

June 2022

# 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 2 years, we have quizzed our panel of Data Protection Officers (DPOs) from around the United Kingdom on a quarterly basis, asking a consistent set of baseline questions. In the ever-shifting privacy landscape, this has allowed us to track changing attitudes and opinions for the first time.

This quarter, we asked our panel of 513 DPOs questions about a range of topics, including about how they perceive UK's data laws compared to those in other countries, the levels of compliance within their own organisations, and their confidence in the effectiveness of the Information Commissioner's Office (ICO).

For the first time, we have also asked DPOs for their thoughts on the proposed Trans-Atlantic Data Privacy Framework announced in March 2022, as well as the use of Artificial Intelligence (AI) and machine learning within their organisations.

**Nick James, Founder of the Data Protection World Forum, said:**

*"This quarter saw the fourth anniversary of the GDPR's enforcement. So much has changed over the last four years, and we've found that many data protection professionals have more unanswered questions than ever, particularly around the thorny issues of international data transfers and the UK's GDPR reforms.*

*UK Data Protection Index provides a unique way to cut through the noise and hear what DPOs really think."*

**Rob Masson, CEO of The DPO Centre, said:**

*With belated 4th birthday wishes to the GDPR, this quarter's survey results have once again revealed some fascinating insight. As the economic recovery from Covid stumbles due to the adverse effects of other world events, it is not surprising that within these results we see confidence in some areas has improved, but in others it has waned. For privacy in the UK however, DPOs still strongly believe that UK data protection laws promote economic growth (74%), but a lack of such positivity is apparent in other areas.*

*We are, it seems, in a period of transition, as the UK government pushes forward with its new direction for data, but continues to be light on the detail. Only time will tell if the outcomes will be positive, however the high levels of positivity within Data Protection Officers will certainly be beneficial in supporting what lies ahead.*

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The next survey results will be published in September 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](#).

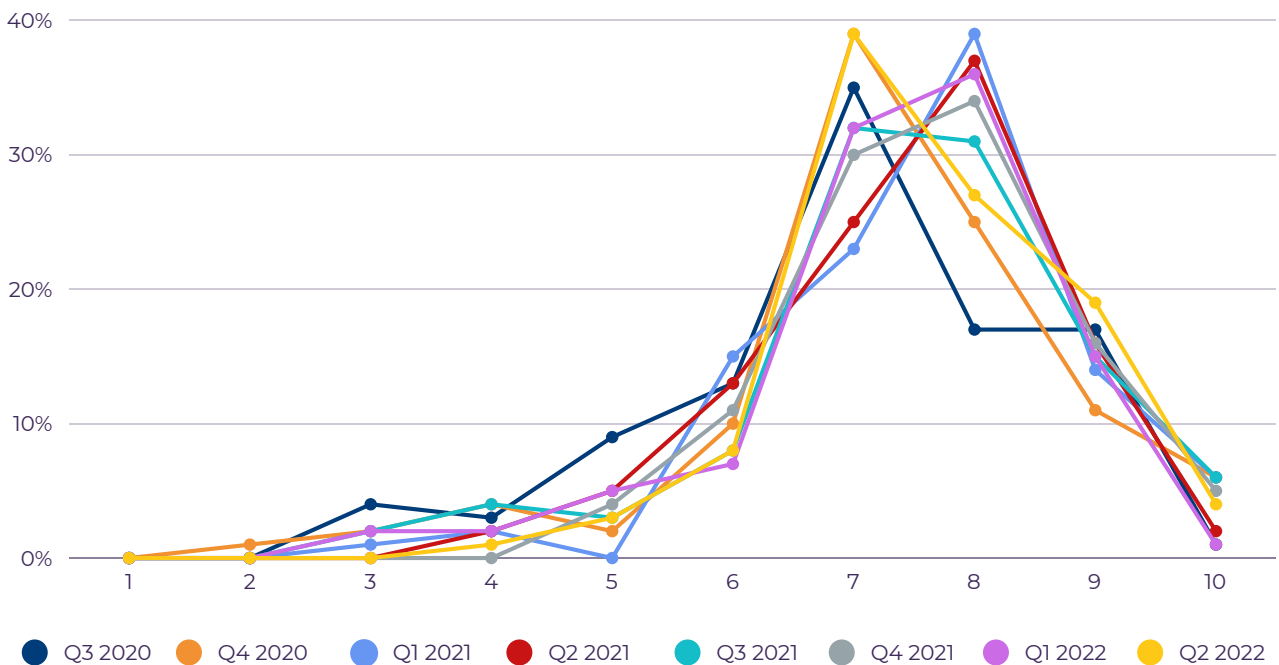
# The UK Data Protection Index: Q2 2022 Report

