

December 2021

# Charting the UK Data Protection Profession



# Foreword

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**Welcome to the latest research findings from the UK Data Protection Index, brought to you by [Data Protection World Forum](#) and [The DPO Centre](#).**

Over the past 18 months, we have quizzed our panel of Data Protection Officers from across the United Kingdom on a quarterly basis, asking a consistent set of baseline questions. Crucially, in the ever-shifting privacy landscape, this has allowed us to track their changing attitudes and opinions for the first time.

This quarter, we have asked our panel of 486 DPOs for their opinions on budgets, charges for Data Subject Access Requests (DSARs), and the potential impact of the recent DCMS consultation.

We also bring you data and commentary on the levels of confidence in compliance within organisations, the challenges of GDPR compliance, and confidence in the effectiveness of the ICO.

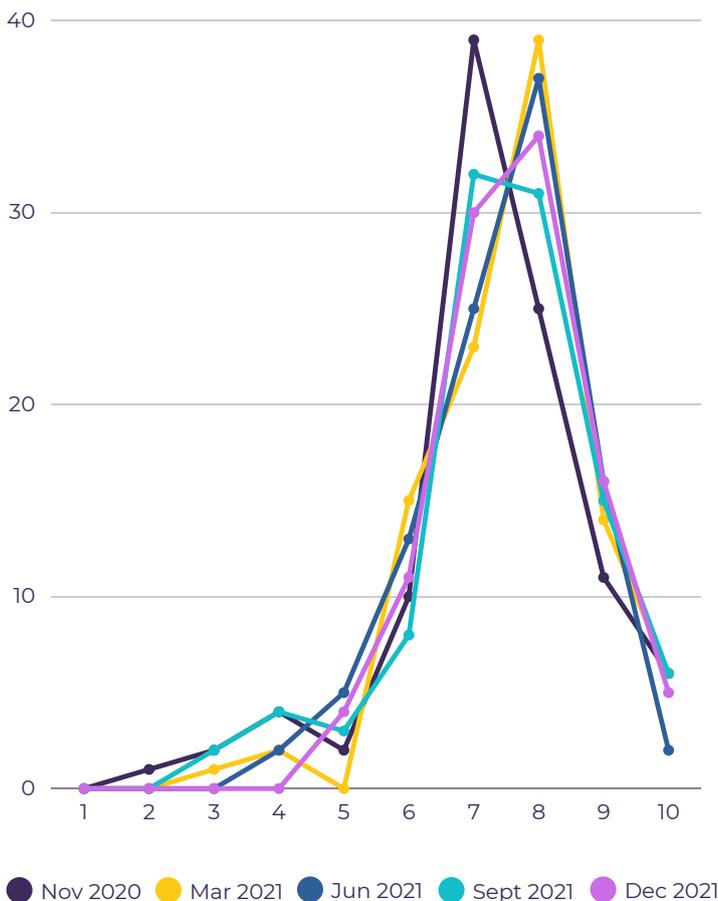
Nick James, Founder of the Data Protection World Forum, said: "With the UK government's consultation on data protection reform now closed, we are likely to see big changes in this field emerging soon. Heeding the knowledge and guidance of privacy professionals has perhaps never been more crucial to organisations. This report provides unique insight into the experiences and views of people working at the heart of data protection—an invaluable resource in these exciting times."

Rob Masson, CEO of The DPO Centre, said: "The UK Data Protection Index's quarterly reports continue to produce many thought provoking insights into the privacy profession. This quarter's focus on the DCMS' recent consultation document is of particular value as it provides a voice to the very people that will be helping to implement the changes on the ground within their organisations, if and when they arise."

The next survey results will be published in March 2022. If you are a privacy professional and you would like to join the panel and add your voice to future surveys, please [click here](#).

## Who is on the panel?

Since the Index launched in July 2020, 486 DPOs spread across every part of the United Kingdom have taken part. This can be broken down as follows: 4.9% from Scotland, 1.2% from Northern Ireland, 3.1% from Wales, and 90.8% from England. London and the South East combined account for over 50% of our respondents. More than three-quarters of the DPOs (77%) are full-time, in-house employees, while 14.4% are consultants or outsourced, and 6.2% are employed in-house on a part-time basis. Nearly a quarter (24.5%) work for companies that have between 1,001 and 5,000 employees, however, there is representation from all sizes of companies; from firms with just 10 employees or less (6.2%) to businesses with a 10,000+ workforce (13.8%).



