

Notifications Payment Consultation
On Behalf of the Information Commissioner's Office



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**Celebrating over 17 years of Excellence
In Public sector Consultation 1991 – 2008**

Final Report

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1.0 Introduction

Notification is a statutory requirement and every organisation that processes personal information must notify the Information Commissioner's Office (ICO), unless they are exempt. Failure to notify is a criminal offence.

Notification is the process by which a data controller (organisation) informs the Information Commissioner of certain details about their processing of personal information. These details are used by the Information Commissioner to make an entry describing the processing in the register of data controllers that is available to the public for inspection.

The principal purpose of having notification and the public register is transparency and openness. It is a basic principle of data protection that the public should know (or should be able to find out) who is carrying out the processing of personal information as well as other details about the processing (such as for what reason it is being carried out).

The Notifications department has used a system of categorisation for the register since 1994. In January 2008 there were 301,000 organisations registered on the public register of data controllers.

SMSR Ltd have worked with the ICO on numerous projects in the past and in January 2008 the ICO commissioned SMSR Ltd to collect data on organisations that have previously notified and to consult with these organisations on notification payment ideas.

2.0 Research aims and objectives

It is being considered that the charging regime for data controllers notifying with the ICO will be revised. The research aims to provide information to inform the ICO on how to apply the revised charging regime.

The objectives of the research were as follows:

To ascertain the proportions of data controllers which have notified by

- number of employees;
- turnover (private sector only);
- number of data subjects which personal information is being processed about; and
- number of CCTV cameras in operation.

And to ask data controllers;

- what they felt the criteria for a higher charge should be based upon;
- to test their level of agreement on proposed industries / sectors that in theory should be made to pay a higher fee; and
- their thoughts on what the fee should be.

3.0 Sample / methodology

The consultation was undertaken using a questionnaire that was designed;

- by officers from the ICO in conjunction with SMSR;
- to ensure it met the aims and objectives mentioned in section 2.0; and
- administered as a telephone survey.

The ICO provided SMSR with a random sample extracted from the public register. SMSR agreed in advance with the ICO of the sectors / industries that should be sampled and specific quotas were set against these sectors / industries. Organisations that had previously said they were willing to be re-contacted in the future when completing the annual track survey were also contacted to ensure that the sample had a more even split of small and large organisations.

For the purpose of this report If an organisation employed less than 200 employees they have been classed as a small organisation and if they employed more than 200 employees they have been classed as a large organisation.

It was agreed that the sample size would be 1,100 to ensure a confidence level of 95% +/-3%.

A copy of the questionnaire can be found in the appendices.

The fieldwork was conducted between February 12th and February 27th 2008

A series of preliminary interviews were initially undertaken to determine the ranges for the number of data subjects which personal information is being processed about; number of CCTV cameras in operation, turnover and number of employees. This was mainly due to a genuine lack of knowledge of the variety of different ranges that might emanate from this sample and to ensure that the actual interviews had the relevant banding for the responses received.

Small organisations have been defined as those employing less than 200 employees and large organisations as those employing 200 or more employees.

4.0 In summary

Organisation information

More than half (54%) the sample interviewed involved data controllers who worked in a private sector organisation, over a third (39%) worked in a public sector organisation and 7% worked for a charity.

Almost half (48%) of these were subject to an industry specific scheme.

Over half (62%) employed 200 employees or less, with almost a third (32%) employing between 1 and 10 employees, 18% between 11 and 49, and 12% between 50 and 199. Over a third (38%) employed 200 employees or more, with 13% of the sample employing up to 999 employees, 14% employing between 1,000 and 4,999 and 9% more than 5,000 employees.

Over a third (34%) of private sector organisations reported a turnover of £250,000 or less. This level of turnover was predominately reported by small organisations. Annual turnover for the remaining private sector organisations in the sample was distributed relatively evenly from £250,000 to in excess of £10,000,000.

Almost nine-tenths of those interviewed were able to state how much personal information their organisation processed. Volumes reported by the sample were evenly spread between 1 to 100,000 records. The public sector and larger organisations within the sample typically processed the largest amounts of personal information.

Just over a third (34%) of the sample operates CCTV cameras that are directed at viewing and / or recording the activities of individuals. This was predominately public sector organisations.

Notification and the fee

Initial notification with the ICO amongst the sample peaked in 2002 at 15%. From 2002 onwards there has been a steady number of new notifications every year since then.

Although 23% of organisations said there should not be an increase with the notification fee, 44% said a higher fee should be based on the amount of personal information processed.

Even though the private sector was less in favour of a higher charge there was little difference between large and small organisations or between the public and private.

A higher number of organisations agreed that the private sector industries should be made to pay a higher fee than the public sectors.

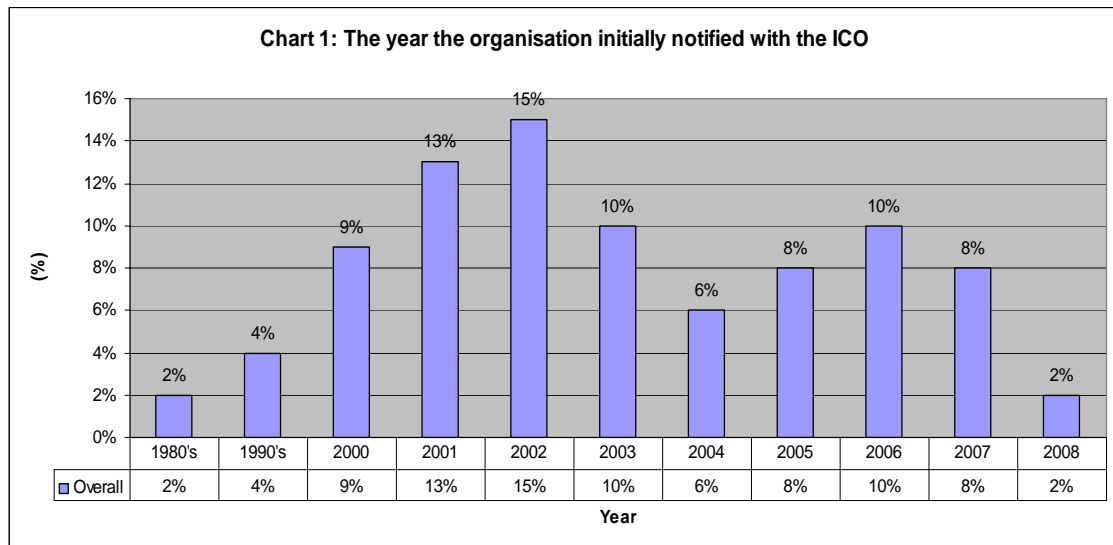
Of those who felt there should be a fee for their industry (41%), 36% said it should be between £35 and £100.

5.0 Findings

5.1 Basic information

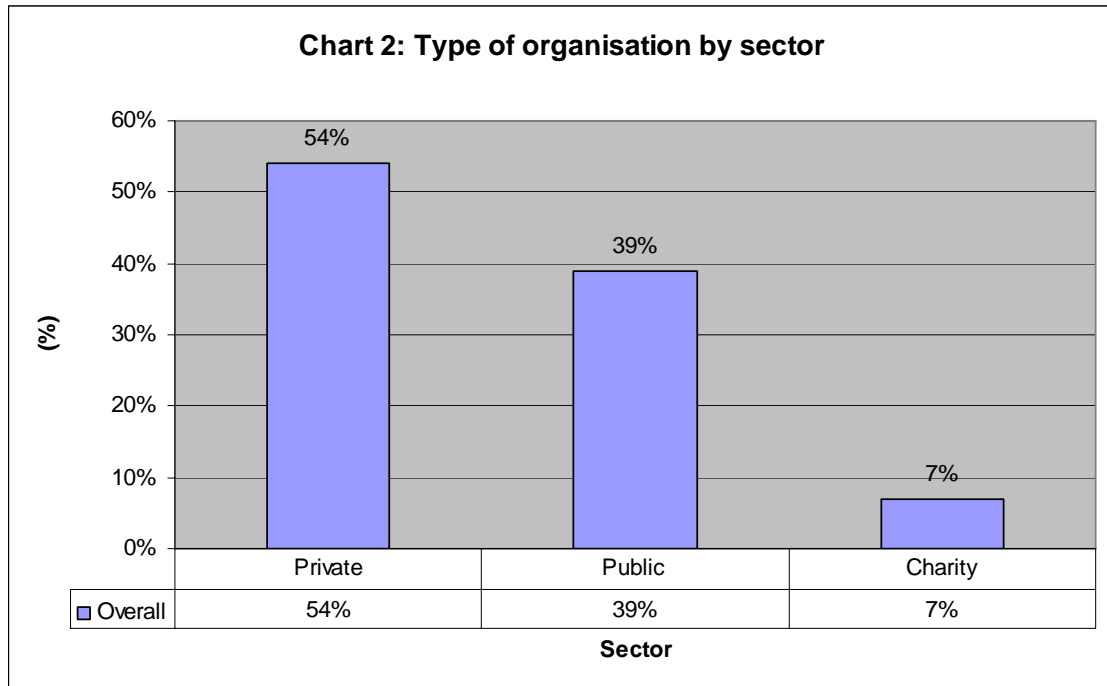
Notification details

All organisations that were interviewed confirmed they were notified with the Information Commissioners' Office. The following table shows when the organisations said they had first notified.



Type of organisation

More than half the sample interviewed (54%) were private sector organisations, a third (39%) were public sector organisations and 7% were charities.



Private sector

Over half (57%) of the organisations interviewed within the private sector described the industry that they worked in as either financial, wholesale and retail trade or legal services.

Table 1: Type of industry

Which of the following best describes the industry you work in?(Private Sector)	Overall (%)
Financial	27%
Wholesale and retail trade	20%
Legal Services	10%
Health	9%
Real estate, renting and business activities	5%
Manufacturing	5%
Consultancy	4%
Construction	3%
Training	3%
Transport and storage	3%
Employment agency	3%
Advertising/Design	2%
Administration	1%
Leisure and Tourism	1%
Communications	1%
Electricity, gas and water supply	1%
Education	1%
Hotels and restaurants	1%
Media	1%

Public sector

More than a fifth of the organisations interviewed within the public sector described their type of organisation as a local authority (26%), a primary care trust (21%) or within the education sector (21%).