## Who is on the panel?

Since the Index launched in July 2020, 513 DPOs spread across every part of the United Kingdom have taken part. This can be broken down as follows: 4.9% from Scotland, 1.4% from Northern Ireland and 2.9% from Wales. Additionally, London & 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, 15% consultants or outsourced, and 6% are employed in-house on a part-time basis. Nearly a quarter (24.4%) work for companies that have between 1,001-5,000 employees. However, there is representation from all sizes of companies; from firms with just 10 employees or less (6%) to businesses with a 10,000+ workforce (13.5%).

## Key Results

Fig 1: DPO's confidence in their organisation's data protection compliance.



DPOs' confidence in their organisation's data protection compliance declined for the third quarter running. Those showing confidence in their organisation by giving a score of 8 or more out of 10 (10 being extremely confident) fell to 50% compared with 55% in Q4 2021 and 52% in Q1 2022.

- Confidence in the effectiveness of the ICO (Information Commissioner's Office) fell following two previous quarters of flat results. This quarter, 39% of respondents gave a score of 8 or more out of 10, down 4 percentage points compared with Q1 2022, this is substantially below June 2021's high of 50%.
- 42% of respondents stated that they were confident (scoring 8 or more out of 10) that they could advise their organisation on data protection legislation being introduced globally. This figure was up 2 percentage points compared with our last survey.
- As also seen last quarter, more than half of DPOs' perceive the UK's data laws to be more advanced than other countries, with 51% scoring 8 or more out of 10, meaning 'well ahead of others'.
- When asked whether they believe the UK's data protection laws promote or restrict UK economic growth (a score of 10 equating to significantly promoting growth), almost three quarters (74%) of respondents gave a positive score of 6 or above out of 10. Just 2% gave a score of 3 or lower.
- The perceived level of precedence given to data protection by organisations (compared with other organisational priorities) remains below last year. The proportion of DPOs rating 8 or above (10 being highest precedence) declined slightly this quarter to 34%: still well below the peak of 40% seen in June 2021.

## Key Results Continued

**Fig 2: How confident are you in the effectiveness of the information Commissioner's office (ICO) as a regulator?**

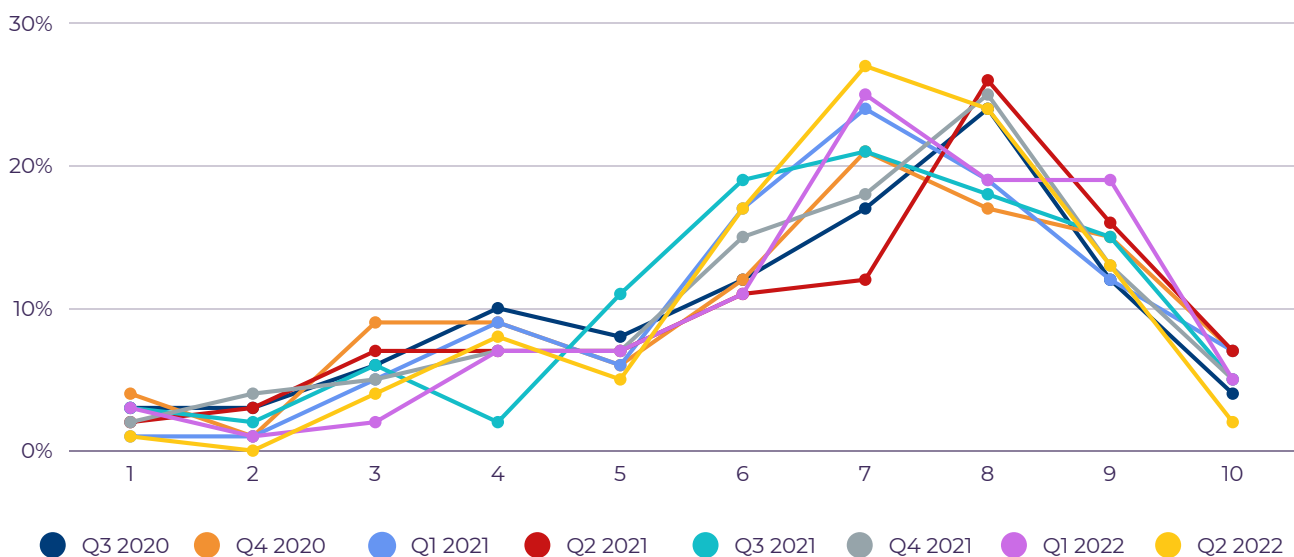


Fig. 2: Confidence in the effectiveness of the ICO (Information Commissioner's Office) fell this quarter, 39% of respondents gave a score of 8 or more out of 10, down 4 percentage points compared with Q1 2022.

