Notification is legally required as part of the Data Protection Act	72% (79%)	94% (94%)	83% (87%)
Organisation may be exempt from having to notify	33% (39%)	55% (51%)	44% (45%)
Even if your organisation doesn't have to notify it still has to comply with the principles of the Data Protection Act	75% (76%)	84% (84%)	80% (80%)
Your organisation could notify voluntarily	50% (54%)	67% (65%)	59% (60%)

¹⁰ This percentage of agreement refers to the respondents that stated a 4 or 5 on the questionnaire scale with 5 being strongly agree

Consequences of the Data Protection Act on organisations

4.2.21 Improved levels of customer trust, information management and risk management were confirmed by over 80% of respondents in terms of the Data Protection Act's influence on their business. Almost 90% felt that it was needed. Two thirds felt it added value to the business. In terms of negative response, 56% felt that it meant extra work, 16% felt it was a burden on the organisation and 10% felt it wasted resources. Overall there was an increase in positive aspects and a decrease in the negative aspects.

Agreement with aspects of the Data Protection Act (agree ¹¹)									
(prompted)	Private			Public			Total		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
It is needed	n/a	n/a	86%	n/a	n/a	93%	n/a	n/a	89%
It improves information management	72%	69%	80%	83%	81%	88%	78%	75%	84%
It improves customers trust	72%	73%	81%	85%	84%	85%	78%	78%	83%
It helps improve risk management	64%	64%	78%	77%	76%	82%	71%	70%	80%
It adds value to the business	47%	48%	60%	60%	61%	72%	54%	55%	66%
It means extra work	76%	65%	45%	88%	81%	78%	82%	73%	56%
It is a burden on my organisation	25%	24%	13%	29%	21%	18%	29%	23%	16%
It is a waste of resources	15%	14%	11%	7%	6%	9%	11%	10%	10%

Source of information on the Data Protection Act

4.2.22 The internet was the main source for Data Protection Act information followed

Sources of information about the Data Protection Act			
(unprompted)	Private	Public	Total
Internet	15% (25%)	42% (44%)	28% (34%)
Newspapers / magazines	13% (22%)	30% (34%)	21% (28%)
Conferences	13% (6%)	20% (15%)	16% (10%)
Direct mail	10% (12%)	17% (18%)	14% (15%)
Workshops	11% (9%)	15% (12%)	13% (10%)
Television programme	6% (8%)	15% (13%)	10% (11%)
Leaflets	7% (9%)	11% (12%)	9% (11%)
Presentations	6% (n/a)	10% (n/a)	8% (n/a)

¹¹ This percentage of agreement refers to the respondents that stated slightly or strongly agree to the statements

4.3 Freedom of Information Act

4.3.1 Results (based on public authorities only) cover the following subjects:

- Familiarity with the Freedom of Information Act
- Awareness of Freedom of Information Act rights
- Knowledge of obligations the Freedom of Information Act places on public authorities
- Attitudes of Freedom of Information Officers towards the Freedom of Information Act
- Impact of the Freedom of Information Act on relationships with stakeholders.
- Source of advice on the Freedom of Information Act

Familiarity with the Freedom of Information Act

4.3.2 The majority (89%) of public authorities felt they are either very or quite familiar with the Freedom of Information Act with 41% being very familiar. However, 49% stated they were only 'quite familiar' which suggests there is still a need to increase awareness and understanding of the Act. Over 11% were unfamiliar or unsure.

4.3.3 There has been a 10% increase in public authorities indicating that they are very or quite familiar with the Freedom of Information Act since 2004.

Familiarity with the Freedom of Information Act			
Response	2004	2005	2006
Very familiar	31%	41%	41%
Quite familiar	49%	45%	49%
Not very familiar	16%	13%	10%
Not at all familiar	3%	0.7%	0.8%
Don't know	1%	0.5%	0.5%

Base: 400

Awareness of Freedom of Information Act rights

4.3.4 80% of respondents stated that the Freedom of Information Act provides 'the right to request information held by the Government and other public authorities', a 4% increase since 2005. A quarter stated that it provides the right to request personal information.