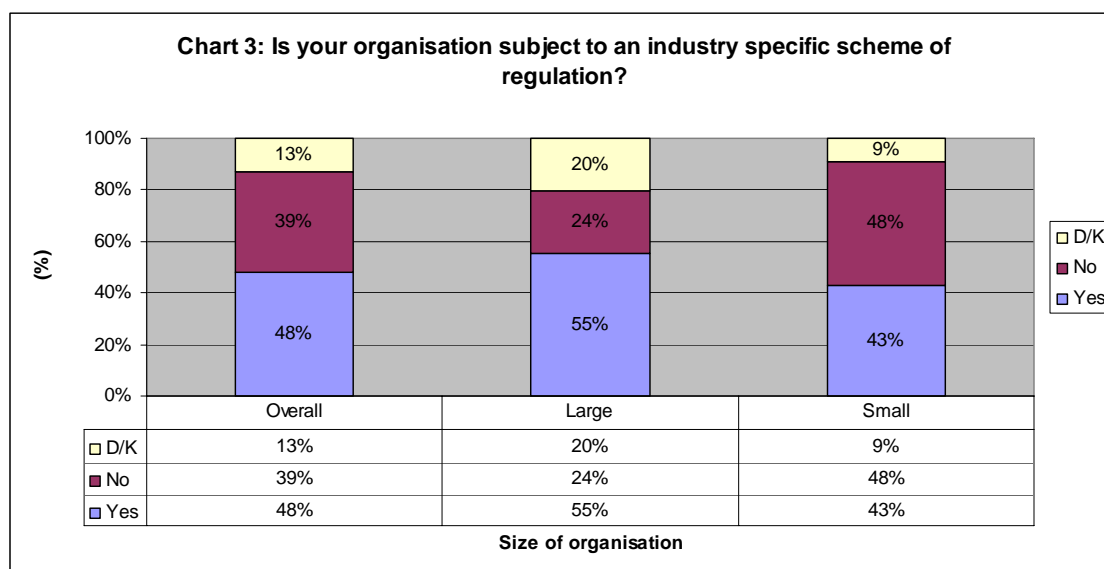
Table 2: Type of sector

Table 2: What type of public authority do you work for? (Public Sector)	Overall (%)
Local Authority	26%
Education	21%
Primary Care Trust	21%
Police Forces	7%
Central Government Department	6%
Independent Practitioners	4%
Fire Authority	3%
Health Regulators	3%
Special Health Authority	2%
Non departmental public body	2%
Housing Association	1%
National Parks	1%
Publicly owned company	1%
Passenger transport authorities	1%

Note: other mentions were less than 1%

Industry schemes / regulations

Almost half (48%) of all data controllers that were interviewed said that their organisation was subject to an industry specific scheme of regulation. Of the large organisations, 55% were subject to an industry specific scheme of regulation, as were 43% of the small organisations.



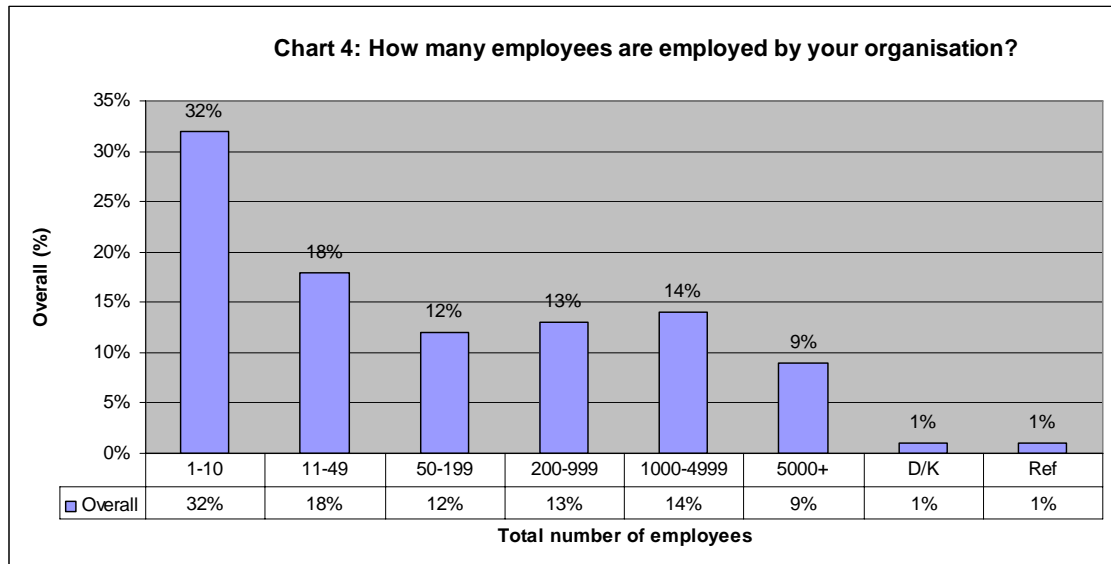
Those organisations which stated they were subject to an industry specific scheme of regulation were asked to name the scheme. The Financial Services Authority was mentioned the most frequently (24%), followed by the Health Care Commission (10%) and OFSTED (8%). A full list of responses can be found in the appendices.

Table 3: Subject to an industry specific scheme overall and by size

If your organisation is subject to an industry specific scheme of regulation, what is the name of the scheme?	Overall (%)	Large (%)	Small (%)
Financial Services Authority	24%	15%	32%
Health Care Commission	10%	19%	3%
OFSTED	8%	5%	11%
Financial Ombudsman	5%	10%	2%
British Retail Consortium	5%	8%	3%
British Society of Banking	3%	0%	6%
Audit Commission	3%	6%	1%
Central Government	3%	6%	0%
The Charity Commission	3%	2%	3%
Solicitors Regulation Authority	3%	1%	4%

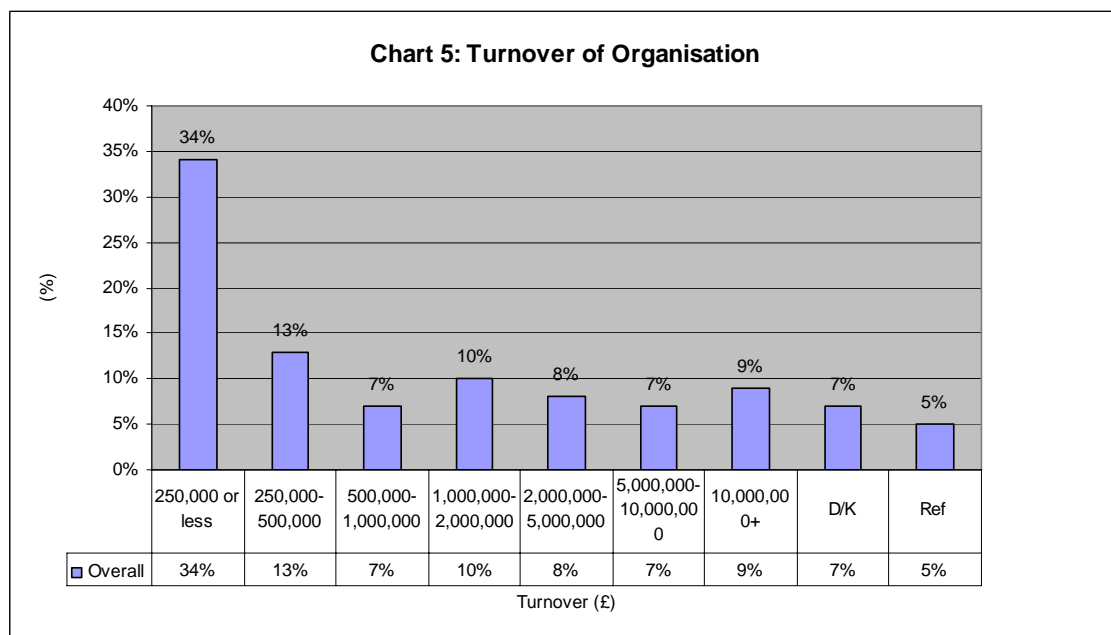
Number of employees

Over half (62%) of all organisations employed less than 200 employees with almost a third (32%) employing between 1 and 10 people. Over a third (36%) employed 200 employees or more.



Turnover

Over a third (34%) of all organisations stated that their annual turnover is less than £250,000, whilst almost a quarter (24%) reported an annual turnover of £2 million or more.



5.2 Data collection

Processing personal information

Of the respondents, those from public sector organisations were more likely to process larger volumes of personal information compared with the private sector and charities.

Table 4: Processing personal information overall and by sector

How many individuals does your organisation process personal information about?	Overall (%)	Private (%)	Public (%)	Charity (%)
1-50	11%	17%	5%	1%
51-100	6%	8%	2%	7%
101-250	9%	11%	7%	11%
251-500	8%	10%	4%	21%
501-1,000	7%	10%	4%	10%
1,001-5,000	13%	15%	9%	16%
5,001-10,000	6%	6%	7%	6%
10,001-50,000	8%	4%	13%	16%
50,001-100,000	6%	2%	11%	1%
100,000+	13%	5%	25%	6%
Refused	1%	1%	1%	0%
Don't Know	11%	10%	14%	6%

Larger organisations were much more likely to process large amounts of personal information. Indeed, 59% of large organisations reported processing personal information of more than 10,000 individuals.

Table 5: Processing personal information by size

How many individuals does your organisation process personal information about?	Large	Small
1-50	1%	17%
51-100	1%	9%
101-250	2%	14%
251-500	5%	11%
501-1,000	3%	10%
1,001-5,000	8%	16%
5,001-10,000	7%	6%
10,001-50,000	14%	6%
50,001-100,000	13%	2%
100,000+	32%	1%
Refused	0%	1%
Don't Know	15%	8%

The findings show that those that employ smaller numbers of employees are less likely to process large amounts of personal information.

