

Flash-EB 226 Jan 2008 ZA4737

ZA4737

Flash Eurobarometer 226

"Data Protection - Data controllers' perceptions"

Basic Questionnaire

The GALLUP Organization
on behalf of the
European Commission

**FL226 Data Protection,
B2B Questionnaire**

Good morning, my name is [name of interviewer] and I would like to speak to the person in charge of data protection issues within your company. By this I mean the person in charge of the handling of any databases containing personal information on customers, suppliers or employees.

[TARGET ACCEPTED: Data protection officer or responsible for data protection issues, IT manager, Human Resources Manager, Marketing Manager]

First of all I need some information on your company.

D1. What is your position at this company?

- data protection officer..... 1
- IT manager 2
- Marketing manager 3
- HR manager 4
- General manager 5
- [Other] 6

[Other] = [STOP INTERVIEW - INTERVIEW NOT VALID IF THE PERSON IN CHARGE DOES NOT CONSIDER HIMSELF AS RESPONSIBLE FOR DATA PROTECTION ISSUES WITHIN THE COMPANY]

D2N. For the following questions, please limit your responses to the activities of your company in [your country] only. How many employees does your company have in [your country]?

99999 - DK/NA

IF LESS THAN 20 THANK AND TERMINATE

IF D2N = DK/NA

D2. For the following questions, please limit your responses to the activities of your company in [your country] only. How many employees does your company have in [your country]?

- Less than 20 0
- 20-49 1
- 50-249 2
- 250-499 3
- 500 or more 4
- [DK/NA] 9

IF LESS THAN 20 THANK AND TERMINATE

D3. Is your company mainly involved in...

[READ OUT] - [ONLY ONE ANSWER]

- construction or civil engineering 1
- mining, extractive industry 2
- production and manufacturing of goods 3
- trade and distribution (wholesale or retail) 4
- transport (of goods or people) 5
- financial services (banking, insurance, brokerage) 6
- business services 7
- personal services 8
- other services 9
- administration 10
- Agriculture 11
- [(none of these cases, BUT NO AGRICULTURE) [SPECIFY]] 98
- [DK/NA] 99

Agriculture: STOP INTERVIEW - INTERVIEW NOT VALID

DK/NA: STOP INTERVIEW - INTERVIEW NOT VALID

If D3 = None of these

D3b. Please, specify

INTERVIEWER: IF THE RESPONDENT SAYS AN AGRICULTURAL ACTIVITY, PLEASE JUMP BACK TO THE PREVIOUS PAGE AND SELECT THE PROPER RESPONSE (Agriculture)

D4. Your company is: ...

- an independent company 1
- the mother company of a multinational group 2
- a subsidiary of a multinational group with headquarters in the EU 3
- a subsidiary of a multinational group with headquarters outside of the EU 4
- [DK/NA] 9

DK/NA: STOP INTERVIEW - INTERVIEW NOT VALID

Q1. Would you say that the level of protection offered by the (NATIONALITY) Data Protection Law for citizens is ...?

- High 1
- Medium 2
- Low 3
- [DK/NA] 9

Q1a. How familiar are you with the provisions of the Data Protection Law of [COUNTRY]?

- Very familiar 1
- Somewhat familiar 2
- Not really familiar 3
- [DK/NA] 9

Q2. From your business perspective and in general terms, would you rather agree or rather disagree with each of the statements concerning the requirements of the data protection law?

- Rather agree 1
- Rather disagree 2
- [DK/NA] 9

- a) The requirements of the data protection law are necessary in order to respect a high level of protection for consumers and the fundamental rights of citizens..... 1 2 9
- b) The requirements of the data protection law are too strict in certain respects. 1 2 9
- c) The requirements of data protection law are not necessary except for certain sectors of activity 1 2 9

Q3. For each of the following propositions, please tell me if you totally agree, rather agree, rather disagree or totally disagree with it?

- Totally agree 1
- Rather agree 2
- Rather disagree 3
- Totally disagree 4
- [DK/NA] 9

- a) There is sufficient harmonisation of Member States' data protection laws to consider that personal data can be moved freely within the European Union.. 1 2 3 4 9
- b) The data protection law in (OUR COUNTRY) is interpreted and applied more rigorously than in other Member States 1 2 3 4 9

Q4. In your opinion, do you think that the existing legislation on data protection is suited or not to cope with the increasing amount of personal information being exchanged, for example transferred over the Internet?

- Very well suited 1
- Rather well suited 2
- Rather unsuited 3
- Not suited at all 4
- [DK/NA] 9

Q5. Do you use any technology or software products that enhance privacy protection of databases in your company (for example, cookie cutters, encryption tools, automatic anonymisation software, Platform for Privacy Preferences (P3P)), also called 'Privacy Enhancing Technologies'?