Awareness of Freedom of Information Act rights¹²		
<i>(unprompted)</i>	2005	2006
The right to request information held by the Government and other public authorities	76%	80%
The right to request personal information	24%	25%
The right to know what type of information is available from the Government	14%	12%
The right to request information about the environment	3%	7%
The right to see what public money is spent on	4%	6%
The right to request other peoples personal information	2%	5%
The right to see official information from the Government	3%	2%
The right to find out about issues relating to national security	0.2%	1%

4.3.5 The table below compares unprompted awareness of rights (those stating agree strongly / slightly) in terms of their familiarisation with the Freedom of Information Act.

Awareness of rights in terms of how familiar respondents are with Freedom of Information Act¹³		
<i>unprompted</i>	Familiar	Unfamiliar
The right to request information held by the Government and other public authorities	85% (82%)	41% (40%)
The right to know what type of information is available from the Government and other public authorities	13% (17%)	0% (2%)
The right to request information about the environment	8% (3%)	5% (2%)
The right to see what public money is being spent	7% (5%)	0% (0%)
The right to see official information from the Government	2% (3%)	0% (5%)
The right to request personal information	25% (25%)	21% (17%)
The right to find out about issues relating to national security	1% (3%)	0% (5%)
The right to request other people's personal information	5% (2%)	2% (2%)

¹² Percentages refer to the percentage of respondents mentioning this right unprompted

¹³ Respondents familiar with the Freedom of Information Act refer to those stating that they are very or quite familiar with the Act. Respondents unfamiliar refer to those stating not very or not at all familiar with the Act (3.2.3).

- 4.3.6 In the table below, the top four options are actual rights under the Freedom of Information Act (The seventh and eight are rights, but have limitations and exceptions). Respondents were read the list and asked to identify the actual legal rights under the Freedom of Information Act. For each of the actual rights at least 87% of respondents correctly identified them.
- 4.3.7 Awareness of three of the four actual rights ('the right to request information held by the Government and other public authorities', the right to know what type of information is available from the Government and other public authorities' and 'the right to see official information from the Government') had either stayed the same or increased since 2004. However, awareness of the fourth actual right on the list (the right to see what public money is being spent on had decreased (1%) since 2004.

Awareness of Freedom of Information Act rights (% agree strongly / slightly) ¹⁴		
<i>(prompted)</i>	2005	2006
The right to request information held by the Government and other public authorities	97%	97%
The right to know what type of information is available from the Government and other public authorities	95%	95%
The right to see what public money is being spent on	93%	92%
The right to see official information from the Government	82%	87%
The right to request information about the environment	93%	86%
The right to request personal information	47%	54%
The right to request other people's personal information	16%	26%
The right to find out about issues relating to national security	18%	25%

¹⁴ Percentages refer to percentage of respondents noting this right as one relating to the Freedom of Information Act when prompted

Knowledge of obligations the Freedom of Information Act places on public authorities

4.3.8 Respondents were asked which of the following they believed to be true regarding what obligations may have been put on public authorities by the Freedom of Information Act.

4.3.9 From the list below, just one (“Make information about decisions and meetings available”) is not actually a legal obligation and respondents indicated the lowest level of knowledge on this aspect. “Make information available to anyone who requests it” is an obligation, but it has exceptions. Awareness of all of the obligations has decreased since 2005.

Freedom of Information Act obligations			
<i>(Prompted)</i>	2004	2005	2006
Have a publication scheme	89%	90%	85%
Review publication scheme	91%	88%	82%
Make information available to anyone who requests it	93%	88%	78%
Make the public aware of the form in which information is published	88%	87%	83%
Make the public aware of any charges for information requested	85%	86%	85%
Have a policy on records management	80%	82%	78%
Make information about decisions and meetings available	83%	76%	76%

4.3.10 74% of all respondents expressed awareness of all three of the following obligations and whilst this demonstrates a good understanding of the act, there has been a decrease of 7% since 2004.