Table 6: Processing personal information by number of employees

Amount of personal information processed	Number of employees							
	1-10 (%)	11-49 (%)	50-199 (%)	200-999 (%)	1000-4999 (%)	5000+ (%)	D/K (%)	Ref (%)
1-1,000	69%	62%	37%	23%	7%	1%	15%	29%
1,001-5,000	15%	13%	24%	8%	11%	3%	8%	0%
5,001-100,000	7%	15%	26%	40%	35%	22%	8%	0%
100,000+	1%	1%	4%	19%	31%	52%	8%	14%
D/K or Refused	8%	9%	9%	10%	16%	22%	61%	57%

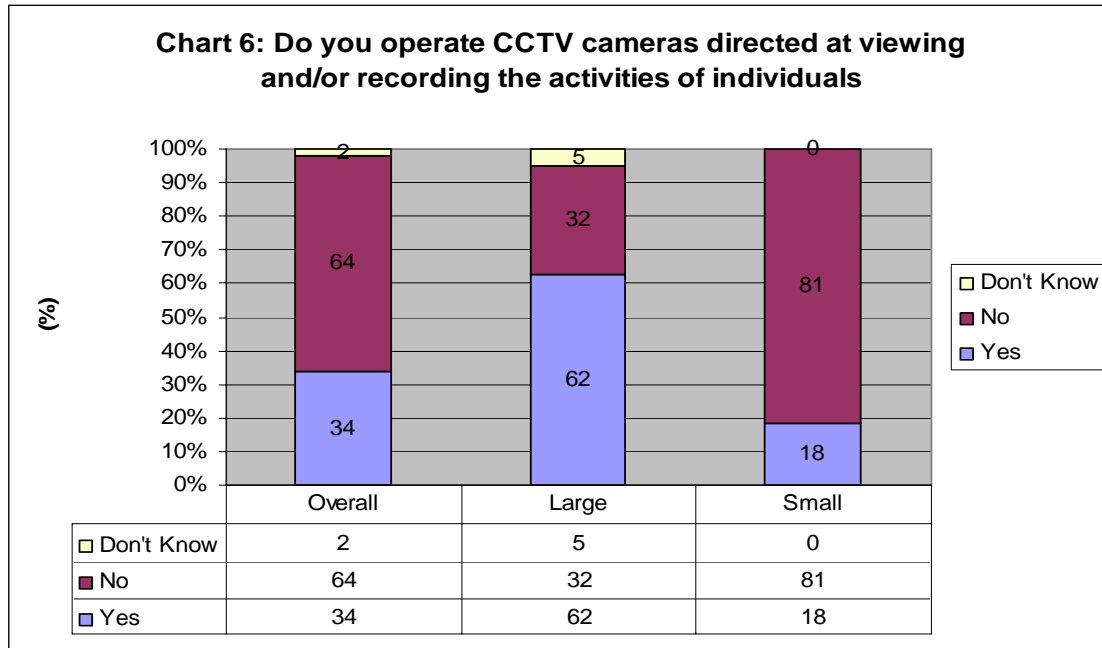
Organisations within the sample processing volumes of personal information in excess of 5,000 records were typically those that had stated a higher turnover.

Table 7: Processing personal information by turnover

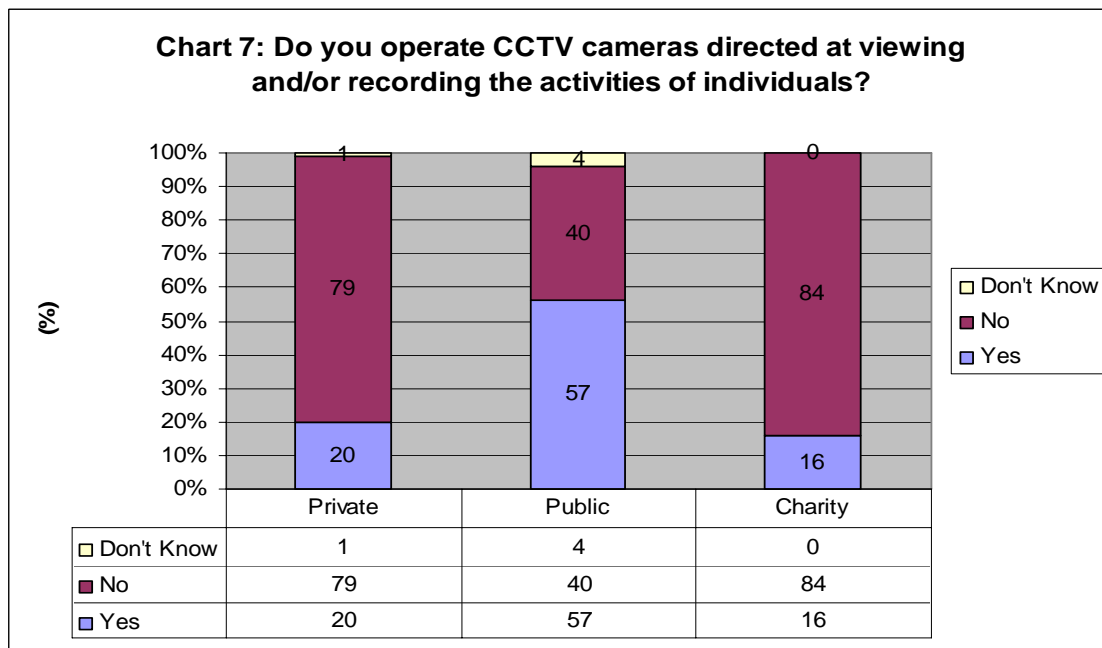
Amount of personal information processed	Turnover								
	£250,000 or less	£250,000-£500,000	£500,000-£1,000,000	£1,000,000-£2,000,000	£2,000,000-£5,000,000	£5,000,000-£10,000,000	£10,000,000 +	D/K	Ref
1-1,000	74%	64%	51%	55%	64%	43%	16%	35%	36%
1,001-5,000	12%	19%	19%	18%	11%	23%	14%	14%	14%
5,001-100,000	5%	9%	28%	15%	17%	18%	25%	12%	7%
100,000+	1%	0%	0%	3%	2%	3%	32%	7%	4%
D/K or Ref	8%	8%	2%	9%	6%	13%	13%	32%	39%

CCTV cameras

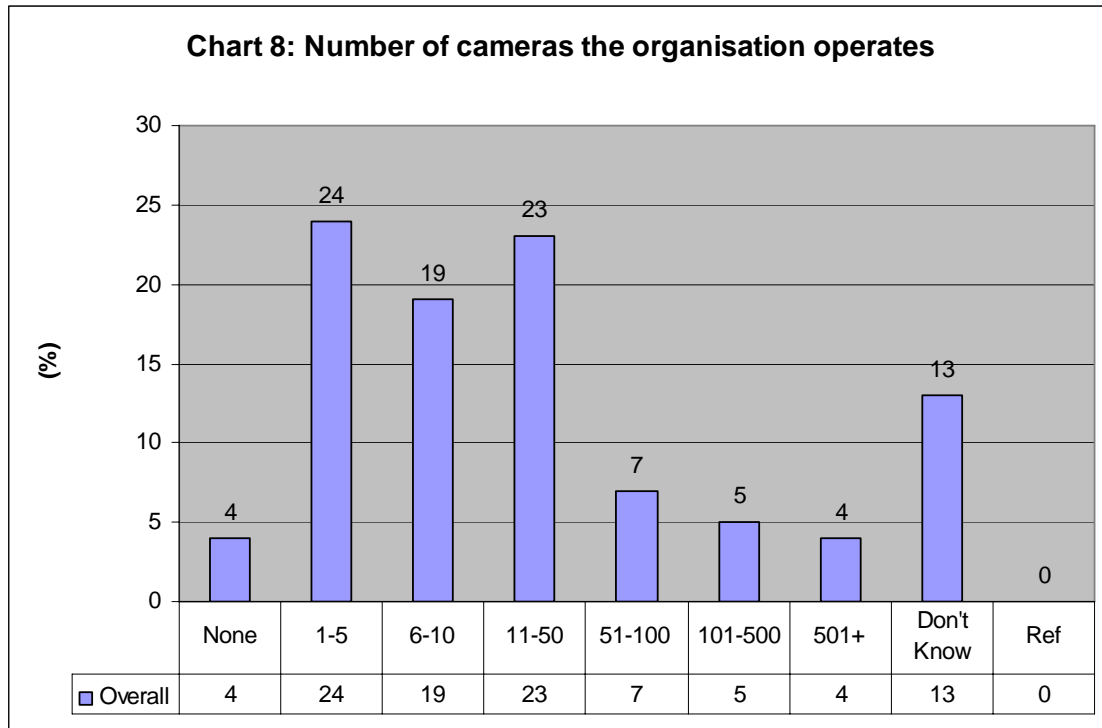
One third (34%) of the organisations said that they do operate CCTV cameras that are directed at viewing or recording the activities of individuals, 64% did not and 2% were unsure. Larger organisations were more likely to have CCTV cameras in operation than small organisations.



More than half (57%) of public sector organisations interviewed said that they had CCTV cameras directed at viewing and or recording the activities of individuals compared with just a fifth (20%) of private sector organisations.