- Yes 1
- No, but I have heard of them 2
- No, and I have never heard of them 3
- [DK/NA] 9

Q6. Does your company transfer personal data via the Internet?

- Yes 1
- No 2
- [DK/NA] 9

ASK IF Q6 = 1

Q7. Do you take any measures to enhance the security of data you transfer?

- Yes 1
- No 2
- [DK/NA] 9

Q8. Does your company transfer personal data to countries outside the European Union/European Economic Area?

- Yes 1
- No 2
- [DK/NA] 9

ASK IF Q8 = 1

Q9. What type of data does your company transfer to such countries, mostly?

- Human resources data for human resources purposes 1
- Clients' or consumers' data for commercial purposes 2
- Data collected in the European Union that is meant to be sold or licensed to data controllers in other countries 3
- Other 4
- [The company does not transfer personal data to other countries] 5
- [DK/NA] 9

ASK IF Q8 = 1

Q10. How does your company transfer personal data to other countries? Do you use each of the tools I will read out? Do you transfer personal data ...

- Yes 1
- No..... 2
- [DK/NA] 9

- a) via telephone..... 1 2 9
- b) via telefax..... 1 2 9
- c) via registered mail, or courier service 1 2 9
- d) via regular mail 1 2 9
- e) via emails 1 2 9
- f) via closed Internet (e.g. private company network) 1 2 9
- g) via open Internet (IP telephone, ftp) 1 2 9
- h) via other means 1 2 9

ASK IF Q8 = 1

Q11. Are you aware of the expression “standard contractual clauses” in relation to personal data transfer to countries outside the European Union/European Economic Area?

- Yes 1
- No..... 2
- [DK/NA] 9

Q12a. Are you in regular contact with the national data protection authority of (OUR COUNTRY)?

- Yes 1
- No 2
- [DK/NA] 9

ASK IF Q12a = 1

Q12b. Were you in contact with national data protection authority concerning ...

- Yes 1
- No 2
- [DK/NA] 9

- a) notifications, 1 2 9
- b) asking for guidances, 1 2 9
- c) complaints against your company, 1 2 9
- d) inspections 1 2 9
- e) for other reasons 1 2 9

- Q13a. Does your company maintain and update privacy policy notices?
- Yes 1
 - No 2
 - [DK/NA] 9
- Q13b. Does your company monitor how frequently such policy notices are examined by the public?
- Yes 1
 - No..... 2
 - [DK/NA] 9
- Q14. Could you indicate the approximate number of requests for access to personal data received by your company during the year 2006?
- Less than 10..... 1
 - Between 10 and 50 2
 - Between 51 and 100 3
 - Between 101 and 500 4
 - More than 500 5
 - Never received any request 6
 - [DK/NA] 9
- Q15. Has your company received complaints from people whose personal data is being currently processed?
- Yes 1
 - No..... 2
 - [DK/NA] 9
- Q16. Please indicate which of the following actions would you favour to improve and simplify the implementation of the legal framework on data protection?
- Would favour 1
 - Would not favour 2
 - [DK/NA] 9
- a) Further clarification on the practical application of some of the key definitions and concepts of the European Directive and national data protection laws..... 1 2 9
 - b) Aim at a better balance between the right to data protection and freedom of expression and information. 1 2 9
 - c) More uniformity between the national laws across the EU as regards the information to be provided to data subjects.. 1 2 9
 - d) More harmonised rules on security measures..... 1 2 9
 - e) Data protection legislation specific to each sector of activity.. 1 2 9
 - f) Other 1 2 9

Q17. In light of the fight against international terrorism, do you think that, in certain circumstances, should it be possible:

(ROTATE ITEMS, USE SCALES A&B ROTATED)

- a) to have people telephone calls monitored? 1 2 3 4 9
- b) to have people's internet use monitored? 1 2 3 4 9
- c) to have people's credit card use monitored? 1 2 3 4 9
- d) to have people's details monitored when they fly? 1 2 3 4 9

SCALE A

- No 1
- Yes, but only people who are suspected of terrorist activities 2
- Yes, but even suspected terrorists should only be monitored under the supervision of a judge or with equivalent safeguards 3
- Yes, in all cases 4
- [DK/NA] 9

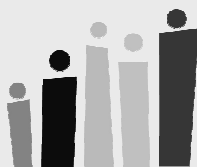
SCALE B

- Yes, in all cases 4
- Yes, but only people who are suspected of terrorist activities 2
- Yes, but even suspected terrorists should only be monitored under the supervision of a judge or with equivalent safeguards 3
- No 1
- [DK/NA] 9

Flash Eurobarometer Series
#226

“Data protection
perceptions
among data controllers”
among enterprises
in the Member States

Survey conducted by The Gallup Organization
Hungary upon the request of Directorate-
General Justice, Freedom and Security



EUROBAROMETER

Coordinated by Directorate-General
Communication

This document does not reflect the views of the
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The interpretations and opinions contained in it
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THE GALLUP ORGANIZATION

Survey Details

This Flash Eurobarometer 226 “Data protection perceptions among data controllers among enterprises in the Member States” telephone survey was conducted on behalf of the DG Justice, Freedom and Security (Unit C5: Data protection).