- Have a publication scheme
- Make the public aware of the form in which information is published
- Make the public aware of any charges for information requests

Attitudes of Freedom of Information Officers towards the Freedom of Information Act

4.3.11 To measure the attitudes of the Freedom of Information Officers towards the Freedom of Information Act, respondents were asked how much they agreed with the following statements:

Attitudes toward the Freedom of Information Act (% agree)¹⁵			
<i>(prompted)</i>	2004	2005	2006
It is needed	n/a	n/a	82%
It improves records management	89%	86%	79%
It increases trust	72%	79%	73%
It means extra work	n/a	83%	73%
It improves organisational knowledge internally	77%	75%	71%
It improves organisational knowledge externally	79%	76%	69%
It increases participation	63%	69%	66%
It puts strain on resources	70%	68%	62%
It has increased expenditure	67%	57%	59%
It is a burden on my organisation	51%	38%	36%

Impact of the Freedom of Information Act on relationship with stakeholders

4.3.12 Respondents were asked on a scale of 1 – 5 whether the Freedom of Information Act had changed their organisations' relationship with various stakeholders. Almost half of the respondents (45%) felt that the Freedom of Information Act had changed their relationship with the general public. Over a third of respondents (36%) felt that it had significantly changed the relationship with the public media and staff. Almost a quarter felt it had changed the relationship with suppliers / contractors.

Affect of Freedom of Information Act on stakeholder relationships			
Changed significantly¹⁶	2004	2005	2006
Public media	8%	21%	36%
General public	8%	54%	45%
Suppliers / contractors	9%	60%	23%
Staff	13%	54%	36%

¹⁵ This percentage of agreement refers to the respondents that stated a 4 or 5 on the questionnaire scale with 5 being strongly agree

¹⁶ This percentage of change refers to the respondents that stated a 4 or 5 on the questionnaire scale with 5 being change significantly in 2005 and those stating changed slightly for the better / changed for the better in 2006.

Source of information on the Freedom of Information Act

4.3.13 Newspapers and magazines were the main source for Freedom of Information followed by the internet and TV programmes over the last 12 months. (This question was not asked in previous years).

Sources of information about the Freedom of Information Act	
<i>Source</i>	Total
Newspapers / magazines	44%
Internet	38%
TV programmes	24%
Conferences	23%
Workshops	17%
Direct Mail	16%
Presentations	11%
Leaflet	11%
Radio	9%

Source of advice on the Freedom of Information Act

4.3.14 Respondents were asked where they turned for advice on the Freedom of Information Act. 63% of respondents indicated that they would turn to the Information Commissioner's Office by some means.

Source of advice on the Freedom of Information Act		
<i>(unprompted)</i>	2005	2006
Information Commissioner's Office overall	73%	63%
Information Commissioner's Office website	43%	54%
In-house expert	23%	32%
Information Commissioner's Office (by telephone)	20%	26%
Solicitor / legal department	19%	16%
Department for Constitutional Affairs	19%	9%
Information Commissioner's Office (not website or telephone)	10%	8%
Person responsible for Freedom of Information overall	5%	4%
Scottish Information Office	2%	3%
Campaign for Freedom of Information	1%	2%
Other	30%	19%

Organisations responsible for enforcing the Freedom of Information Act

4.3.15 Respondents were asked to identify any organisations that they were aware of responsible for enforcing the Freedom of Information Act. Over two thirds mentioned the Information Commissioner. (This question was not asked in previous years).

Organisations responsible for enforcing the FOIA	
<i>(unprompted)</i>	Total
Information Commissioners' Office (ICO)	70%
Office of the Scottish Information Commissioner	4%
Department for Constitutional Affairs	4%
Government	6%
Data Protection Agency	2%
Data Protection Registrar / Commissioner	1%
None	3%

4.4 Information Commissioner's Office

4.4.1 Results covered the following subjects:

- Role of the Information Commissioner's Office
- Overall perceptions of the Information Commissioner's Office
- Methods to receive advice and guidance from the Information Commissioner's Office
- Willingness to take part in further research conducted by the Information Commissioner's Office

Role of the Information Commissioner's Office

4.4.2 Respondents were asked what they perceived to be the role(s) of the Information Commissioner's Office. Responses were as follows.

Perceived role of the Information Commissioner's Office			
<i>(unprompted)</i>	Private	Public	Total
To enforce the Data Protection Act	65%	37%	41%
To enforce the Freedom of Information Act	8%	34%	30%
To enforce the Data Protection and Freedom of Information Acts	10%	43%	38%
To promote public access to official information	4%	6%	6%
To protect individuals personal information	14%	6%	8%
To take legal action when the law is broken	6%	8%	8%
To safeguard information rights by providing individuals and organisations information and guidance	6%	15%	13%
To enhance awareness and understanding of the Data Protection and Freedom of Information Acts	3%	17%	15%
To register organisations under the Data Protection Act	4%	2%	2%
To advise on publication schemes	4%	5%	5%

4.4.3 In terms of 'other' responses, the dominant response was to provide information and advice on the Data Protection Act.