**Fig 3: Is your organisation's overall budget for data protection expected to increase or decrease over the next 12 months?**

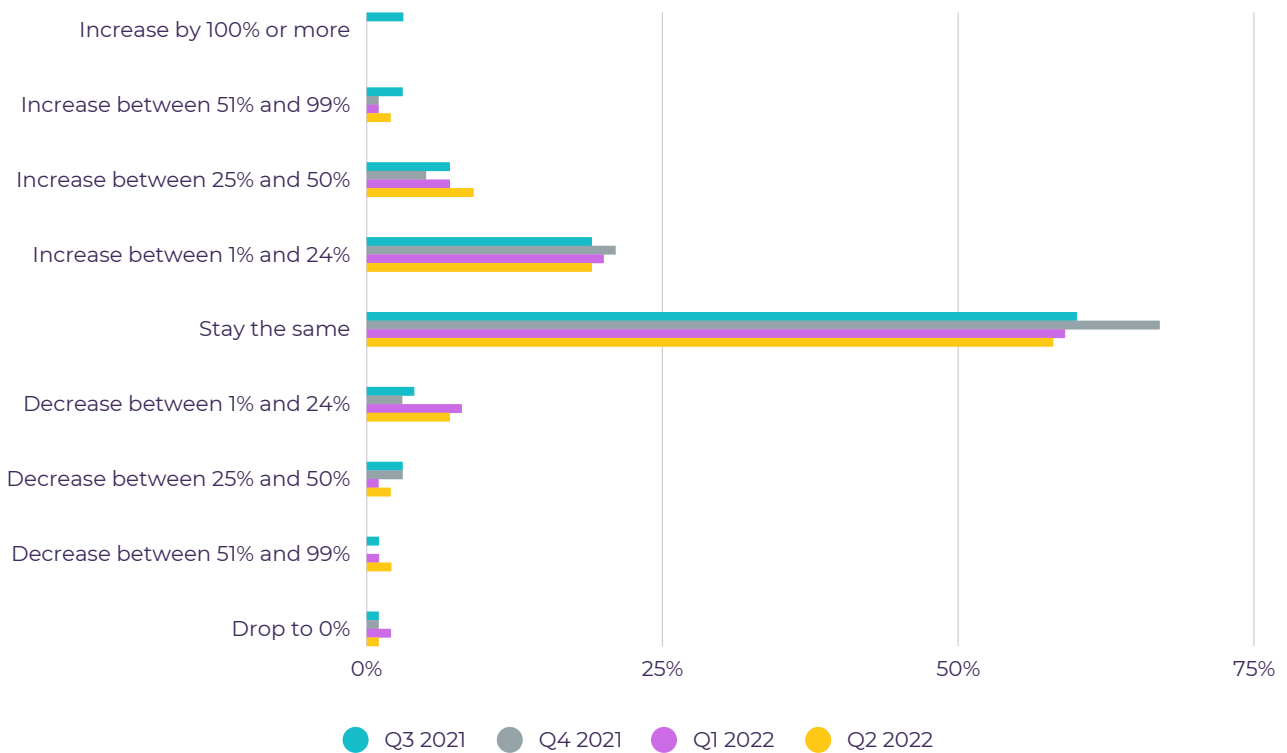


Fig. 3: For the second quarter running, there was a rise in the proportion of DPOs expecting their budget to increase: up 2 percentage points, to 30%. However, the majority (58%) of DPOs expect their data protection budgets to remain the same over the next 12 months.

Given the current concerns about the UK's economic outlook, our panel provided some positivity – at least in terms of UK data protection. When asked whether they believe the UK's data protection laws promote or restrict UK economic growth (a score of 10 equating to significantly promoting growth), almost three quarters (74%) gave a positive score of 6 or above out of 10. Just 2% gave a score of 3 or lower. Further, the perception by DPOs that the UK's data laws are more advanced than other countries. While this is down 2 percentage points compare to last quarter, it still remains strong, with over half scoring 8 or more out of 10, meaning 'well ahead of others'.

