

Master's Thesis in Strategic Management

‘The General Data Protection Regulation and how to respond’

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Date:	28-08-2018

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Preface

In this study the choice for strategic response strategy in response to the General Data Protection Regulation (GDPR) of secondary schools in the Netherlands is analyzed. This research aims to give insights in the different strategies that secondary schools employ to cope with new legislation and, how they respond to the GDPR legislation in particular. Using earlier research by Oliver (1991) a predicted choice for strategic response strategy of secondary schools in response to the GDPR was formulated. After researching the works of Hillman et al. (2004), Master & Keim (1985), Van Kranenburg & Voinea (2017), Wan & Hillman (2005) and Barron (1995), among others, three contextual and organizational factors were hypothesized to affect the choice of strategic response strategy and the level of compliance of secondary schools. Data gathered from a sample of 30 secondary schools from the Netherlands was used to determine if these factors had a significant effect on the choice of strategic response strategy and level of compliance. The results of this study were thereafter used to answer the main question in this research: *‘How do contextual and organizational factors influence the strategic response strategy of secondary schools facing the new General Data Protection Regulation?’*.

Introduction

Over the last decade innovation in information and communication technology enhanced the ability of organizations, institutions and the public to effectively share, collect, store, organize and analyse an ever growing amount of (digital) (personal) information. Fuelled by this development of technologies, the use that (personal) information can have, but also the risks it may bring, became a topic of research. One of those unintended consequences is the loss of individuals’ organisation-held personal information. As was the case in July 2017 when the personal information of 143 million Americans was stolen due to a hack aimed at the American credit bureau Equifax (Volkskrant, September 8 2017). This case is only one of the many examples of a direct violation of personal privacy due to the loss personal information. The loss of these great masses of personal information led to the realisation that personal information privacy is no longer manageable by individuals (Conger et al, 2013). While government institutions have issued laws and regulations, for example the Data Protection Directive 95/46/EC that was issued by the European Union, concerning privacy, especially personal information privacy, the advancements in information and communication technology gave rise to a need for new, evolved regulations.

Therefore a new regulation was designed in the European Union (EU), the General Data Protection Regulation. (GDPR) GDPR replaces the Data Protection Directive 95/46/EC and is designed to allow EU citizens to better control their personal data. As of 25 May of this year, 2018, the new GDPR applies to all member states of the EU and organizations operating in one or more member states. It also modernises and unifies rules allowing businesses to reduce red tape and to benefit from greater consumer trust (European Union Law and publications, 2016).

The GDPR has consequences for all businesses and institutions operating and all citizen living and/or working in the European Union. The GDPR strengthens existing rights, provides for new rights and gives citizens more control over their personal data (European Union Law and publications, 2016). Arguably the biggest change to the regulatory landscape of data privacy comes with the extended jurisdiction of the GDPR, as it applies to all companies processing the personal data of data subjects residing in the Union, regardless of the company's location (European Union Law and publications, 2016).

This new GDPR reframes the playing field of organizations and leads to a greater amount of institutional pressure and processes. Organizations need to respond in an appropriate way to these institutional pressure and processes in order to gain support and legitimacy (Love & Cebon, 2008; Oliver, 1991; Ruef & Scott, 1998). This means that organizations are subject to the new GDPR regulation and they have to respond to their institutional environments and the pressures that arise from this environment be it to gain legitimacy or keep access to (societal) resources. Organizations will have to comply with the new law in order to avoid penalties and loss of face and legitimacy. Different theories suggest that not all organizations will respond to these pressures from their external environment in the same way. One such theory is institutional theory. In the institutional theory is stated that normative and coercive pressures influence organizations. When the environment is seen as an institution some of these pressures can arise from external forces such as the state, or an overarching institution, for example the European Union (EU). One researcher that researched how organizations respond to institutional pressures is Oliver (1991).

Oliver (1991) conducted research on strategic response strategies of organizations to institutional processes. He used the main insights of institutional and resource dependence theory to form a framework to predict organisational responses to institutional processes. Using these theories Oliver (1991) came to the insight that the chosen response strategy depends on

an organisation's willingness and ability to respond to the institutional process in question. Oliver (1991) found that the strategy chosen in response to the institutional process could be predicted using a set of institutional antecedents and found five different response strategies, each having their own set of tactics. Oliver formed a framework that shows the hypothesized chance for a certain choice of strategic response in correspondence with the degree in which a predictive factor occurred.