- 4.4.4 All respondents aware of the Information Commissioner's Office were asked to indicate where they had seen or heard anything relating to the Information Commissioner's Office in the last 12 months. Over half of respondents had seen information about the Information Commissioner's Office on the internet.

Sources of awareness of the Information Commissioner's Office			
	Private (72)	Public (396)	Total (468)
Internet	40%	54%	52%
Newspaper / magazine	22%	28%	27%
Conferences	8%	22%	20%
Direct mail	13%	11%	11%
TV programme	6%	12%	11%
Workshops	8%	13%	13%
Presentations	4%	9%	8%
Leaflet	1%	7%	6%
Radio	3%	6%	6%
Somewhere else	27%	21%	18%
Not heard/ seen anything	15%	11%	12%

- 4.4.5 The majority of other responses related to 'work'.

Methods to receive advice and guidance from the Information Commissioner's Office

- 4.4.6 Respondents were asked how they would prefer to receive advice and guidance on the Data Protection Act and / or the Freedom of Information Act from the Information Commissioner's Office. This was not asked 2005. The preferred methods were:

Preferred method to receive advice and guidance from the Information Commissioner's Office			
<i>(unprompted)</i>	Private (72)	Public (396)	Total (468)
Via stand alone email request	25%	40%	37%
Via email bulletin I register to	17%	27%	25%
Via letter	36%	24%	26%
Via email through a website	25%	24%	24%
Website	17%	19%	19%
Phone	4%	7%	7%
Through a leaflet	10%	4%	5%
Face to face	0%	1%	1%
Visit office	0%	1%	1%
Get in touch with other organisations / advice agency	0%	1%	1%

Willingness to take part in further research conducted by the Information Commissioner's Office

4.4.7 Finally respondents were asked if they would be willing to take part in further research, with 82% saying yes.

Would you be willing to take part in further research?			
<i>(unprompted)</i>	Private (409)	Public (480)	Total (889)
Yes	74%	89%	82%
No	26%	11%	18%

APPENDICES

1 Sample definitions

2 Questionnaire

1 Sample Definitions

1 Public Authority Size Classification:

Large	
Central Government	Central Government Departments
	Non Departmental Public Bodies
Local Government	Local Authorities
	District councils (NI)
	Fire Authorities
	Welsh local authorities
	Fire Authorities
Police	Police authorities
	Police forces
NHS	Primary Care Trusts
	Strategic Health Authority
	Mental Health Trusts
	Special Health Authorities
Education	Higher Education,

Small/ Medium	
Local Government	Parish meetings
	Internal drainage boards
	Port health authorities
	Magistrates courts committees
	Passenger transport executives
	District drainage commissioners
	Waste authorities
	Passenger transport authorities
	National parks
	Parish/community Councils
NHS	Independent practitioners, (GP's Opticians. Pharmacists & Dentists)
	Acute trusts
	Ambulance trusts
	Local Health Boards
	Trusts (Wales)
	Health Regulators
	HSS Boards
	Community Health Councils
	HSS Trusts Agencies and Councils
	Ambulance Service (Northern Ireland)
Education	Further Education colleges
	Secondary Schools
	Primary Schools
	District Policing Partnerships
	Publicly Owned Companies

2 Private Sector:

Large (>250 employees)

Small (<250 employees)

2 Questionnaire

ORGANISATIONS

INTRODUCTION

Ask to speak to the person who is (or would be) responsible for deciding how information about individuals and suppliers is stored and kept secured within the organisation (public authorities only; or responsible for making information about the organisation available to the public). You may need to ask around departments.

If “don’t know” ask to speak to someone who might know, e.g. company secretary, financial or managing director or member of the personnel department.

NB: We are looking for the person responsible on a day to day basis rather than someone who has overall responsibility at head office for example.

Good morning / afternoon / evening. My name is.....and I am calling from SMSR Ltd., an independent market research company.

We are carrying out research about how organisations handle information (PUBLIC AUTHORITY ONLY – and how public authorities make information about their operations available)

As an independent market research company we adhere to the MRS Code of Conduct so I can assure you any information you give me will be treated as private and confidential. Your responses will remain anonymous and will not be reported on an individual basis, but mixed with others.