The objective of the survey was to assess companies’ perceptions in the 27 Member States about data protection issues and their strategies to comply with data protection regulations in their data transfers and client contacts.

The current special target group Flash Eurobarometer survey was organised and managed by the Eurobarometer Team of the European Commission (Directorate-General Communication, Unit A-4).

The interviews were conducted between the 8th of January 2008 and the 16th of January 2008 by partner institutes of The Gallup Organization Hungary / Europe:

Belgium	BE	Gallup Europe	(Interviews : 01/10/2008 – 01/15/2008)
Czech Republic	CZ	Focus Agency	(Interviews : 01/09/2008 – 01/11/2008)
Denmark	DK	Hermelin	(Interviews : 01/09/2008 – 01/16/2008)
Germany	DE	IFAK	(Interviews : 01/08/2008 – 01/16/2008)
Estonia	EE	Saar Poll	(Interviews : 01/09/2008 – 01/16/2008)
Greece	EL	Metroanalysis	(Interviews : 01/08/2008 – 01/15/2008)
Spain	ES	Gallup Spain	(Interviews : 01/10/2008 – 01/16/2008)
France	FR	Efficience3	(Interviews : 01/10/2008 – 01/16/2008)
Ireland	IE	Gallup UK	(Interviews : 01/09/2008 – 01/16/2008)
Italy	IT	Demoskopoea	(Interviews : 01/08/2008 – 01/16/2008)
Cyprus	CY	CYMAR	(Interviews : 01/08/2008 – 01/16/2008)
Latvia	LV	Latvian Facts	(Interviews : 01/10/2008 – 01/16/2008)
Lithuania	LT	Baltic Survey	(Interviews : 01/08/2008 – 01/11/2008)
Luxembourg	CZ	Gallup Europe	(Interviews : 01/14/2008 – 01/15/2008)
Hungary	HU	Gallup Hungary	(Interviews : 01/08/2008 – 01/15/2008)
Malta	MT	MISCO	(Interviews : 01/09/2008 – 01/16/2008)
Netherlands	NL	Telder	(Interviews : 01/08/2008 – 01/16/2008)
Austria	AT	Spectra	(Interviews : 01/08/2008 – 01/16/2008)
Poland	PL	Gallup Poland	(Interviews : 01/08/2008 – 01/16/2008)
Portugal	PT	Consulmark	(Interviews : 01/09/2008 – 01/16/2008)
Slovenia	SI	Cati d.o.o.	(Interviews : 01/08/2008 – 01/16/2008)
Slovakia	SK	Focus Agency	(Interviews : 01/08/2008 – 01/09/2008)
Finland	FI	Hermelin	(Interviews : 01/11/2008 – 01/16/2008)
Sweden	SE	Hermelin	(Interviews : 01/08/2008 – 01/16/2008)
United Kingdom	UK	Gallup UK	(Interviews : 01/09/2008 – 01/16/2008)
Bulgaria	BG	Vitosha Research	(Interviews : 01/08/2008 – 01/09/2008)
Romania	RO	Gallup Romania	(Interviews : 01/08/2008 – 01/16/2008)

Representativeness of the results

The target group for this Flash Eurobarometer was defined as companies employing 20 or more persons, operating in the 27 Member States of the European Union.

The lists of companies qualified to be interviewed were developed by Dun and Bradstreet. Where the D&B database had a poor coverage (especially in the New Member States) the sample lists were developed by national institutes using local statistical data sources. Sampling in each country was made according to two stratification criteria: the size of the company (3 categories: 20 - 49, 50 - 249 and 250 or more employees), and the activity sectors, randomly.

The target activities were all enterprises, but agriculture excluded.

Within the employment size the categories were defined (20-49 employees: 45%; 50-249 employees: 35%; 250+ employees: 20%), but the selection of companies by the activity categories was made at random.

The total sample was distributed between these sampling "cells" in a way that does not follow the actual distribution of businesses within the coverage zone: larger businesses were intentionally "over-sampled" in order to get enough cases in these low incidence cells as well, for meaningful results in each sample segment.