However, Oliver (1991) formed a mere theoretical framework. There are not many examples of practices that used this framework to come to a deeper understanding of the chosen strategic response. One example that (partly) used Oliver's (1991) work to determine strategic response strategy of a specific type of organizations is the research of Loader & Hobbs (1999). Loader & Hobbs (1999) assessed the responses made by food companies to changes in the food safety legislation. The work of Loader & Hobbs (1999) shows that organization can opt for a strategy of compliance and how they might execute this strategic response. In their case there was reason for the organizations to do so. Since the cause to respond to this regulation stemmed from a need to stay legitimate for their customer and regain consumer trust and main efficiency by respond rapidly and try to gain advantages by arising successful when dealing with this regulation, in other words, when they comply to the regulation. Thus their findings were in line with what Oliver (1991) suggested; a high need for legitimacy and efficiency are predictive dimensions for a strategic response of 'Acquiesce'.

While their findings were in line with Oliver's (1991) work, Loader & Hobbs (1999) did not examine other underlying factors for the strategic choice. Different literatures define a plethora of factors that can determine the strategic response of an organization to changing regulation. Some of these factors were researched in the work of Van Kranenburg & Voinea (2017). They research if organizational factors such as 'Size', 'Resources', 'Employee base' (Hillman, Schuler & Keim, 2004; Lux, Crook & Woehr, 2011 and Getz, 1997), 'Scope' (Hillman & Hitt, 1999; Marx, 1990) have an influence on the nonmarket strategies in a host environment and which factors underlie which preference strategy. These factors could also influence the strategic response strategy of an organization when faced with new regulation, but were not taken into account by Oliver (1991) and Loader & Hobbs (1999).

Therefore more research needs to be conducted on how these factors influence the strategic response strategy of organizations when facing new regulations. The new General Data

Protection Regulation (GDPR) is one of those regulations that affect organizations in terms of business and organizational processes. The GDPR can be used as a case to study the influence of the different factors on the predicted strategic response strategy. To do this the choice for a specific strategic response strategy of a groups of organizations affected by the GDPR can be examined. For this research the chosen group of organizations is secondary schools in the Netherlands. Secondary schools handle a large amount of personal data. This makes it interesting to research how secondary schools respond to the GDPR and what strategies and tactics they employ to cope with changing regulation and the effects that this has on their regular processes. Since secondary schools deal with a wide variety of stakeholders, or interest groups, for example: students, parents, employees, townships and other governmental institution, there could be lot of attention to the way secondary schools react to changing regulation. Also, the GDPR can be defined as a 'hot topic' that has been covered extensively in the news and on (social) media. This makes secondary schools an effective group of organizations to examine.

The aim is to give insights and provide understanding of the different strategies and tactics that secondary schools employ to cope with new legislation and institutional pressure, how they respond to the new GDPR legislation in particular, and what factors influence this choice of strategy. The outcomes of this study will contribute to the current research and theory about strategic responses and tactics and the underlying determining factors when dealing with new regulation by developing a deeper understanding on the effects of such regulation on schools dealing with new legislation. The outcomes of this study will also contribute to the knowledge about the practical approach of secondary schools when facing new regulation and can be used as a handle for future regulations.

The research question following this research goal is:

How do contextual and organizational factors influence the strategic response strategy of secondary schools facing the new General Data Protection Regulation?

To be able to answer this question a few components of the question needed to be examined. First, an assessment of the General Data Protection Regulation and how it impacts secondary schools was made. Next, using institutional theory, and more precisely the work of Oliver (1991), the predicted strategic response strategy and the degree of compliance that are expected of secondary schools was determined. Also the choice of strategic response strategy in two different scenarios is examined and compared to the predicted choice of strategy. Lastly, the

effects of different contextual and organizational factors on the preferred choice of strategic response strategy are examined.

Using quantitative data gathered via a distributed survey, containing general questions and a vignette with two scenario's, amongst the population of secondary schools in the Netherlands and qualitative data gathered from interviews conducted form a sample of respondents in the population these components are examined.

The results of this research further expands the insights and our understanding of the effects of contextual and organizational factors on the choice of strategic response strategies of secondary schools facing coercive institutional pressures in the form of a new regulation. Also policy makers could use the results of this research to get insight in the reaction of organizations on new regulation and therefore further understand what effects new policies might have on organizations and their reaction. Which could lead to policy makers constructing more precise and fitting regulation and accurately predict the responses which can benefit organizations and civilians alike.