The interview will last approximately 12 – 15 minutes.

I'd like to emphasise we are not selling anything, this is purely research and you will not receive any follow up from this research. Your call maybe monitored or recorded for quality control purposes but this will not be used for any other reason than this research.

INTERVIEWER ONLY READ OUT IF RESPONDENT SHOWS CONCERN

If you wish to check the validity of this research please ring the Market Research Society on 0500 39 69 99 or SMSR Ltd. on freephone number 0800 138 0845 or go onto the Information Commissioners website www.ico.gov.uk (you may also offer the Information Commissioners Switchboard number – 01625 545 700 if necessary.)

Also offer the Information Commissioners Switchboard number – 01625 545 700

INTERVIEWER CHECK RESPONDENT OR ANOTHER MEMBER OF THEIR HOUSEHOLD DOESN'T WORK IN ADVERTISING, MARKETING OR MARKET RESEARCH.

ASK ALL:

Q1. Can you tell me whether you are responsible for the Data Protection Act, **(PUBLIC AUTHORITIES ONLY)** The Freedom of Information Act or both of these? **(Tick one only)**

Data Protection Act	Freedom of Information Act	Both	Neither
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Check quotas) –

Interviewers to make sure they are speaking to the person responsible for data protection / Freedom of information.

IF NEITHER ASK TO SPEAK TO SOMEBODY WHO IS RESPONSIBLE FOR ONE OR OTHER OF THESE. OTHERWISE, THANK AND CLOSE

Q2. Can you tell me your job title please?

Q2b. And what is the job title or the position of the person you report to?

Q3. Can I ask whether your organisation holds any information about any of the following? **(Tick all that apply)**

- a. Employees
- b. Customers
- c. Clients
- d. Suppliers
- e. None of these – **Thank and Close**

Q4. We need to speak to people working for organisations of different sizes. Please could you tell me how many employees are employed by your organisation?

a. 1 - 50

b. 51 - 100

c. 101 - 250

d. 251 - 500

e. 500+

(Check quotas)

ASK PRIVATE ORGANISATIONS ONLY

Q5 Which of the following best describes the industry you work in? **(Tick one only)**

a. Agriculture hunting and forestry

b. Fishing

c. Mining and Quarrying

d. Manufacturing

e. Electricity, gas and water supply

f. Construction

g. Wholesale and retail trade; repair of motor vehicles and personal and household goods

h. Hotels and restaurants

i. Transport, storage and communication

j. Financial intermediation

k. Real estate, renting and business activities

l. Public administration and defence

m. Education

n. Health and Social work

o. Other community, social and personal service activities

p. Private household with employed persons

q. Extra-territorial organisations and bodies

ASK PUBLIC AUTHORITY ONLY

Q6. What type of Public Authority do you work for? (**Probe to fit codes**)

LARGE

- a. Central Government departments
- b. Non departmental public bodies
- c. Local Authorities
- d. District Councils (Northern Ireland)
- e. Fire Authorities
- f. Welsh Local Authorities
- g. Police Authorities
- h. Police forces
- i. Primary Care Trusts
- j. Strategic Health Authority
- k. Mental Health Authorities
- l. Special Health Authorities
- m. Higher Education
- n. Scottish authorities

SMALL / MEDIUM

- a. Parish meetings
- b. Internal drainage boards
- c. Port health authorities
- d. Magistrates courts committees
- e. District courts and Sheriff courts
- f. Passenger transport executives
- g. District drainage commissioners
- h. Waste authorities
- i. Passenger transport authorities
- j. National Parks
- k. Parish / community councils
- l. Independent practitioners (GPs, opticians, pharmacists and dentists)
- m. Acute trusts
- n. Ambulance trusts
- o. Local health boards
- p. Trusts (Wales)
- q. Health regulators
- r. HSS Boards
- s. Community Health Councils
- t. HSS Trust Agencies and Councils
- u. Ambulance Service (Northern Ireland)
- v. Further Education Colleges
- w. Secondary schools
- x. Primary schools
- y. District policing partnerships
- z. Publicly owned companies

EVERYONE TO ANSWER

Q7. How important would you say each of the following is within your business or organisation?

