

Corporate Affairs

Research requests procedure

Version 4

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1. Background

With the introduction of the Freedom of Information Act in January 2005 it was anticipated that the number of requests received for information on the Office's research projects would increase. Therefore, these procedures provide practical advice on the supply of such information to members of the public to meet the Office's Freedom of Information Act obligations, and the steps we must take to ensure we continue to adhere to the Data Protection Act.

2. Ownership of research data

All research projects will be commissioned by the Corporate Affairs department through a competitive tender process. Contract documentation with the chosen research agency should ensure that the ICO holds full copyright ownership of the data.

A PR1 must be raised as soon as the preferred proposal and cost estimate has been agreed and approved.

3. Briefing research agencies

To ensure that the appointed research agency is aware of the ICO's obligations under the Freedom of Information Act, the subject should be included on the agenda of the first briefing meeting.

At this point the following should be covered:

- Freedom of Information Act
 - briefing on the ICO's obligations;
 - the ICO's role in enforcing the Act the impact of the Act on research data provided by the research agency;
 - Copyright protection (see section 2);

- Data Protection Act and its interface with the Freedom of Information Act. (see section 4); and
- Publishing of research on the ICO's website (see section 5)

4. Data Protection Act and its interface with the Freedom of Information Act

The research data from each project should be evaluated to see if any personal information can be identified through the results.

If personal information is evident, the nature of the personal information needs to be assessed. For instance if concealing the names of the respondents would make the information anonymous then this data (with the names concealed) can still be given out under the Freedom of Information Act. This would also be the case if the individual was able to identify themselves, even with their name concealed. As in this case the individual may be able to identify themselves through the data provided but another member of the public would not be able to.

In most projects concerning members of the general public the information would be completely anonymous.

However, to ensure the department is not in breach of the Data Protection Act in this situation the data files should be sent through to the Freedom of Information department for consideration.

5. Research data on the ICO website

A section of the ICO website has been allocated to Corporate Affairs research projects. It can be found on the home page under 'About us'.

Research projects are categorised into the following:

- Data protection;
- Freedom of information;
- Corporate;
- Annual track; and
- Archive.

In the relevant research section of the website the following should be placed:

- notice of current research projects;
- questionnaires; and
- research findings reports including methodology.

It is not common practice to place SPSS or excel data files on the website, though if a Freedom of Information Act request for the files is received, as long as it is not exempt (see section 6), they should be forwarded to the person requesting the information within 20 working days.

6. Freedom of information requests

If a written request for information is received and the research data is deemed not to be exempt, the data should be forwarded to the member of the public requesting the information within 20 working days, in the medium requested.

A covering letter should also be sent out with the data. The letter should include:

- an introduction to the project the data is derived from, including the objectives of the project and what the ICO has used the data for;
- how the research was conducted;
- sample size and any relevant notes;
- Crown copyright notice; and
- paragraph offering further assistance.

A sample covering letter is included in Appendix 1.

7. Procedure review

It is proposed that these procedures will be reviewed at twelve month intervals.

APPENDIX 1: Sample Letter

Address

Date

Dear *****

Re: Who Cares About Data Protection?: Segmentation Research 2003

Thank you for your request for the data files for the segmentation research 2003.

The Information Commissioner's Office commissioned the segmentation study in July 2003 to identify how individuals may be grouped based on their privacy concerns and to identify any observable variables from the groups such as their media readership, viewing habits, socio economic status, age, internet use.

The research identified five cluster groups. The identification of these cluster groups has allowed the Information Commissioner's Office to tailor its communications strategy to more accurately meet the needs of these different segments.

The sample for the study consisted of 746 in home interviews, conducted in homes across the UK between 14 July 2003 and 30 July 2003. The sample structure was in line with the UK national profile. Due to the size of the sample it should be noted that the results from this study are not conclusive.

I would be grateful if this information was re-used accurately and not in a misleading context. Also if you intend to re-use the information it must be acknowledged as ICO copyright with the title specified.

I hope that this information is of use to you. If you would be happy to let me know more details of the project you are working on I may be able to supply you with further information specific to the project.

Yours sincerely