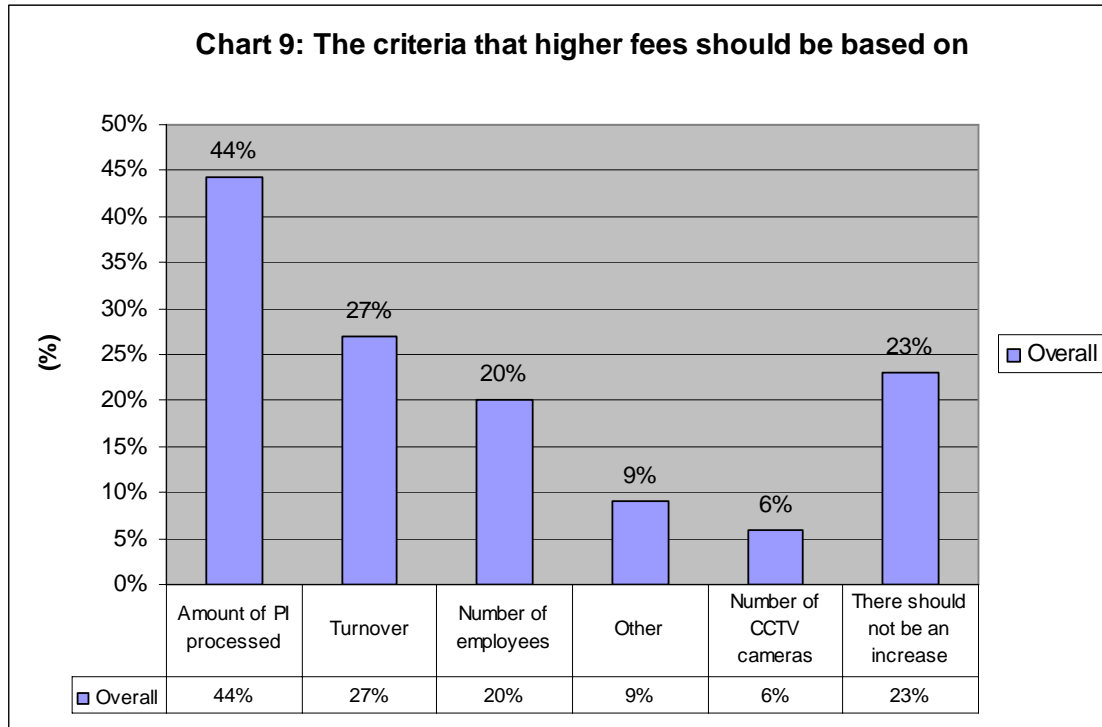
The specific number of CCTV cameras being operated varied, however, 66% of organisations had between 1 and 50 CCTV cameras in operation.



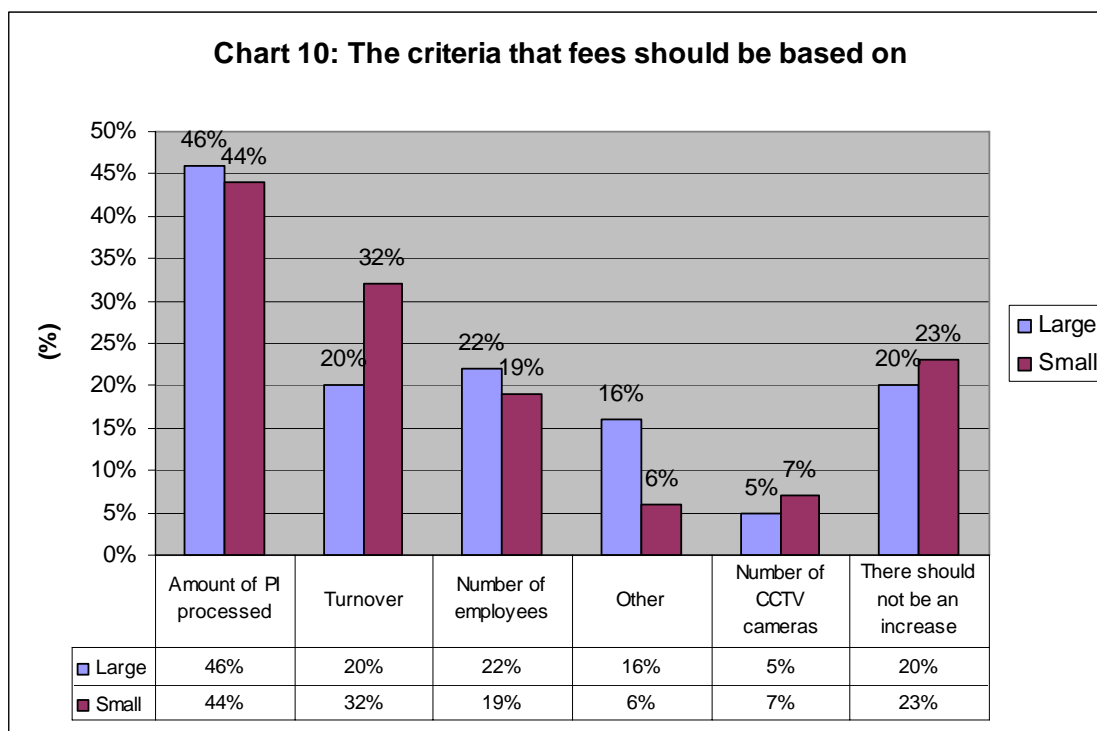
5.3 Opinions on fees

Criteria for revised notification fee

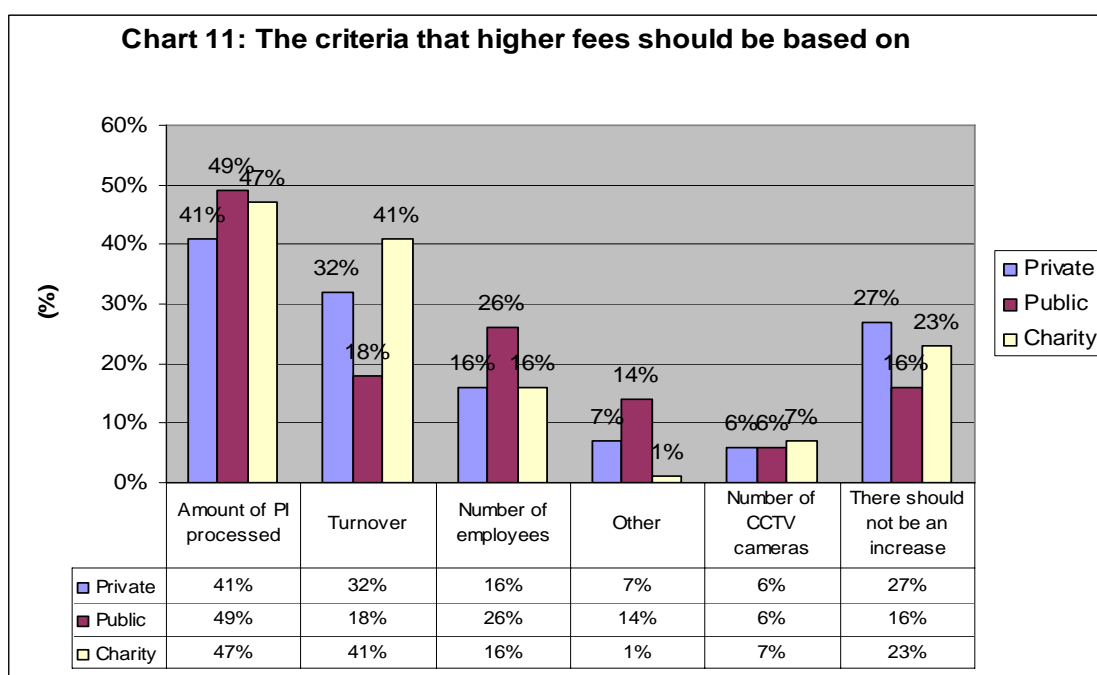
Of all organisations, 44% said that the higher fee criteria should be based on the amount of personal information processed, over a quarter (27%) said that it should be based upon turnover and a fifth (20%) felt it should be based upon the number of employees. However, 23% said that there should no increase.



The largest proportions of both large (46%) and small (44%) organisations were in favour of basing the criteria on the amount of personal information processed. More small organisations (32%) than large organisations (20%) felt that the criteria should be based on turnover. Differences against other criteria were minimal.



Over a quarter (27%) of organisations in the private sector said there should not be an increase compared to just 16% in the public sector. The public sector was more in favour of basing the criteria on the amount of personal information processed and the number of employees.



There was less variance when cross analysed by the amount of personal information processed.

Table 8: Fee criteria by amount of personal information processed

Amount of personal information processed	Criteria higher fees should be based on					
	Amount of personal information	Turnover	No. of employees	Other	No. of CCTV cameras	There should not be an increase
1-1,000	41%	32%	23%	5%	7%	23%
1,001-5,000	46%	25%	17%	6%	6%	27%
5,001-100,000	50%	23%	17%	10%	6%	22%
100,000+	48%	20%	23%	21%	4%	19%

Reasons for no increase

Of the 23% that said that there should not be an increase, 61% felt that the current fee was fair and 15% that the current fee is too much.

Table 9: Main reasons why there should not be an increase

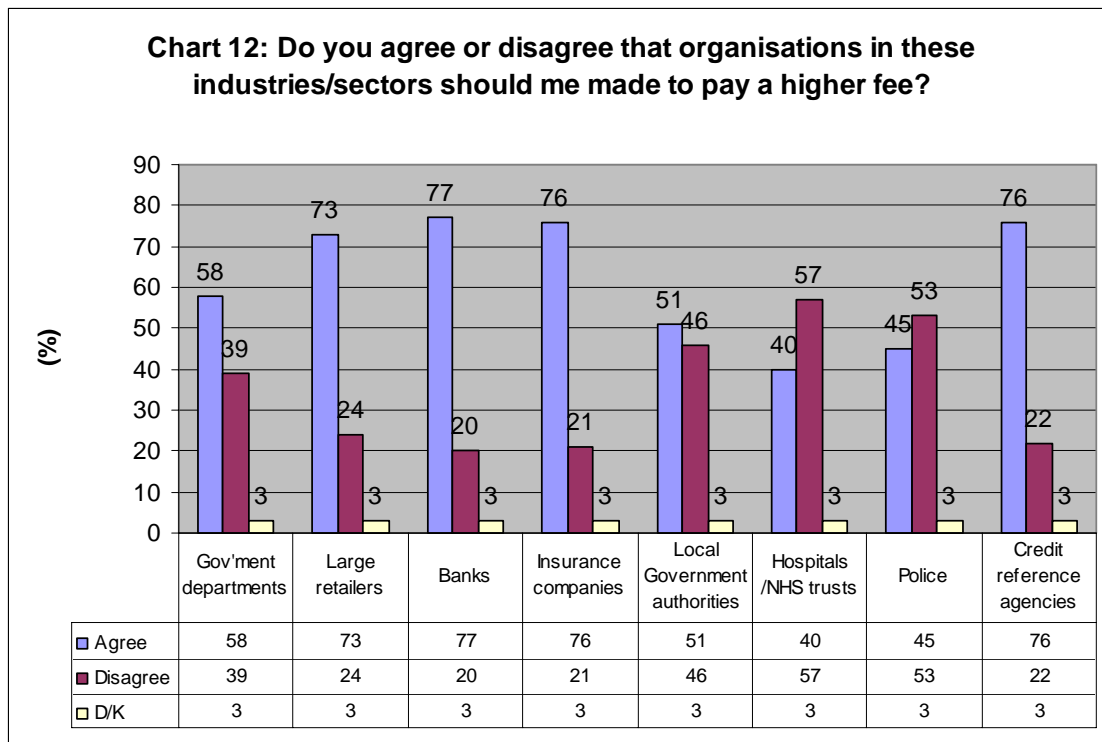
Reasons why there should NOT be an increase	Overall (%)
The current fee is fair for all organisations	61%
The current fee is too much	15%
Too many charges are being imposed on organisations	5%
There are no benefits to the company in return for the fee	5%
The charges will just be passed onto the public	4%
The charge is just another tax	4%
Any increase will effect charity organisation funds	2%
It would be difficult to accurately monitor higher fee criteria	2%
It is impossible to decide on criteria	2%
Why increase fees if the Government funds the ICO	1%
The money could be better spent on staff and health and safety issues	0.4%