	Very important	Quite important	Not very important	Not at all important	Don't know
1. Equal opportunities	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
2. Health and safety	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
3. Risk Management	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
4. Staff development	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
5. Security	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
6. Data Protection	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
(ONLY ASK PUBLIC SECTOR)					
7. Freedom of information	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>

FROM HERE ONWARDS ASK ONLY THOSE RESPONSIBLE FOR DATA PROTECTION ACT, OTHERS SKIP TO Q19

I'm now going to ask you some questions relating to the Data Protection Act. I'd like to remind you at this stage that your answers will be kept strictly confidential and cannot be attributed to you or your organisation.

Q8. How familiar would you say you are with the Data Protection Act?

Very familiar	Quite familiar	Not very familiar	Not at all familiar	Don't know
<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>

Q9 Some types of personal information are considered 'sensitive' and given extra protection in law. I am going to read out a list of different types of information and I would like you to tell me, on a scale of 1 to 10, how sensitive you consider each one to be. 1 is not at all sensitive and 10 is extremely sensitive. **(Interviewer to write the score in the relevant box)**

ROTATE

- Personal contact details (e.g. home address, phone number)
- Financial data (e.g. income and savings)
- Data concerning race or ethnic origin
- Criminal records
- Biometric information (e.g. iris scans, facial scans and finger prints)
- Political opinions
- Membership of political party / organisation
- Clickstream data (e.g. record of web pages visited)
- Religious or philosophical beliefs
- Genetic information
- Health information
- Sexual life information
- Education qualifications
- Employment history
- Trade-union membership

Q10. What rights are you aware of that are given to individuals about whom your organisation processes personal information?

DO NOT READ OUT (Tick all that apply)

- a. The right to see information
- b. The right to correct inaccurate information
- c. The right to ask for information to be removed
- d. The right to confidentiality
- e. The right to say who can see the information
- f. The right to claim compensation for information held inaccurately
- g. Other—write in _____
- h. None
- i. Don't know

Q11. I am now going to read out a list of rights that may or may not be given to individuals about whom your organisation processes personal information. Please tell me which you believe to be true. **READ OUT ONE AT A TIME - ROTATE**

- a. The right to see information
- b. The right to correct inaccurate information
- c. The right to ask for information to be removed
- d. The right to confidentiality
- e. The right to say who can see the information
- f. The right to claim compensation for information held inaccurately
- g. None

Q12. Where would you go to get advice on your responsibilities regarding the Data Protection Act?

DO NOT READ OUT (tick all that apply and add if necessary)

- a. Solicitor
- b. Citizens Advice Bureau
- c. Head Office
- d. Trade Association
- e. Accountant
- f. Public Library
- g. Chamber of Commerce
- h. Business Link
- * i. Information Commissioner website
- * j. Information Commissioner (by telephone)
- * k. Information Commissioner (not by website or telephone)
- l. Local Education Authorities
- m. The Office of the Scottish Information Commissioner (OSIC)
- n. Police
- o. Government Departments
- p. Other – write in _____
- q. Don't know

Q13. Can you tell me of any organisations that you are aware of that are responsible for enforcing the Data Protection Act?

DO NOT READ OUT (tick all that apply and add if necessary)

- a. Information Commissioners Office (ICO)
- b. Office of the Scottish Information Commissioner (OSIC)
- c. Department for Constitutional Affairs
- d. Government
- e. Data Protection Agency
- f. Data protection Registrar / Commissioner
- h. Other – write in _____
- i. None
- j. Don't know

Q14. If I asked you whether you needed to notify or register with the Information Commissioner to comply with the Data Protection Act, which of the following statements would be most applicable to your organisation.

READ OUT – Tick one only

(IF RESPONDENTS IS CONCERNED, REASSURE THEM OF CONFIDENTIALITY)

- a. I have checked and my organisation is exempt – **GO TO Q17**
- b. **I do need** to and have already done so – **GO TO Q15**
- c. **I do need** to but have not yet done so - **GO TO Q15**
- d. I have not yet checked whether I need to - **GO TO Q16**
- e. It is head office's responsibility - **GO TO Q17**
- f. It is somebody else's responsibility - **GO TO Q17**
- g. I am aware that I have to but I don't know how to - **GO TO Q16**
- h. I was not aware of the need to - **GO TO Q18**
- i. I do not know what you mean by notify or register - **GO TO Q18**

Q15. What did or would motivate you to notify your organisation with the Information Commissioner?