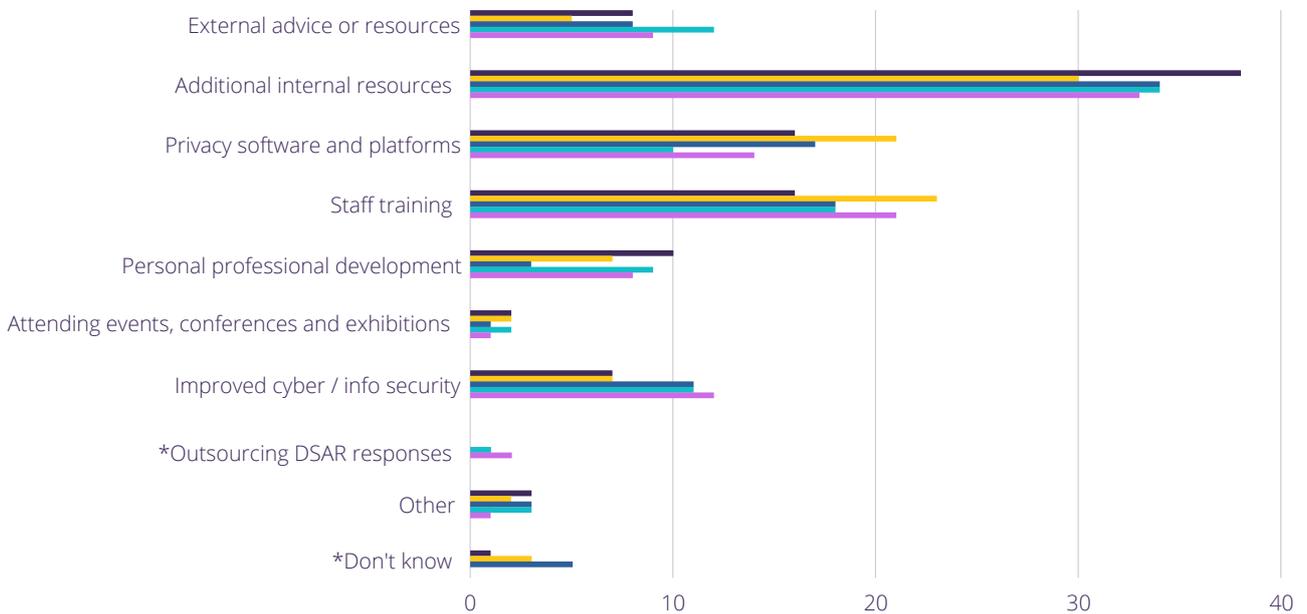
## Key results:

- For the second quarter in a row, DPOs feel that there has been a decline in the level of precedence given to data protection by their organisations (compared with other organisational priorities). Those rating 8 or above (10 being highest precedence) fell by a further percentage point to 32% this quarter, down from 40% in June.
- However, confidence in the effectiveness of the ICO (Information Commissioner's Office) has recovered following last quarter's decline. 43% of respondents gave a score of 8 or more out of 10, up 6 percentage points on last quarter, but still well below June 2021's high of 50% scoring 8 or higher.
- DPOs' perception that the UK's data protection laws are more advanced than other countries' fell for the third quarter running, reaching a mean average of 7.30, compared with 7.44 in June this year.

Fig. 1: DPOs' confidence in their organisation's data protection has seen improvement this quarter, following a 2-quarter slump. Whilst only 51% gave a score of 8 or more out of 10 (10 being extremely confident) in September 2021, this has now improved to 55%. It is worth noting that when the study first started over a year ago, only 35% of DPOs placed their confidence at 8 or above.

## Key Results Continued

"If your budget for data protection activities were to be increased by 20%, which area would you give the highest priority over the next quarter?"