This thesis has the following structure. In the next part the GDPR case and its consequences for secondary schools will be discussed. Thereafter, the theoretical framework and important concepts will be presented. Third, the research method, data sources and data analysis techniques will be discussed. Then the analysis of the data and main findings will be presented, followed by a conclusion and discussion of the results, limitations and implications for theory and practice of this research.

The General Data Protection Regulation

As of 25 May 2018 the new EU General Data Protection Regulation (GDPR) applies to all member states of the European Union (EU) and organizations operating in one or more member states. The GDPR replaces the Data Protection Directive 95/46/EC and is designed to allow EU citizens to better control their personal data. It also modernises and unifies rules allowing businesses to reduce red tape and to benefit from greater consumer trust (European Union Law and publications, 2016).

The function of the new GDPR is, as stated by the EU Law and publications office: *‘The European Union’s (‘EU’) new General Data Protection Regulation (‘GDPR’), regulates the **processing** by an individual, a company or an organisation of **personal data** relating to individuals in the EU’* (Retrieved from: https://ec.europa.eu/info/law/law-topic/data-protection/reform/what-does-general-data-protection-regulation-gdpr-govern_en).

The European Union Law and publications office describes ‘Personal data’ as follows: *‘Personal data is any information that relates to an identified or identifiable living individual. Different pieces of information, which collected together can lead to the identification of a particular person, also constitute personal data.’* (Retrieved from: https://ec.europa.eu/info/law/law-topic/data-protection/reform/what-personal-data_en)

The European Union Law and publications office describes ‘Processing’ as follows: *‘Processing covers a wide range of operations performed on personal data, including by manual or automated means. It includes the collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of personal data.’* (Retrieved from: https://ec.europa.eu/info/law/law-topic/data-protection/reform/what-constitutes-data-processing_en).

This means that the GDPR is a regulation that states how an organisation or individual has to handle when he is performing operations that include the use of personal data related to individuals in the EU.

Consequences for citizens, organizations and institutions

The regulation has consequences for all citizens living and/or working in the European Union. The GDPR strengthens existing rights, provides for new rights and gives citizens more control over their personal data (European Union Law and publications, 2016). These include:

- Easier access to their data
- A new right to data portability
- Right to access
- A clearer right to erasure ('right to be forgotten')
- Right to know when their personal data has been hacked

(Source: European Union Law and publications, 2016)

This also has consequences for all organizations and institutions operating in the EU. They need to have detailed descriptions of the personal data they receive, collect, store, distribute and process and also of their data processing activities. To be able to comply with the GDPR organisation need to undertake action and take several steps, including but not limited to:

- Map the institutions, individuals and parties that are affected by the GDPR and processes that have to changed in reaction to the GDPR;
- Inform the concerning institution, individuals and parties about the changes that your organization has to undertake in their processes and activities;
- Made a assimilation register to show which data is collected, based on which ground, to what goal, how this is done, who is responsible and how data security is ensured;
- Up-date their privacy policy and general conditions and ask individuals (or their parents) and organization for permission, in writing, to be able to process their personal data;
- Up-date their IT-applications to be able to securely process and store personal data as well as being able to track the data and delete it when asked upon;
- Implement (digital) security measures to ensure that only the appropriate functionaries in the organization can access and process the personal data;
- Implement a protocol for data leaks;
- Appoint a Data Protection Officer (DPO), an action not necessary for all organization, to actively deal with all processes that come with the GDPR.

Every member state of the EU to which the GDPR applies has to set up an institution that has to monitor the compliance of the organisation via checks and assessments. In the Netherlands

this institution is the Authority of personal information, Autoriteit Persoonsgegevens (AP) in Dutch. The main change that the GDPR brings for these institution is that it gives them the authority to enforce the regulation and give fines when organisation are neglecting their duty to comply to the GDPR. A fine can be up to 20 million dollars or 4 per cent of the annual turnover of the organisation that receives the fine. This gives organizations an economic incentive to comply with the GDPR. Also, the GDPR can be defined as a 'hot topic' that has been covered extensively in the news and on (social) media.

Therefore the new GDPR is a fitting case to research how organizations respond to the new regulation and what factors influence the preferred choice for a specific response strategy and their degree of compliance.