DO NOT READ OUT – (Tick all that apply and add if necessary)

- a. It is a criminal offence not to (legally required)
- b. To comply with the Data Protection Act / because we handle personal information
- c. It improves the image of the company
- d. To gain customers' trust
- e. We can't trade without being registered
- f. Our customers ask for our notification number
- h. Other – write in _____
- j. Don't know

Q16. On a scale of 1 – 5, how strongly do you agree or disagree that you should receive the following from the Information Commissioner when you notify? (1 strongly disagree and 5 strongly agree)

READ OUT (Tick all that apply and add if necessary)

	1	2	3	4	5
1. Confirmation letter (what they get)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Copy of register (what they get)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. A registration number (what they get)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. A certificate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. An official symbol to indicate you comply with the data protection principles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Advice on how to comply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Email bulletins containing DPA news and advice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q17. In terms of the notification process, are you aware?

Read out and tick all apply

- a. That notification is legally required as part of the Data Protection Act
- b. That your organisation may be exempt from having to notify
- c. That even if your organisation doesn't have to notify it still has to comply with the principles of the Data Protection Act
- d. That your organisation could notify voluntarily

Q18. To what extent would you agree or disagree with the following statements about the Data Protection Act?

ROTATE

	Agree strongly	Agree slightly	Neither agree nor disagree	Disagree slightly	Disagree strongly
1. It is a burden on the organisation	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
2. It is a waste of resources	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
3. It adds value to the business	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
4. It improves customer's trust	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
5. It helps improve risk management	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
6. It improves information management	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
7. It means extra work	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>
8. It is needed	<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>

Q19. Where, if at all, have you heard or seen anything about data protection during the last 12 months?

DO NOT READ OUT (Tick all that apply and add if necessary)

- a. Newspapers / magazines
- b. Direct mail
- c. Leaflet
- d. Radio
- e. TV programmes
- f. Presentations
- g. Workshops
- h. Conferences
- i. Internet
- j. Somewhere else – write in _____
- k. Have not heard / seen anything
- l. Don't know

IF NOT RESPONSIBLE FOR FREEDOM OF INFORMATION ACT SKIP TO Q29

Q20. Firstly, how familiar would you say you are with the Freedom of Information Act?

Very familiar	Quite familiar	Not very familiar	Not at all familiar	Don't know
<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="5"/>

Q21. What rights are you aware of that the Freedom of Information Act gives to the public?

DO NOT READ OUT (TICK ALL THAT APPLY AND ADD IF NECESSARY)

- a. The right to request information held by the Government (and / or other public authorities)
- b. The right to request personal information
- c. The right to request other people's personal information
- d. The right to request information about the environment
- e. The right to see what public money is being spent on
- f. The right to know what type of information is available from the Government (and / or other public authorities)
- g. The right to find out about issues relating to national security
- h. The right to see official information from the Government (and / or other public authorities) such as minutes and planning documents
- h. Other – write in _____
- i. Don't know

Q22. I am now going to read out a list of rights that may or may not be given to the public under the Freedom of Information Act. Please tell me which you believe to be true.

	Agree strongly	Agree slightly	Neither agree nor disagree	Disagree slightly	Disagree strongly
1. The right to request information held by the Government and other public authorities	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
2. The right to request personal information	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
3. The right to request other people's personal information	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
4. The right to request information	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
5. The right to see what public money is spent on	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
6. The right to know what type of information is available from the Government and other public authorities	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
7. The right to find out about issues relating to national security	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
8. The right to see official information from the Government and other public authorities such as minutes and planning documents	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
9. None	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
10. Don't know	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5

Q23. I am now going to read out a list of obligations that may have been put on public authorities by the Freedom of Information Act. Which of the following do you generally believe to be true?

READ OUT – ROTATE (tick all that apply)

- a. Have a publication scheme
- b. Review publication scheme
- c. Make information available to anyone who requests it
- d. Make the public aware of the form in which information is published
- e. Make the public aware of any charges for information requested
- f. Have a policy on records management
- g. Make information about decisions and meetings available
- h. None
- i. Don't know

Q24. To what extent would you agree or disagree with the following statements about the Freedom of Information Act?