DPOs also continue to display confidence in their knowledge of global data protection laws. 42% of respondents stated that they were confident (scoring 8 or more out of 10) that they could advise their organisation on data protection legislation being introduced globally. This figure rose 2 percentage points compared with our last survey in Q1 2022.

However, there does seem to be some caution around the UK's proposed International Data Transfer Agreement (IDTA) framework, especially in terms of how this may impact the UK's economic growth. Last quarter 25% said they thought the IDTA would significantly promote growth (a score of 8 or above out of 10), however this has dropped to 20% for Q2 2022.

**Fig 4: Which of the following issues do you see as your organisation's biggest challenge when trying to comply with GDPR over the next 12 months?**

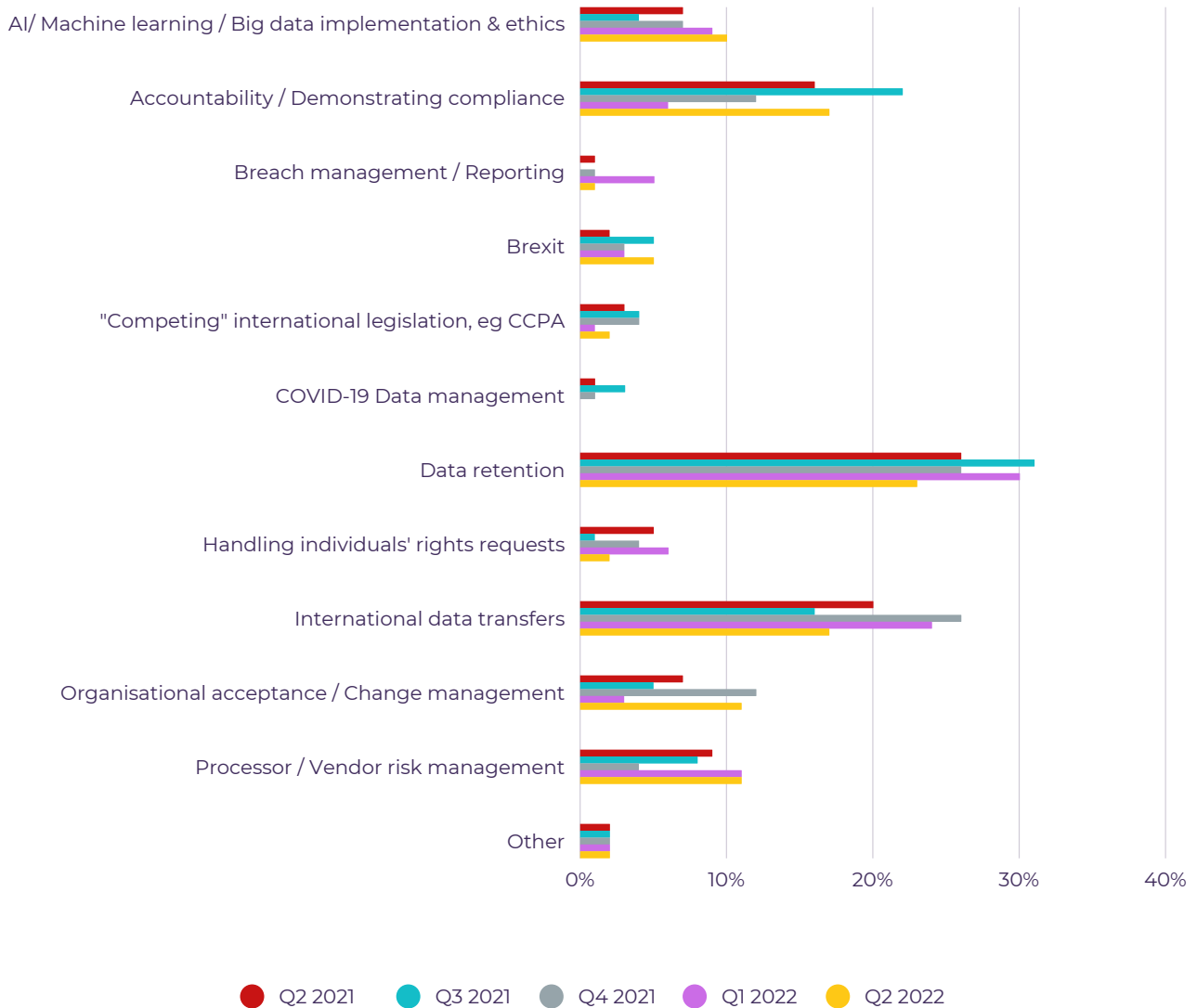


Fig. 4: Looking at the challenges when trying to comply with GDPR over the next 12 months, we have seen a substantial increase in those saying accountability/demonstrating compliance is their biggest challenge. When compared with last quarter, this figure is up 12 percentage points. A similar jump has been seen in organisational acceptance/change management, which increased by 