To be able to complete this research a group of organizations and their reaction to the new GDPR were selected to be examined. The chosen group of organizations for this research are the secondary schools in the Netherlands. Secondary schools handle a large amount of personal data and therefore secondary schools will be under sharp supervision of the AP. Since secondary schools deal with a wide variety of stakeholders, or interest groups, for example: students, parents, employees, townships and other governmental institution, there could be lot of attention, strengthened by the usage of (social) media, to the way secondary schools react to changing regulation. Since schools possess and process a large amount of personal data their organizational processes are heavily affect by the GDPR. They have to take a lot of different actions in order to be able to comply with the GDPR. These actions can even include the hiring of extra staff or implementing costly IT-systems and therefore the need for extra budget. Therefore secondary schools will have to make choices based on the demands stemming from the GDPR and their willingness and ability to abide these demands.

This makes it interesting to research how secondary schools react and respond to the GDPR, what strategies and tactics they employ to cope with changing regulation.

Theoretical background

In the institutional theory is stated that normative and coercive pressures influence organizations. When the environment is seen as an institution some of these pressures can arise from external forces such as the state, or an overarching institution, for example the European Union (EU). These pressures lead the organisation to be guided by legitimated elements to be in accordance with the overarching institution (Zucker, 1987). These legitimated elements come in different forms, from standard operating procedures to for example new legislation such as the General Data Protection Regulation (GDPR). Organizations adopt these coercive legitimated elements because its leads to legitimacy, which is core for survival within the institutional environment. Organizations strive for legitimacy by copying others that are deemed as such, because they have complied with the legitimated elements. According to Zucker (1987), adoption of these elements this way leads to isomorphism. Isomorphism can be an effective approach when organizations have to cope with new regulation.

Furthermore organizations do depend on the state in one form or another to gain and use (societal) resources. For example unaccredited hospitals have a hard time attracting top physicians and will not get state funds (Zucker & Taka, 1986); firms that cannot use a patents cannot protect their innovations from competitors and will have lower financial returns (Hirsch, 1975). This shows that that pressures generated by the institutional environment, such as the state via law and regulation have a strong impact on not only legitimacy but also the resource flow and efficiency of organizations and therefore ties an institutional explanation for compliance to a resource dependency explanation (Zucker, 1987). Therefore it is difficult to distinguish institutional from resource dependency explanations, because compliance with governmental edict depends on organizational dependence on the state in one form or another; noncompliance to, for example, a new law or regulation provides risks in form of disruption in funding (Zald 1978). The unit of analysis in this study are secondary schools, organizations that also partly rely on funding form the state to be able to carry out their operations.

Tolbert (1985) carried out a test between institutional and resources dependency explanations in a study of higher education. By disentangling dependency and structure he demonstrated that it is *“only when dependency relations are not institutionalized that increasing dependence is strongly associated with the development of separate administrative offices to manage them”* (Tolbert, 1985: 11). However Tolbert (1985) also found that only changes in non-traditional

sources lead to an institutional response, meaning that he ruled out a straight resource dependence explanation for compliance to institutional pressures.

Oliver (1991) used the insights of institutional and resource dependence theory to form a framework based on institutional antecedents for the prediction of strategic responses and tactics of organisation to instructional processes. By comparing institutional theory and resource dependence theory Oliver (1991) was able to identify several commonalities in the assumptions of both theories and was able to demonstrate the potential for resource dependence prediction of organisational strategy. Oliver (1991) focussed on two explanatory factors for organisational context and motives. According to both institutional and resource dependence perspectives organizational context is influenced by the fact that:

- Organizational choice is limited by a variety of external pressures (Friedland & Alford, 1987; Pfeffer & Salancik, 1978). The organizational choice on how to handle personal information processing and personal information security by secondary schools is limited by the EU via the new GDPR. Also organizations are limited by the pressure of students, parents of students and (social) media to adequately deal with the GDPR, this is due to the organizational contexts that secondary schools reside in;
- Environments are collective and interconnected (DiMaggio & Powell, 1983; Pfeffer & Salancik, 1978; Powell, 1988). The internal and external environment in which an organization resides cannot be seen as two separate environments. They are interconnected via different stakeholders and institutions that reside in both environments and therefore can be seen as a collective environment;
- Organizations must be responsive to external demands and expectations in order to survive (Meyer & Rowan, 1977; Pfeffer & Salancik, 1978). For secondary schools to survive they need to be legitimate and cannot afford to lose face and legitimacy by not responding to the external coercive demands and expectations. Also the GDPR gives supervising authorities the authorization to sanction fines that can have negative consequences for the efficiency and resources of secondary schools.