	Agree strongly	Agree slightly	Neither agree nor disagree	Disagree slightly	Disagree strongly
1. It is a burden on my organisation	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
2. It increases trust	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
3. It increases participation	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
4. It improves records management	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
5. It improves organisational knowledge internally	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
6. It improves organisational knowledge externally	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
7. It means extra work	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
8. it is needed	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
9. It puts strain on resources	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
10. It has increased expenditure	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5

Q25. On the following scale, 1 being changed for the worse and 5 being changed for the better, how has the Freedom of Information Act changed your authority's relationship with the following?

	Changed for the worse	Changed slightly for the worse	Not changed at all	Changed slightly for the better	Changed for the better
1. Public media e.g. Press, journalists	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
2. General public	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
3. Suppliers / contractors	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
4. Staff	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5

Q26 Where, if at all, have you heard or seen anything about freedom of information during the last 12 months?

DO NOT READ OUT (Tick all that apply and add if necessary)

- a. Newspapers / magazines
- b. Direct mail
- c. Leaflet
- d. Radio
- e. TV programmes
- f. Presentations
- g. Workshops
- h. Conferences
- i. Internet
- j. Somewhere else – write in _____
- k. Have not heard / seen anything
- l. Don't know

Q27. Where do you turn to for advice on the Freedom of Information Act?

DO NOT READ OUT –tick all that apply and add if necessary

- a. In-house expert
- b. Person responsible for Freedom of Information overall in the organisation
- c. Solicitor / legal department
- d. Department for Constitutional affairs
- e. *Information Commissioners website*
- f. *Information Commissioner (by telephone)*
- g. *Information Commissioner (not by website or telephone)*
- h. Campaign for Freedom of Information
- i. Office of the Scottish Information Office (OSIC)
- j. Other – write in _____

Q28 Can you tell me of any organisations that you are aware of that are responsible for enforcing the Freedom of Information Act?

DO NOT READ OUT (tick all that apply and add if necessary)

- a. Information Commissioners Office (ICO)
- b. Office of the Scottish Information Commissioner (OSIC)
- c. Department for Constitutional Affairs
- d. Government
- e. Data Protection Agency
- f. Data protection Registrar / Commissioner
- h. Other – write in _____
- i. None
- j. Don't know

ONLY ASK QUESTIONS 29 - 32 WHO MENTIONING THE INFORMATION COMMISSIONERS AT Q12 OR Q13 AND / OR Q27 OR Q28

Finally, we would like to ask you some questions about the Information Commissioners Office.

Q29. Where, if at all, have you seen or heard anything about the Information Commissioners Office (ICO) during the last 12 months?

DO NOT READ OUT – tick all that apply and add if necessary

- a. Newspapers / Magazines
- b. Direct Mail
- c. Leaflet
- d. Radio
- e. TV programme
- f. Presentations
- g. Workshops
- h. Conferences
- i. Internet
- j. Somewhere else – write in _____
- k. Have not heard or seen anything
- l. Don't know

Q30. In your view what is the role of the Information Commissioner?

DO NOT READ OUT- tick all that apply and add if necessary

- a. To enforce the Data Protection Act
- b. To enforce the Freedom of Information Act
- c. To enforce the Data Protection and Freedom of Information Acts
- d. To promote public access to official information
- e. To protect individuals personal information
- f. To take legal action when the law is broken
- g. To safeguard information rights by providing individuals and organisations information and guidance
- h. To enhance awareness and understanding of the Data Protection and Freedom of Information Acts
- i. To register organisations under the Data Protection Act
- j. To advise on publication schemes
- k. Other –write in _____
- l. Don't know

Q31. How would you prefer to receive advice and guidance on the Data Protection and Freedom of Information Acts from the Information Commissioner?

DO NOT READ OUT – tick all that apply and add if necessary

- a. Phone
- b. Face to face
- c. Visit office
- d. Web site
- e. Via a letter
- f. Via stand alone email request
- g. Via an email request through a website
- h. Via an email bulletin I register to
- i. Through a leaflet
- j. Get in touch with other organisation / advice agency to ask on my behalf
- k. Other – write in _____
- j. Don't know

Q32. Lastly, The Information Commissioner may be conducting some further research on this subject later in the year. Would you be willing to be contacted again to take part in the research?

Yes 1

No 2

IF YES, TAKE RESPONDENT'S NAME AND NAME OF COMPANY / ORGANISATION IF NO THANK AND CLOSE

Contact Name: Mr Mrs Miss Ms								
Name of company:								
Address:								
Postcode:								
Telephone:	()							
E-mail								