Potential sectors / industries for higher fee

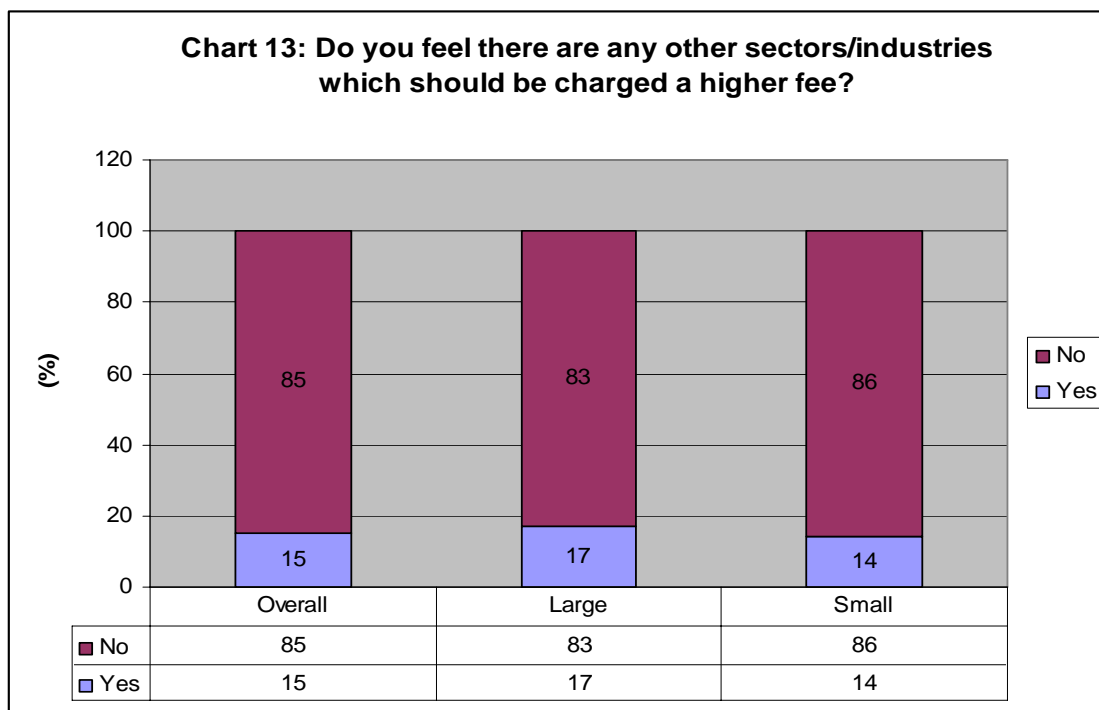
Respondents were asked whether they agreed or disagreed that organisations in the following sectors should pay a higher fee. The organisations that respondents were asked to consider were;

- Government departments
- Large retailers
- Banks
- Insurance companies
- Local government departments
- Hospitals/ NHS Trusts
- Police
- Credit reference agencies

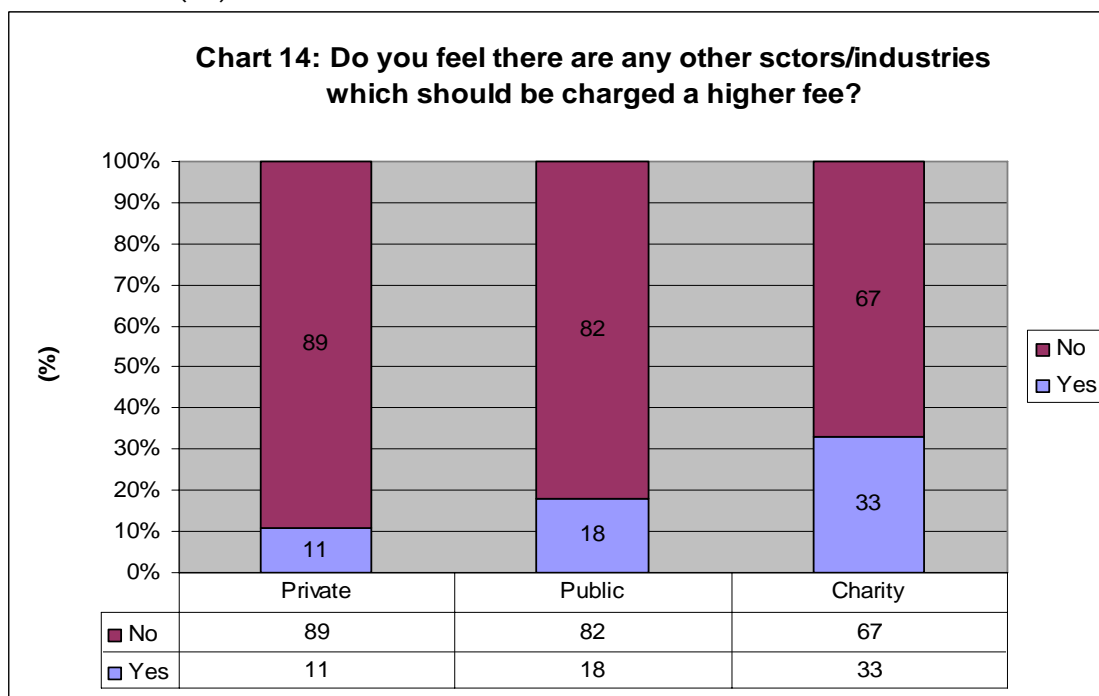
A higher number of organisations agreed that the private sector industries should be made to pay a higher fee than the public sectors mentioned in this question.



Overall, only 15% of organisations felt that there were other sectors or industries that should be charged a higher notification fee. Slightly more large organisations mentioned other sectors (18%).



Almost a fifth (18%) of public sector organisations and a third (33%) of charities that were interviewed mentioned another sector that they felt should be charged a higher fee. It should be noted that although the charities response is significantly higher than the public and private response; base numbers are much lower (73).



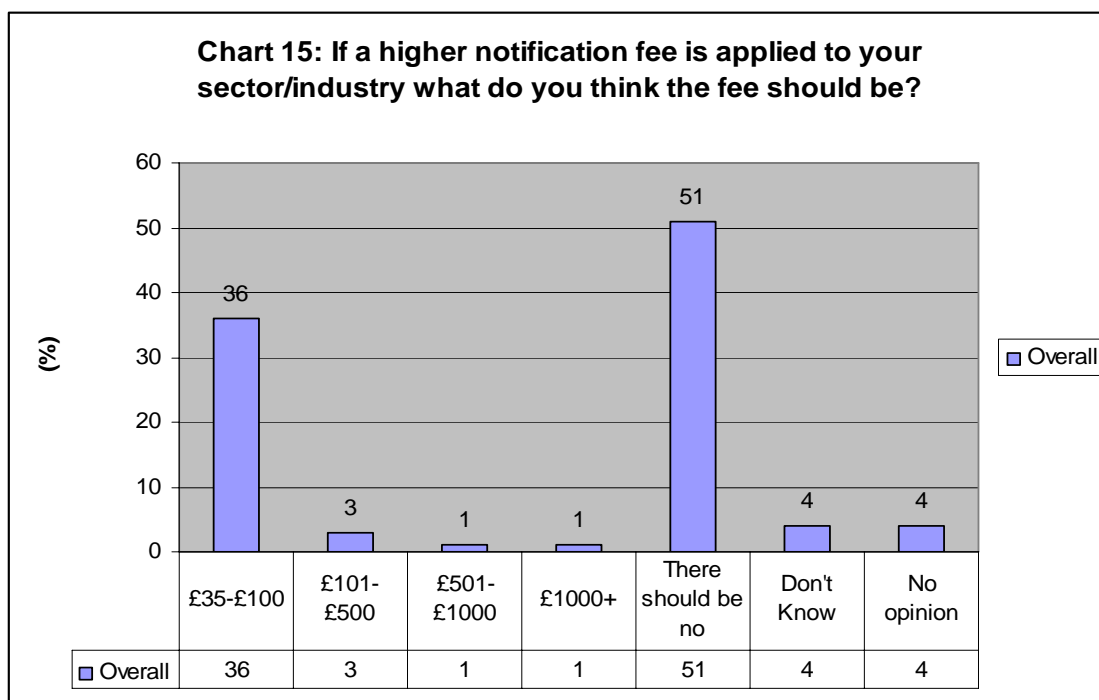
Of the organisations which said other sectors/ industries should be charged a higher fee, almost a third (30%) said that all private sector organisations should be charged more. More than one tenth (14%) also identified sales and marketing organisations and 10% financial organisations, as sectors which should be charged a higher fee.