8 points from just 3% in Q1 2022. The highest scoring category remains data retention. However, this has also seen the largest quarter on quarter drop, down 7 points, along with international data transfers.

**Fig 5: Using the scale, how compliant would you rate your organisation's data protection compliance in the following areas? - Where 1 is 'Not compliant' and 10 is 'Entirely compliant'.**

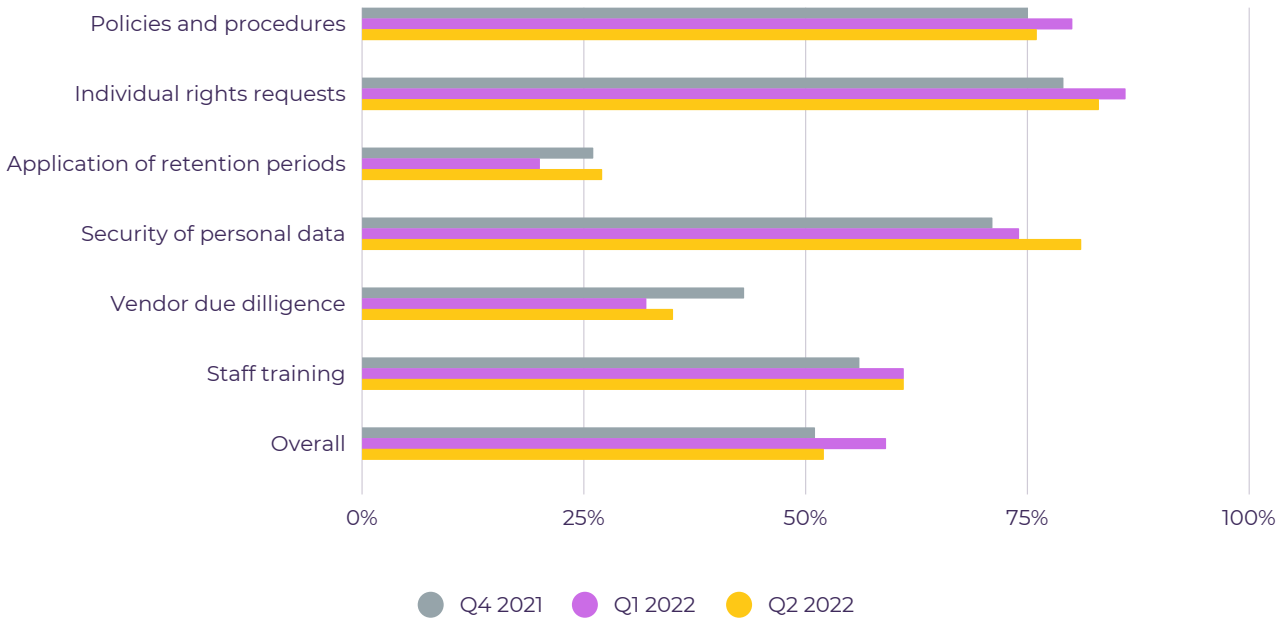


Fig. 5: For the third quarter running, we asked DPOs to rate their organisations data protection compliance in several different areas. Looking at scores of 8 and above, (10 being entirely compliant) security of personal data has seen a marked increase, quarter on quarter, up 7 points. Other areas which score highly are individual rights requests and policies and procedures. At the opposite end of the scale, a stand-out low scoring area is application of retention periods, which saw 21% give a score of between 1 and 3.

For the first time, we asked our participating DPOs whether they think the political agreement between the EU and US announced on the 25th March 2022, which proposed a new Trans-Atlantic Data Privacy Framework, would make it to a legal agreement. Interestingly almost two thirds (64%) said they believed it would.