Also, institutional and resource dependence theory both assume that organizations strive to gain legitimacy and stability and they are interest driven (DiMaggio & Powell, 1983; Dowling & Pfeffer, 1975; Meyer & Rowan, 1983; Pfeffer & Salancik, 1978; Zucker, 1986). These studies show that both theories are linked to organisational response to institutional processes.

The strategic response of an organisation is based on the organizational context, organizational motives and organisational behaviour of the organisation. Therefore, the strategic response to institutional process may vary for each organisation. Figure 1 shows a summary of the strategic response strategies and tactics to institutional process (Oliver, 1991).

Strategies	Tactics	Examples
Acquiesce	Habit	Following invisible, taken-for-granted norms
	Imitate	Mimicking institutional models
	Comply	Obeying rules and accepting norms
Compromise	Balance	Balancing the expectations of multiple constituents
	Pacify	Placating and accommodating institutional elements
	Bargain	Negotiating with institutional stakeholders
Avoid	Conceal	Disguising nonconformity
	Buffer	Loosening institutional attachments
	Escape	Changing goals, activities, or domains
Defy	Dismiss	Ignoring explicit norms and values
	Challenge	Contesting rules and requirements
	Attack	Assaulting the sources of institutional pressure
Manipulate	Co-opt	Importing influential constituents
	Influence	Shaping values and criteria
	Control	Dominating institutional constituents and processes

Figure 1: Strategic responses to institutional processes. Retrieved from: Oliver, C. 1991. Oliver, C. 1991. Strategic Responses to Institutional processes. Academy of Management Review. Vol. 16. No 1. Pages 145-179. 1991.

The ‘Acquiesce’ strategy comprehends tactics like following taken for granted norms, mimicking institutional models and/or obeying rules and accepting norms, in other words full compliance and following the letter of the law (Oliver, 1991). The ‘Compromise’ strategy comprehends tactics like balancing expectations of multiple constituents, accommodating institutional elements and/or negotiating with institutional stakeholders, in other words trying to come to a compromise with the different constituents, institutions and stakeholders. The ‘Avoid’ can be defined as the attempt of an organization to preclude the necessity of conformity. Tactics comprehend disguising nonconformity, trying to loosen institutional attachments or changing goals and/or activities to avoid that you have to comply as an organization. In other words, you try to avoid to be bound to (new) regulation(s). Defiance can be defined as an active form of resistance. This strategy comprehends tactics such as ignoring norms and values, contesting rules and requirements and/or even assaulting the sources of institutional pressure (Oliver, 1991). Manipulation is a strategy that intends to actively change or exert power of the content of the expectations or the sources that try to

enforce expectations and norms. This strategy comprehends the purposeful and opportunistic attempt(s) to try to control, influence or co-operate with institutional pressures to try and reshape norms and values in once best interests (Oliver, 1991).

These different strategies and tactics come from the willingness and ability of organizations to conform to the institutional environment. To predict the willingness and ability, in other words, the strategic response, of an organisation, one can look at the five institutional factors that influence the willingness and ability of an organisation to respond, as well as the predictive dimensions that determine the likelihood of resistance to the institutional process. Figure 2, table 3, shows these five institutional factors as well as the predictive dimensions corresponding with each antecedent. Table 4 in figure 2 shows the relationship between the predicted dimensions and the predicted strategic response.

TABLE 3 Antecedents of Strategic Responses		
Institutional Factor	Research Question	Predictive Dimensions
Cause	Why is the organization being pressured to conform to institutional rules or expectations?	Legitimacy or social fitness Efficiency or economic fitness
Constituents	Who is exerting institutional pressures on the organization?	Multiplicity of constituent demands Dependence on institutional constituents
Content	To what norms or requirements is the organization being pressured to conform?	Consistency with organizational goals Discretionary constraints imposed on the organization
Control	How or by what means are the institutional pressures being exerted?	Legal coercion or enforcement Voluntary diffusion of norms
Context	What is the environmental context within which institutional pressures are being exerted?	Environmental uncertainty Environmental interconnectedness