Table 10: Sectors that should be charged a higher fee

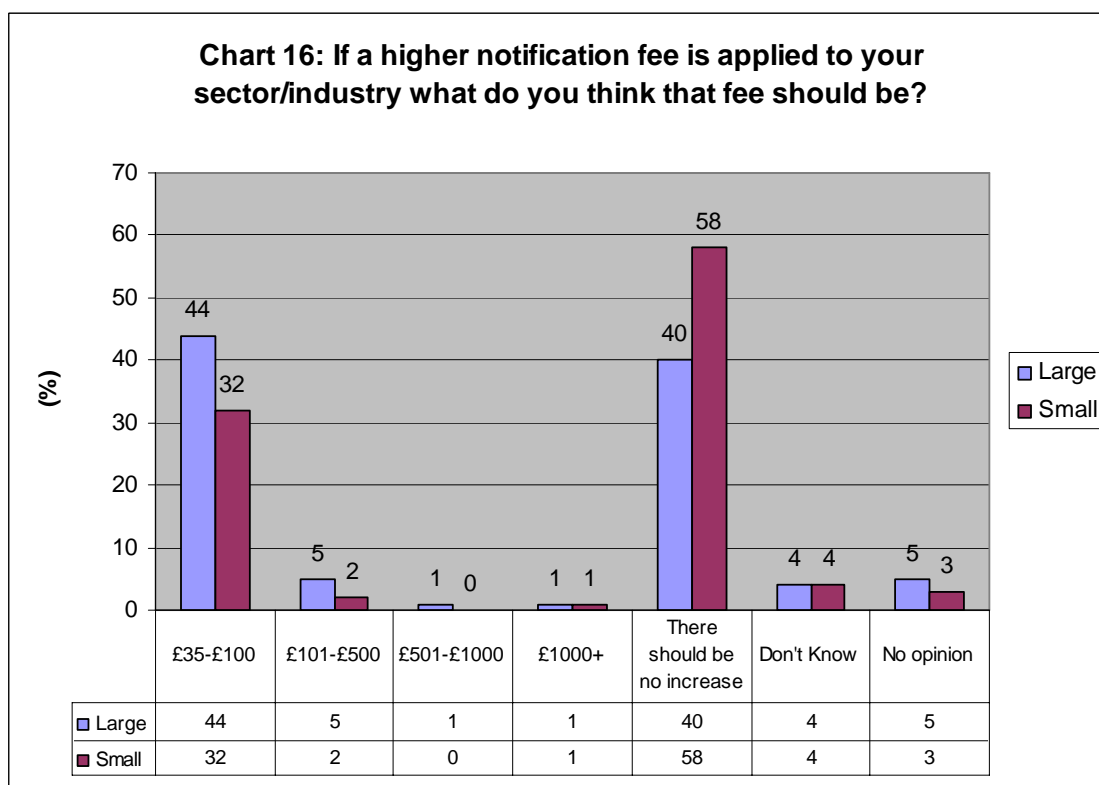
Which sector do you feel should be charged a higher fee?	Overall (%)
All private sector organisations	30%
Sales and marketing organisations	14%
All financial organisations	10%
Legal organisations	7%
Utilities companies	7%
Education	5%
All Government organisations	4%
Organisations which trade personal information	4%
Air lines	2%
Armed forces	2%

Suggested revised fee charge

Over 40% agreed there should be a charge with the majority of these suggesting a charge of between £35 and £100. More than half (51%) said there should be no increase, however it is important to realise that this is driven by the smaller organisations (58%).



Large organisations were much more willing to pay an additional fee.

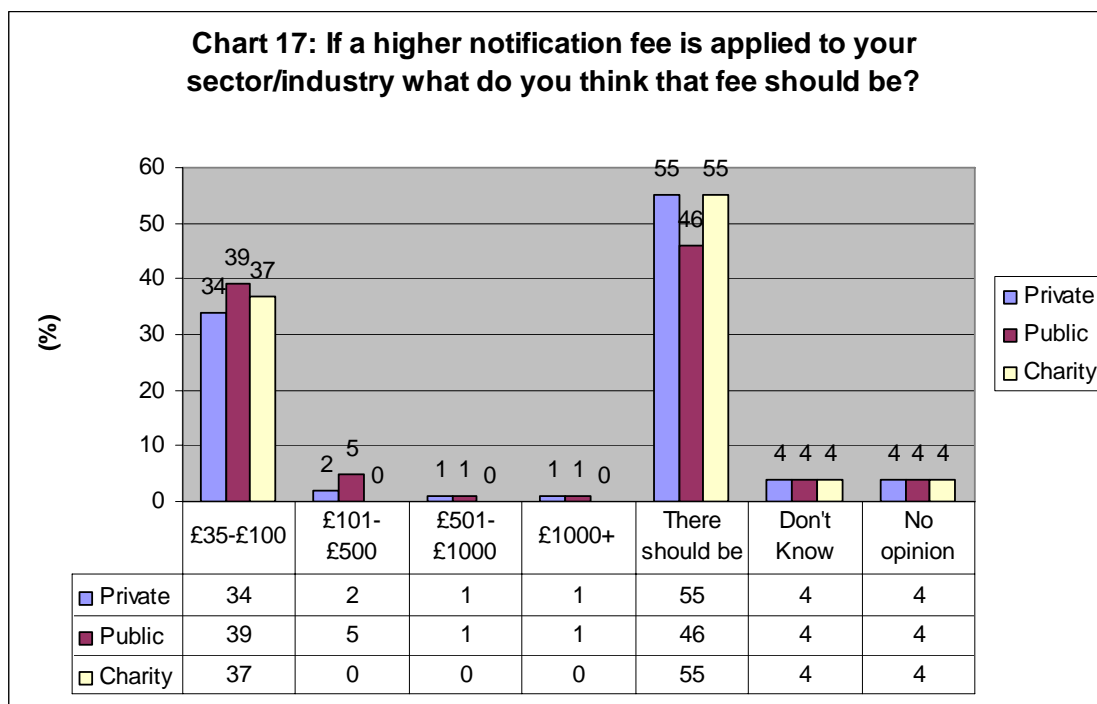


Those organisations that processed large amounts of personal information were more willing to pay a higher notification fee.

Table 11: Willingness to pay a higher fee by amount of personal information processed

Amount of personal information processed	Higher Notification Fee						
	£35-£100 (%)	£101-£500 (%)	£501-£1000 (%)	£1000+ (%)	No Increase (%)	D/K (%)	No Opinion (%)
1-1,000	30%	2%	0%	0%	61%	5%	2%
1,001-5,000	36%	1%	1%	0%	56%	1%	4%
5,001-100,000	49%	5%	1%	0%	38%	3%	3%
100,000+	41%	6%	1%	3%	36%	1%	11%

The public sector was also more willing to specify a price band for a proposed fee, than the private sector or charities.



Appendices

- 1 Topline Results
- 2 Questionnaire

Topline Results

IOBS[S].	All respondents			
		Total	1101	100%
Q1[S].	Q1 Do you know the year the organisation initially notified with the Information Commissioner's Office?			
		Total	1101	100%
		Don't know	151	14%
		1980	1	*%
		1984	9	1%
		1985	1	*%
		1986	1	*%
		1987	2	*%
		1988	3	*%
		1989	2	*%
		1990	3	*%
		1991	1	*%
		1992	3	*%
		1993	1	*%
		1994	3	*%
		1995	5	*%
		1996	-	-%
		1997	3	*%
		1998	15	1%
		1999	10	1%
		2000	96	9%
		2001	146	13%
		2002	166	15%
		2003	109	10%
		2004	67	6%
		2005	87	8%
		2006	109	10%
		2007	90	8%
		2008	17	2%
Q2[S].	Q2 Is your organisation a private sector company, a public authority of charity?			
		Total	1101	100%
		Private sector company	594	54%
		Public authority	434	39%
		Charity	73	7%

Ask: q3 &q7
Q2/1

Q3[S]. Q3 Which of the following best describes the industry you work in?

Total	594	100%
Wholesale and retail trade	116	20%
Financial	158	27%
Advertising/Design	13	2%
Health	55	9%
Transport and storage	15	3%
Agricultural	1	*%
Construction	19	3%
Training	17	3%
Manufacturing	30	5%
Communications	6	1%
Consultancy	23	4%
Administration	8	1%
Education	5	1%
Electricity, gas and water supply	6	1%
Employment agency	15	3%
Real estate, renting and business activities	31	5%
Hotels and restaurants	5	1%
Legal services	59	10%
Media	4	1%
Leisure and Tourism	7	1%
Care services	1	*%

Ask: q4
Q2/2

Q4[S]. Q4 What type of public authority do you work for?

Total	434	100%
Primary Care Trust	89	21%
Ambulance Trust	1	*%
Local Authority	113	26%
Education	93	21%
Police forces	32	7%
Independent practitioners	18	4%
Publicly owned company	4	1%
Fire Authority	13	3%
Central Government Department	25	6%
Health regulators	12	3%
Housing Association	6	1%
National Parks	6	1%
Non departmental public body	7	2%
Parish Council	1	*%
Port Health Authority	1	*%
Special Health Authority	8	2%
Passenger Transport Executive	1	*%
Strategic Health Authority	1	*%
Passenger transport authorities	2	*%
Internal drainage board	1	*%

Q5[S]. Q5 Is your organisation subject to an industry specific scheme of regulation?