**Fig 6: How likely do you think this agreement will survive a potential legal challenge?**

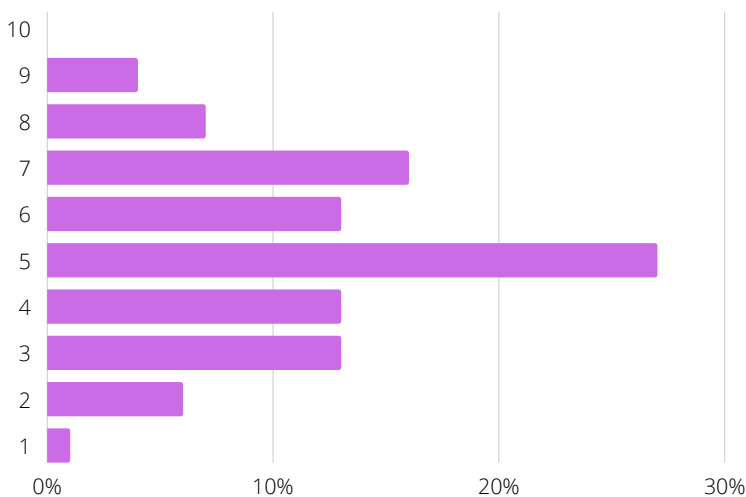


Fig. 6: When asked how likely DPOs thought it would be for the agreement to survive a legal challenge, they were less optimistic, whilst a fifth (20%) scored strongly between 1-3 (unlikely to survive), only a tenth scored it likely to survive (between 8-10) and no respondents gave the highest score of 10.

In this edition of the survey, we also took a closer look at the use of AI (Artificial Intelligence) in DPO roles today. We began by asking our DPOs whether their organisation is currently using AI or ML (Machine Learning) technology as part of its core business processing, for example in the profiling of consumer behaviour. The response saw the vast majority (79%) state that this was not the case. We then asked whether their organisation is planning on using AI or ML in a meaningful way within the next 3 years.



**Fig 7: Is your organisation planning on using AI or Machine Learning in a meaningful way within the next 3 years? Where 1 is 'highly unlikely' and 10 'highly likely'.**

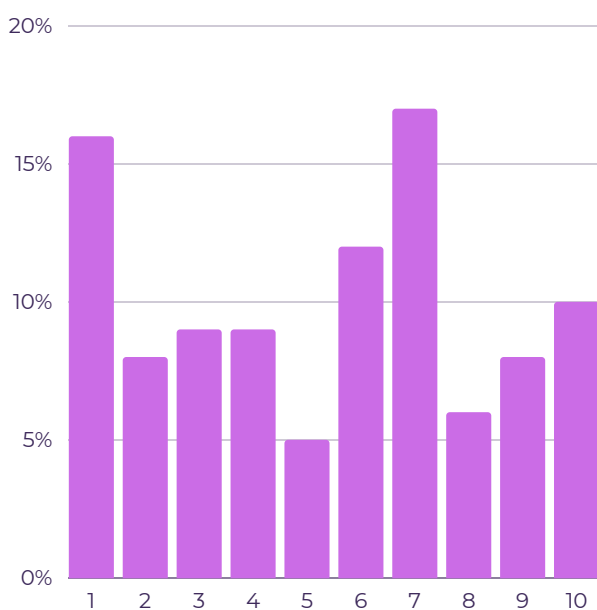


Fig. 7: A third of DPOs scored the use of AI or ML in their organisation within the next 3 years as 'unlikely' (giving a score of 3 or lower), yet there did seem to be some positivity, with those scoring a 7 or above equating to 40% of responses. This is noteworthy given the data in figure 4: When asked about issues DPOs see as their organisations' biggest challenge when trying to comply with GDPR over the next 12 months, AI/ML and big data implementation saw a quarter on quarter increase, with 10% rating this as their top issue, compared with 9% in Q1 2022, and just 4% back in Q3 2021.

### Further results:

- When asked which issue has consumed DPOs' attention in their role as a Data Protection Officer over the last 30 days, "dealing with individuals' rights requests" saw the highest share of responses, up 2 percentage points on last quarter. Conducting DPIAs and processor/vendor risk management were the other top scoring categories.
- Belief that the UK will maintain its adequacy status with the EU remains high, with 62% saying they think this will be the case, down slightly from 63% last quarter.
- Lastly, when asked whether an organisation-wide malware encryption attack (where access to core systems have been lost) would result in the organisation paying a ransom, regardless of DPO's advice, 27% said they believed their organisation would pay a ransom, up 3 percentage points compared with Q1 2022.





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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[www.thedpindex.com](http://www.thedpindex.com)