During data processing, each cell in the cross distribution of the sample was re-weighted up or down according to its actual, empirically verified known weight within the survey region. Thus, the total results presented are not affected by over- and under-sampling, and are representative of the total universe examined – both for country-level as well as global (e.g. EU27) estimations. Country weights for global estimations were developed on the basis of the size of the universe in each country.

The persons who have been interviewed in each company were responsible for data protection issues (in this preference order: data protection officer, IT manager, Human Resources manager, marketing manager – and if an enterprise does not feature any of these, the general manager).

The interviewers checked the identity of this person as well as the accuracy of the enterprise sampling characteristics, as delivered by sample list, namely: the number of employees.

Sizes of the samples

The targeted number of main interviews varied by the size of the country. In most EU countries the target sample size was 100. In Germany, Spain, France, Italy, Poland, Romania and the UK the target main sample size was 300. In Belgium, Czech Republic, Hungary, Austria, Sweden the target number of the main interviews was 200. The table below shows the achieved sample size by country.

	Total Interviews			
	Conducted	% of Total	EU27 Weighted	% on Total (weighted)
Total	4835	100	4835	100
BE	205	4.2	81	1.7
BG	100	2.1	51	1.1
CZ	203	4.2	128	2.6
DK	200	4.1	124	2.6
DE	300	6.2	819	16.9
EE	101	2.1	38	0.8
EL	100	2.1	42	0.9
ES	301	6.2	413	8.5
FR	303	6.3	478	9.9
IE	100	2.1	37	0.8
IT	300	6.2	451	9.3
CY	102	2.1	7	0.1
LV	101	2.1	50	1.0
LT	100	2.1	39	0.8
LU	106	2.2	8	0.2
HU	205	4.2	80	1.7
MT	100	2.1	5	0.1
NL	200	4.1	389	8.0
AT	202	4.2	78	1.6
PL	301	6.2	652	13.5
PT	100	2.1	123	2.5
RO	304	6.3	137	2.8
SI	100	2.1	17	0.4
SK	100	2.1	38	0.8
FI	100	2.1	45	0.9
SE	201	4.2	69	1.4
UK	300	6.2	438	9.0

Questionnaires

The questionnaire prepared for this survey contained two parts: the company information and the question regarding innovation, and the main questionnaire.

The institutes listed above translated the questionnaire to their respective national language(s) using a centralized process of back-translation procedure, involving two initial local translations, independent back-translation and central verification of the localised questionnaires.

Further details

For further details you may contact Gallup or The European Commission. The relevant contacts are:

DG JLS:

Mr. Francis Svilans
DG Justice, Freedom and Security

DG COMM:

Mr. David Voidies
DG Communication

GALLUP: Mr. Gergely Hideg
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Evaluation of the samples

The attached tables (after the Technical Report tables) provide a detailed insight to the within country weighting of the study.

Raking works in the following way:

- 1) sets initial weight factor values in each cross-classification term to 1;
- 2) adjusts the weight factors of the first cross-classification term so the weighted sample is representative for the variables involved;
- 3) adjusts the weight factors for the next cross-classification term so the weighted sample becomes representative with respect to the variables involved (this might disrupt the representativeness with respect to the variables involved);
- 4) repeats this adjustment for all cross-classification terms;
- 5) repeats all steps until the factors do not change.

A common approach to weighting is to determine the sample weights adjusting for unequal probabilities of selection, revise these weights to compensate for different sub-class response rates, and finally modify the weights again to conform the weighted sample distribution for certain variables (e.g., size, sector, etc.) to the known population distributions of the same variables.

The following variables will be used in all national raking procedures (with categories levels used):

Activity:

All activities, but excluded Agriculture

Size

20-49 persons employed

50-249 persons employed

250 + persons employed

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ARCHIVE INFORMATION AND ERRATA

- REGION: Categories are not documented and do not clearly match with official NUTS classification. Data for Ireland, United Kingdom and Norway are not available. Variable has been dropped for the public use file.
- No documentation was provided for ACTIVITY variable (SIC/NACE). Categories are not consistent with official NACE and/or SIC classification of economic activities. Variable has been dropped for the public use file. COMPANY ACTIVITY on a general level is recorded in variable D3.
- NUTS: Value labels for REGIONS (by COUNTRY) have been recorded in accordance with form Flash Eurobarometer and/or with the official NUTS scheme. This was not unequivocally possible for Italy, Poland, Portugal and Slovenia.
- REG_SIZE: Variable is supposed to indicate the “number of persons employed”, but data do not coincide with the technical report and the COMPANY SIZE (within the respective country) in variable SEGMENT or D2. Documentation is not clear (total n of employees in any country?). Variable REG-SIZE should only be used with caution.