Total	1101	100%
Yes	529	48%
No	428	39%
Don't know	144	13%

Ask: q5a
Q5/1

Q5A[S]. Q5a If yes, write in name of scheme

Total	529	100%
Central Government	16	3%
Department for Business, Enterprise and Regulatory Reform	1	*%
Financial Services Authority	129	24%
ACS	1	*%
Civil Aviation Authority	1	*%
Association of independent tour operators	-	-%
Audit Commission	17	3%
The Bar Council	3	1%
British Compressed Gasses Assoc.	1	*%
British Dental Assoc.	5	1%
British Medical Assoc.	2	*%
Local Authority	13	2%
British Retail Consortium	25	5%
British Association of Removers	1	*%
British Society of Banking	17	3%
The Charity Commission	15	3%
City and Guilds	1	*%
Office of Fair Trading	8	2%
Commission for Social Care Inspection	5	1%
Department for Culture Media and Sport	1	*%
OFSTED	44	8%
OFGEN	1	*%
Environmental Standards Agency	2	*%
Ombudsman for Estate Agents	1	*%
Fundraising Standards Boards	1	*%
General Optical Council	9	2%
Gambling Commission	-	-%
General Dental Council	2	*%
General Optical Council	5	1%
Consumer Direct	1	*%
The Health Care Commission	52	10%
Higher Education Funding Council	2	*%
HM Revenue and Customs	2	*%
HM Inspectorate of Constabulary	7	1%
Home Office	6	1%
International Air Transport Association	1	*%
Institute of Chartered Accountants in England and Wales	4	1%
Information Commissioner	2	*%
Independent Schools Authority	2	*%

International Standards Organisation	4	1%
The Law Society	13	2%
Legal Services Commission	2	*%
Money Laundering Commission	1	*%
MONITOR	1	*%
NHS	15	3%
OFCOM	6	1%
OFWAT	2	*%
Financial Ombudsman	27	5%
The Office of the Scottish Charity Regulator	3	1%
The Pensions Regulator	2	*%
Planning Institute	1	*%
Police Act	1	*%
Police Authority	8	2%
The Home Office	1	*%
Quality Assurance Agency	1	*%
Royal Institution of Chartered Accountants	1	*%
Recruitment and Employment		
Confederation	4	1%
Register of Exercise Professionals	1	*%
Scottish Enterprise	1	*%
Self Storage Association	3	1%
Security Industry Authority	1	*%
Solicitors Regulation Authority	14	3%
Wales Audit Office	2	*%
Engineering Council UK	1	*%
Department for Children, Schools and		
Families	1	*%
Credit Union Services	1	*%
Fire Service Act	2	*%
Health and Safety Regulations	2	*%
Health Professional Council	1	*%

Q6[S]. Q6 How many employees are employed by your organisation?

Total	1101	100%
1-10	356	32%
11-49	193	18%
50-199	131	12%
200-999	146	13%
1000-4999	151	14%
5000+	104	9%
Don't know	13	1%
Refused	7	1%

Ask: q3 &q7
Q2/1

Q7[S]. Q7 What is the turnover of the organization?

Total	594	100%
250,000 or less	203	34%
250,000-500,000	74	12%
500,000 - 1,000,000	43	7%
1,000,000- 2,000,000	60	10%
2,000,000 - 5,000,000	47	8%
5,000,000 - 10,000,000	40	7%
10,000,000 +	56	9%
Don't know	43	7%
Refused	28	5%

Q8[S]. Q8 How many individuals the organisation processes personal information about?

Total	1101	100%
1 - 50	122	11%
51 - 100	63	6%
101 - 250	103	9%
251 - 500	91	8%
501 - 1,000	82	7%
1,001 - 5,000	142	13%
5,001 - 10,000	69	6%
10,001 - 50,000	93	8%
50,001 - 100,000	62	6%
100,000+	140	13%
Refused	10	1%
Don't know	124	11%

Q9A[S]. Q9a Do you operate CCTV cameras directed at viewing and/or recording the activities of individuals?

Total	1101	100%
Yes	377	34%
No	700	64%
Don't know	24	2%

Ask: q9b
Q9A/1

Q9B[S]. Q9b How many cameras does the organisation operate?

Total	377	100%
None	16	4%
1-5	92	24%
6-10	73	19%
11-50	88	23%
51-100	26	7%
101-500	19	5%
501+	14	4%
Don't know	49	13%
Refused	-	-%

Q10A[M]. Q10a Which of the following criteria do you think the higher fee should be based upon?

Total	1101	100%
Turnover	295	27%
Amount of personal information processed	488	44%
Number of employees	221	20%
Number of CCTV Cameras	69	6%
There should not be an increase	248	23%
Other	104	9%

Ask: q10a1
Q10A/5
Q10A1[S]. Q10a.1 If respondent feels there should not be an increase- please specify

Total	248	100%
The current fee is fair for all organisations	151	61%
The current fee is too much	36	15%
Any increase will effect charity organisations funds	6	2%
The charges will just be passed onto the public	9	4%
It would be difficult to accurately monitor higher fee criteria	4	2%
It is impossible to decide on criteria	4	2%
The charge is just another tax	9	4%
The money could be better spent on staff and health and safety issues	1	*%
There are no benefits to the company in return for the fee	12	5%
Too many charges are being imposed on Organisations	13	5%
Why increase fee if government funds the ICO?	3	1%

Ask: q10a2
Q10A/6
Q10A2[S]. Q10a.2 If respondent said other - please write their relevant response in the box below

Total	104	100%
Sensitivity of data kept	27	26%
Commercial use of personal data	11	11%
How securely information is kept	7	7%
The amount of time it takes for the ICO to process the application	2	2%
The size of the company in relation to the amount of personal data processed	3	3%
Number of outlets in business	4	4%
Number of complaints generated against the organisations	1	1%
Population of organisation area	3	3%
Inflation rates	1	1%
Don't know	45	43%

Q10B1[S]. Q10b.1 Do you agree or disagree that in theory government departments should be made to pay a higher fee?

Total	1101	100%
Agree	639	58%
Disagree	432	39%
Don't know /No opinion	30	3%

Ask: q10b1x
Q10B1/2
Q10B1X[S]. If no to Government departments - why do you say that?

Total	432	100%
The current fee is fair for all organisations	144	33%
The charges will just be passed onto the public in taxes	89	21%
A Standard fee would be easier to collect	5	1%
The current fee is too much	6	1%
Money is better spent on public services	22	5%
It means the government would be paying the government	38	9%
The fee should look at the organisation, not the sector	13	3%
Public sector organisations should be exempt from the fee	96	22%
It is impossible to decide on the criteria for charging a higher fee	1	*%
It is a statutory obligation to keep personal information	11	3%
A fining system should be in place rather than a set fee	7	2%

Q10B2[S]. Q10b.2 Do you agree or disagree that in theory large retailers should be made to pay a higher fee?

Total	1101	100%
Agree	804	73%
Disagree	266	24%
Don't know /No opinion	31	3%

Ask:	q10b2x		
	Q10B2/2		
Q10B2X[S].	If no to Large retailers - why do you say that?		
		Total	266
			100%
	The current fee is fair for all organisations	145	55%
	A Standard fee would be easier to process	2	1%
	The charges will be passed on to customers	20	8%
	The fee should look at the organisation, not the sector	18	7%
	Nothing is gained by the organisation in return of the fee	1	*%
	Not enough data is processed to warrant a higher fee	48	18%
	A fining system should be in place rather than a set fee	5	2%
	It is impossible to decide on the criteria for charging a higher fee	2	1%
	Increased workload for employees at the company	1	*%
	Organisations pay too many charges already	8	3%
	Money would be better spent on health and safety issues	1	*%
	Don't know	15	6%

Q10B3[S].	Q10b.3 Do you agree or disagree that in theory banks should be made to pay a higher fee?		
		Total	1101
			100%
		Agree	846
			77%
		Disagree	225
			20%
		Don't know /No opinion	30
			3%

Ask:	q10b3x		
	Q10B3/2		
Q10B3X[S].	If no to Banks - why do you say that?		
		Total	225
			100%
	The current fee is fair for all organisations	145	64%
	The fee should look at the organisation, not the sector	22	10%
	Nothing is gained by the organisation in return of the fee	3	1%
	The charges will be passed on to customers	20	9%
	It is a statutory obligation to keep personal information	5	2%
	A Standard fee would be easier to process	1	*%
	A fining system should be in place rather than a set fee	8	4%
	Organisations pay too many charges already	2	1%
	It is impossible to decide on the criteria for charging a higher fee	1	*%
	Not enough data is processed to warrant a higher fee	4	2%
	Increased workload for employees at the company	1	*%
	Don't know	13	6%

Q10B4[S].	Q10b.4 Do you agree or disagree that in theory insurance companies should be made to pay a higher fee?		
		Total	1101
			100%
		Agree	835
			76%
		Disagree	235
			21%
		Don't know /No opinion	31
			3%

Ask:	q10b4x Q10B4/2		
Q10B4X[S].	If no to Insurance companies - why do you say that?		
	Total	235	100%
	The current fee is fair for all organisations	146	62%
	A Standard fee would be easier to process	1	*%
	The current fee is too much	2	1%
	A fining system should be in place rather that a set fee	12	5%
	Not enough data is processed to warrant a higher fee	12	5%
	Nothing is gained by the organisation in return of the fee	3	1%
	The charges will be passed on to customers	25	11%
	It is a statutory obligation to keep personal information	2	1%
	The fee should look at the organisation, not the sector	22	9%
	It is impossible to decide on the criteria for charging a higher fee	4	2%
	Increased workload for employees at the company	1	*%
	Organisations pay too many charges already	3	1%
	Don't know	2	1%

Q10B5[S].	Q10b.5 Do you agree or disagree that in theory local government authorities should be made to pay a higher fee?		
	Total	1101	100%
	Agree	564	51%
	Disagree	507	46%
	Don't know /No opinion	30	3%

Ask:	q10b5x		
	Q10B5/2		
Q10B5X[S].	If no to Local government authorities - why do you say that?		
	Total	507	100%
	The current fee is fair for all organisations	159	31%
	Public sector organisations should be exempt from the fee	168	33%
	The charges will just be passed onto the public in taxes	96	19%
	It is a statutory obligation to keep personal information	20	4%
	A Standard fee would be easier to process	5	1%
	Organisations pay too many charges already	6	1%
	Nothing is gained by the organisation in return of the fee	3	1%
	A fining system should be in place rather than a set fee	5	1%
	The fee should look at the organisation, not the sector	31	6%
	It is impossible to decide on the criteria for charging a higher fee	3	1%
	Increased workload for employees at the company	1	*%
	Don't know	10	2%

Q10B6[S].	Q10b.6 Do you agree or disagree that in theory hospitals/NHS trusts should be made to pay a higher fee?		
	Total	1101	100%
	Agree	442	40%
	Disagree	631	57%
	Don't know /No opinion	28	3%

Ask: q10b6x
Q10B6/2

Q10B6X[S]. If no to Hospitals/ NHS trusts - why do you say that?