\*Outsourcing DSAR responses' was added as an option for the first time in September 2021's survey and, subsequently, the option 'Don't know' was removed.

● November 2020 ● March 2021 ● June 2021 ● September 2021 ● December 2021

Fig. 2: When asked which areas they would focus on with an increased budget, DPOs continue to place priority around additional internal resources. There has also been an uptick in the desire for staff training (+3 percentage points vs last quarter), as well as privacy software and platforms (+4 percentage points), an area which had previously seen declining demand from our DPOs. In addition, the demand for improved cyber / information security is bigger than ever.

"Is your organisation's overall budget for data protection expected to increase or decrease over the next 12 months?"

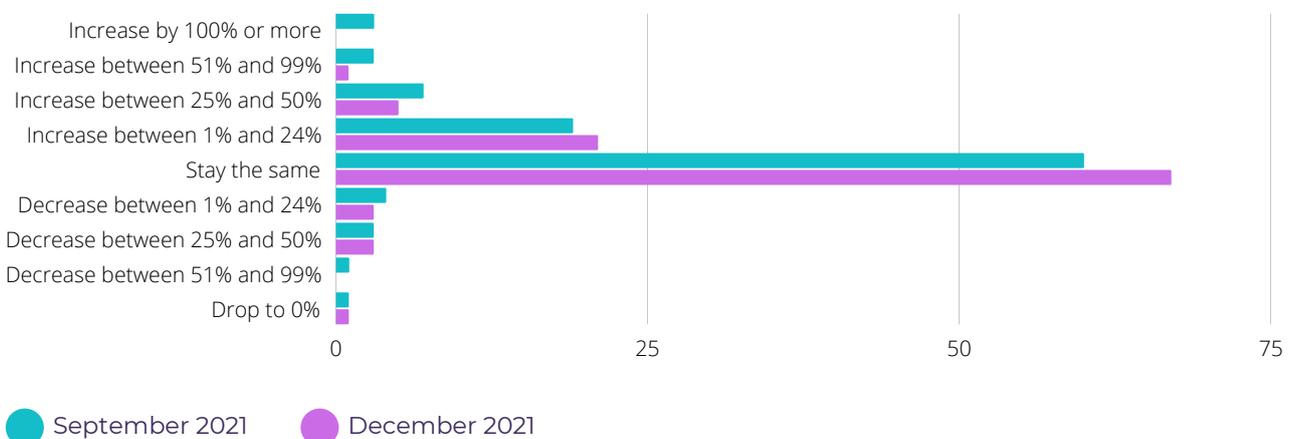


Fig. 3: The proportion of DPOs who expect their budget to increase is now at its lowest level this year. Just 27% of DPOs expect their data protection budgets to increase over the next 12 months, this is down from 31% in September. Once again, the majority (67%) of DPOs expect their data protection budgets to remain the same over the next 12 months.

*While confidence in organisational compliance and the effectiveness of the ICO improved this quarter, DPOs fear that the DCMS proposals risk encouraging SMEs to disregard data protection compliance.*

Positively, we have seen an increase in DPOs' confidence in their organisations' data protection compliance. This quarter, 55% gave a score of 8 or more out of 10 (10 being extremely confident), compared with 51% in September 2021.

The average number of DSARs (Data Subject Access Requests) received over the past 30 days has increased —those reporting ten or more DSARs rose from 20% in September to 27% this quarter. Furthermore, the proportion of DPOs reporting they received zero DSARs declined from 37% last quarter to 29%. This iteration of the survey saw us ask DPOs for their views on how much organisations should be able to charge requesters for fulfilling a DSAR. Whilst 50% thought there should be no charge, 22% felt £10 would be sufficient, and 19% £25. Only 3% thought a fee of more than £100 would be acceptable. The majority (47%) also felt that any cost cap should be set to a maximum of £100 (the lowest value that respondents could choose).

Confidence in the effectiveness of the Information Commissioner's Office (ICO) has recovered following the decline seen last quarter, with 43% of respondents now giving a score of 8 or more out of 10 (up 6 percentage points vs September). However, there has been a repeated decline in the proportion of DPOs reporting that their organisation gives high precedence to data protection compared with other organisational priorities. Those who scored 8 or above (10 being highest precedence) fell by a further percentage point to 32% this quarter, down from 40% in June.

Further, DPOs' perception that the UK's data protection laws are more advanced than other countries' declined again, for the third quarter running, reaching a mean average of 7.30, compared with 7.44 in June this year. This is interesting given that the UK is currently conducting a consultation considering legislative changes. These proposals (known as the DCMS data reform consultation) will, among other things, seek to streamline and clarify rules across several areas within the UK's data protection laws. Our respondents were asked to rank how strongly they feel the DCMS proposals will affect the way SMEs consider data protection compliance. Concerningly, over half scored 7 or more out of 10 (10 being it will: "strongly encourage SMEs to disregard data protection compliance").



To what extent do you agree with the following statement: The DCMS proposal to move cookie consent to browser level is the solution to cookie fatigue.

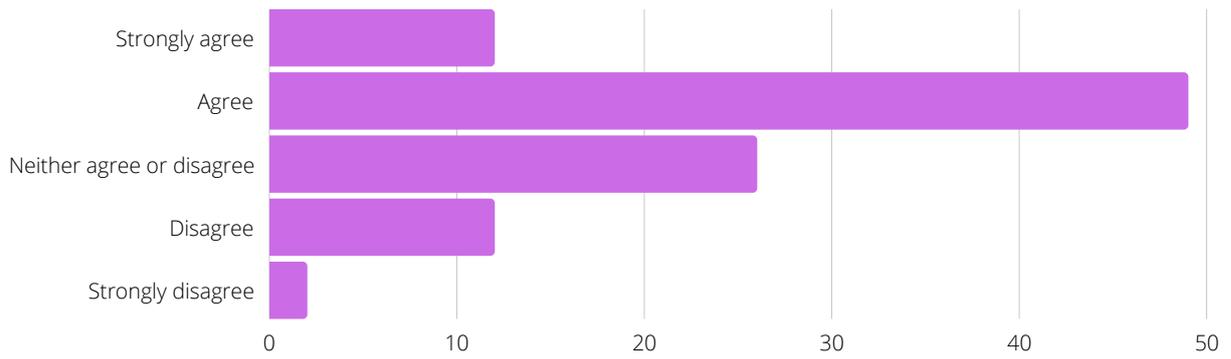


Fig. 4: The survey also asked DPOs to rate their level of agreement with the following statement: "The DCMS proposal to move cookie consent to browser level is the solution to cookie fatigue." The vast majority (61%) said they either agreed or strongly agreed.

"Which of the following issues do you see as your organisation's biggest challenge when trying to comply with the GDPR over the next 12 months?"



Fig. 5: We have seen a significant drop in the proportion of survey respondents who say accountability/demonstrating compliance is their organisation's biggest challenge when trying to comply with the GDPR over the next 12 months. In contrast, we have seen an increase of 10 percentage points for 'international data transfers', drawing this level with 'data retention' as the two biggest areas of concern this quarter.

## Further results:

We asked to what extent our respondents agreed with the following statement:

*“I anticipate that the UK will relax personal data transfer restrictions with other third countries now that the UK has an EU adequacy decision.”*

73% said they strongly believed this to be the case (scoring 8 or more out of 10). This is an increase of 9 percentage points, from 64% in September. Interestingly, only just over half (57%) of our surveyed DPOs believe that the UK will maintain its adequate status with the EU.

We asked DPOs which issue had consumed most of their attention in their role as a Data Protection Officer over the last 30 days.

Conducting DPIAs was the most popular answer. However, we saw quarter-on-quarter increases for issues relating to the Schrems II decision, as well as Covid-19 related issues.

Lastly, we asked DPOs whether they believed their organisations would pay a ransom in the event of an organisation-wide malware encryption attack that caused the loss of access to central systems, regardless of DPOs' advice.

Almost a quarter (23%) said they believed their organisation would pay a ransom.



If you are a privacy professional and you would like to  
join the panel and add your voice to future surveys:

## Join the Data Protection Index

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