	Total	631	100%
The current fee is fair for all organisations	157		25%
Public sector organisations should be exempt from the fee	297		47%
The charges will just be passed onto the public in taxes	86		14%
It is a statutory obligation to keep personal information	25		4%
A Standard fee would be easier to process	1		*%
Organisations pay too many charges already	11		2%
Nothing is gained by the organisation in return of the fee	3		*%
A fining system should be in place rather than a set fee	6		1%
The fee should look at the organisation, not the sector	30		5%
It is impossible to decide on the criteria for charging a higher fee	2		*%
Increased workload for employees at the company	3		*%
Don't know	10		2%

Q10B7[S]. Q10b.7 Do you agree or disagree that in theory police should be made to pay a higher fee?

	Total	1101	100%
Agree	494		45%
Disagree	579		53%
Don't know /No opinion	28		3%

Ask: q10b7x
Q10B7/2

Q10B7X[S]. If no to Police - why do you say that?

Total	579	100%
The current fee is fair for all organisations	158	27%
Public sector organisations should be exempt from the fee	254	44%
The charges will just be passed onto the public in taxes	78	13%
It is a statutory obligation to keep personal information	28	5%
A Standard fee would be easier to process	1	*%
Organisations pay too many charges already	5	1%
Nothing is gained by the organisation in return of the fee	4	1%
A fining system should be in place rather than a set fee	5	1%
The fee should look at the organisation, not the sector	33	6%
It is impossible to decide on the criteria for charging a higher fee	2	*%
Increased workload for employees at the company	2	*%
Don't know	9	2%

Q10B8[S]. Q10b.8 Do you agree or disagree that in theory credit reference agencies should be made to pay a higher fee?

Total	1101	100%
Agree	834	76%
Disagree	238	22%
Don't know /No opinion	29	3%

Ask:	q10b8x		
	Q10B8/2		
Q10B8X[S].	If no to Credit reference agencies - why do you say that?		
	Total	238	100%
	The current fee is fair for all organisations	152	64%
	A Standard fee would be easier to process	1	*%
	The charges will be passed on to customers	22	9%
	Nothing is gained by the organisation in return of the fee	2	1%
	It is a statutory obligation to keep personal information	9	4%
	A fining system should be in place rather than a set fee	6	3%
	The fee should look at the organisation, not the sector	21	9%
	It is impossible to decide on the criteria for charging a higher fee	2	1%
	Increased workload for employees at the company	7	3%
	Organisations pay too many charges already	6	3%
	Money would be better spent on health and safety issues	2	1%
	Don't know	8	3%

Q11[S].	Q11 Do you feel there are any other sectors/ industries which should be changed a higher fee charge?		
	Total	1101	100%
	Yes	165	15%
	No	936	85%

Ask: q11a
Q11/1

Q11A[S]. Q11a If yes, please state sector and reasoning

Total	165	100%
Air Lines	4	2%
All Government Organisations	7	4%
All Private Sector Organisations	49	30%
All financial Organisations	16	10%
Armed Forces	3	2%
Call Centre Organisations	2	1%
Motor industry	2	1%
Communications	3	2%
Organisations which trade personal information	7	4%
Debt Management Organisations	1	1%
Education	8	5%
Estate agents	3	2%
Independent Practitioners	2	1%
Utilities Companies	11	7%
Travel Operators	3	2%
Internet based organisations	3	2%
Legal organisations	11	7%
Mail order organisations	2	1%
Sales and Marketing organisations	23	14%
Media organisations	2	1%
Pharmaceuticals	3	2%

Q12[S]. Q12 If a higher notification fee is applied to your sector / industry what do you think that fee should be?

Total	1101	100%
£35 - £100	398	36%
£101-£500	36	3%
£501 - £1 000	9	1%
£1 000 +	10	1%
There should not be an increase	563	51%
Don't know	43	4%
No opinion	42	4%

Questionnaire

Notification Payment Study

Organisation name _____

Telephone number _____

Introduction

Good morning / afternoon / evening. My name is.....and I am calling from SMSR Ltd., an independent public consultation company based in Hull.

We are carrying out research for the Information Commissioner's Office, the UK's independent public body which enforces and regulates the Data Protection Act. This study concerns notifications, are you the right person to speak to about this subject? **(If yes - continue with script, if no - interviewer to ascertain the contact details of the relevant personnel)**

As you may be aware, there is a set annual fee for all organisations notifying with the Information Commissioner's Office. In respect of data protection the office may gain more inspection and enforcement powers. To fund the new powers, changes will need to be made to the way the Information Commissioner's Office collects notification fee income.

To enable the Information Commissioner's Office to make an informed decision they have commissioned us, SMSR Ltd to undertake research to provide them with the necessary information. This information is partly statistics and partly your opinions. . We have been given your contact details by the Information Commissioner's Office to ensure that we talk to the right person.

May I stress that the information collected will be confidential, the individual responses being kept by SMSR, which operate under the Market Research Society code of conduct. Only the aggregated data set will be passed to the Information Commissioner's Office. No individual responses will be linked to a person's name. The interview will take no more thanminutes. Can I also confirm that after this consultation has been completed all contact data will be destroyed.

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 Commissioner's website www.ico.gov.uk (you may also offer the Information Commissioner's Switchboard number - 01625 545 700 and the contact name of Carolyn Stead - Market Analyst - if necessary.) The link is http://www.ico.gov.uk/about_us/research/data_protection.aspx

Section 1. Basic Information

Can I ask you initially?

We believe that your organisation has notified with the Information Commissioner's Office. Can I check that this is correct?

Yes.....

No.....

Don't know

Thank you and close

Thank you and close

Q1 Do you know the year the organisation initially notified with the Information Commissioner's Office? (Write in)

Q2 Is your organisation a private sector company, a public authority or charity?

Private sector company

Public authority.....

Charity

Q3 ASK PRIVATE SECTOR ORGANISATIONS ONLY – Which industry description best fits your organisation? (Interviewer to write in)

Q4 ASK PUBLIC AUTHORITIES ONLY - What type of public authority do you work for? (Interviewer to write in))

Q5 Can I ask you if your organisation is subject to an industry specific scheme of regulation e.g. Financial Services Authority or OFCOM and if so which scheme.

Yes.....

No.....

Don't know

If yes, write in name of scheme...

Section 2. Data collection

Regarding the data we need to collect you may be surprised that the Information Commissioner’s Office does not already have the information I will ask you for. This is because the Information Commissioner’s Office has a deliberate policy of collecting only essential information in line with the principles of the Data Protection Act.

Furthermore, if you do not have this data immediately to hand, if you provide me with your e mail address, I will send you a short data collection form.

For the questions we ask we would like you to provide answers in relation to the organisation as a whole, rather than as a branch.

- Q7 Please could you tell me how many employees are employed by your organisation?**
- 1-10.....
 - 11-49.....
 - 50-199
 - 200-999.....
 - 1000-4999.....
 - 5000+
 - Don't know
 - Refused.....

- Q8 FOR PRIVATE SECTOR ORGANISATIONS ONLY - What is the turnover of the organisation?**
- 250,000 or less.....
 - 250,000-500,000
 - 500,000 – 1,000,000.....
 - 1,000,000,- 2,000,000.....
 - 2,000,000 – 5,000,000
 - 5,000,000 – 10,000,000.....
 - 10,000,000 +
 - Don't know
 - Refused.....

Q9 You will have notified with the Information Commissioner’s Office because your organisation processes information about individuals for example employees, customers or suppliers. Please could you tell me how many individuals the organisation processes personal information about? (Interviewer to write in)

- Don't know
- Refused.....

Q10a Do you operate CCTV cameras directed at viewing and/or recording the activities of individuals?
 Yes.....
 No Go to Q11
 Don't know Go to Q11

Q10b How many cameras does the organisation operate?
 None.....
 1-5.....
 6-10.....
 11-50
 51-100.....
 101-500
 501+
 Don't know
 Refused.....

Section 3. Opinions on Fees

Q11 The Information Commissioner’s Office is considering charging a higher notification fee to certain organisations - the basis of which is still to be decided – which if any of the following criteria do you think the higher fee should be based upon? (Tick all that apply)

- Turnover.....
 Amount of personal information processed.....
 Number of employees
 Number of CCTV Cameras
 There should not be an increase.....
 Other.....

If respondent feels there should not be an increase or said other – please write their relevant response in the box below

Q12b The ICO have identified eight industries / sectors that they feel may fall into a higher bracket. Do you agree or disagree that in theory organisations in these industries/ sectors should be made to pay a higher fee? (Tick all that apply)

- Government departments.....
- Large retailers
- Banks.....
- Insurance companies
- Local government authorities (excluding parish councils)
- Hospitals/ NHS trusts
- Police.....
- Credit reference agencies

If no to any - why do you say that?(Interviewer to state sector and reasons)

Q13 Do you feel there are any other sectors/ industries which should be charged a higher fee?

- Yes.....
- No.....

If yes, please state sector and reasoning

The current notification fee for all organisations is currently £35

Q14 What do you feel the higher notification fee charge should be? (Unprompted)

- £35 - £100.....
- £101-£500.....
- £501 - £1 000
- £1 000 +
- There should not be an increase
- Don't know
- No opinion.....

Q16 IF RESPONDENT REQUIRES A DATA COLLECTION FORM - So we can send you a data collection form, could I collect your e mail address?

May I thank you on behalf of the ICO and SMSR for your time and co-operation. I would just like to confirm that my name is.....and I have been calling on behalf of SMSR, and that all your responses will be kept completely anonymous and confidential. Should you wish to verify this information in anyway I can provide you with either the name and telephone number of the executive in charge of this project (Darren Hornby, project manager at SMSR on 01482 301041 or Carolyn Stead, Market Analyst at the Information Commissioner's Office on 01625 545700 or alternatively you can call Freephone Market Research Society on 0500 396999 who will be able to confirm our status as a legitimate market research agency. You can also validate the research by logging onto the Information Commissioner's website - www.ico.gov.uk or the direct link is http://www.ico.gov.uk/about_us/research/data_protection.aspx

May I thank you on behalf of the ICO and SMSR for your time and co-operation