TABLE 4 Institutional Antecedents and Predicted Strategic Responses					
Predictive Factor	Strategic Responses				
	Acquiesce	Compromise	Avoid	Defy	Manipulate
Cause					
Legitimacy	High	Low	Low	Low	Low
Efficiency	High	Low	Low	Low	Low
Constituents					
Multiplicity	Low	High	High	High	High
Dependence	High	High	Moderate	Low	Low
Content					
Consistency	High	Moderate	Moderate	Low	Low
Constraint	Low	Moderate	High	High	High
Control					
Coercion	High	Moderate	Moderate	Low	Low
Diffusion	High	High	Moderate	Low	Low
Context					
Uncertainty	High	High	High	Low	Low
Interconnectedness	High	High	Moderate	Low	Low

Figure 2: Institutional antecedents and strategic responses (Oliver, 1991). Retrieved from: Oliver, C. 1991. Oliver, C. 1991. Strategic Responses to Institutional processes. Academy of Management Review. Vol. 16. No 1. Pages 145-179. 1991.

The 'Cause' of institutional pressure is referring to the expectations or intended objects that substantiate the external pressure(s) for conformity. These can come in forms of legitimacy, or social fitness, for example when laws or regulations are installed to better protect services and products or to promote privacy security for employees and etc. The intended objects can also come from efficiency, or economic fitness. The efficiency for organizations can range from

access to resources to economic accountability or organizational process efficiency. For example governmental donors put pressure and social service agents to be more economically accountable for the use of donated funds (Oliver, 1991).

The 'Constituents' of institutional pressure are about which institutions, parties and/or internal and/or external stakeholders are exerting the pressure. New regulations can be imposed by a wide variety of institutional constituents, however not all constituents might have the same demands. Multiplicity of the demands can cause conflicts and therefore alter the strategic response of organizations. For example organization might chose a 'Compromise' strategy to try to come to a compromise with all constituents in an effort to accommodate all parties.

Moreover, the 'Content' to which organizations need to conform is an important institutional factor. This states the norms, values or requirements that an organization needs to meet in order to comply with (new) regulations. When the requirements and norms are in line with present internal goals of organizations the willingness to comply with (new) regulations will be higher. The dimension 'Constraint' comprehends the organizations ability to operate their organizational processes and make organizational decisions. If (new) regulations put a lot of constraint on how organizations are able to do business, they are more likely to react with a strategy that tries to avoid, defy or manipulate in order to deal with the regulations (Oliver, 1991). For example, if organizations, due to (new) regulations, have to redesign business processes or product market combinations that affect their business and business model.

Institutional control comprehends the way that institutional pressures are imposed on an organization. This could be done by legal coercion for example by implementing (new) regulations. If this is the case the mandating institution could also issue sanctions for noncompliance and therefore enforce organizations to comply with the (new) regulations. For example in the research of Loader & Hobbs (1999), where new regulation gave consumers the power to sue organizations in the food industry the power to sue for damages when there is no conformity to food safety regulations. Loader & Hobbs (1999) found that since consumers were given more power to sue organizations in the food industry, the organization had a higher need for legitimacy in order to win over consumers. The new authorisation given to the consumers also meant that the efficiency of organizations came at risk due to the risk of being sued and having to spend resources on legal counselling and settlements (Loader & Hobbs, 1999). Also organization might voluntarily diffuse to institutional pressure and expectations in order to show constituents that they are willing to conform to institutional pressures. If

institutional pressures expectations are broadly diffused organizations will more likely conform to these pressure expectations (Oliver, 1991).

The last factor to be a determinant of organizational response to institution pressure, according to (Oliver, 1991) is the context in which an organization operates. This context can be predicted by two factors, uncertainty and interconnectivity. An organizational context, or environment, can be seen as 'uncertain' when the future states of the world cannot be anticipated or accurately predicted Pfeffer and Salancik (1978: 67). Whereas 'interconnectivity' refers to the '*density of inter-organizational relations among occupants of an organizational field*' (DiMaggio & Powell, 1983; Pfeffer & Salancik, 1978). According to DiMaggio & Powell (1983) and Pfeffer & Salancik (1978) when uncertainty is high and the future is unpredictable organizations tend to have a preference for certainty. Therefore organization will try to establish the illusion of control by conforming to the (new) regulation when the environmental context of institutional influence is highly uncertain. One of the tactics used to comply in uncertain environments is to mimic other organizations, a phenomenon called isomorphism. Also when the institutional environment is highly interconnected organizations are more likely to comply with the norms and requirements that are set by (new) regulations. Interconnected environments further impede the rate of voluntary diffusion and therefore increase the likelihood of conformity to (new) regulations (Oliver, 1991).

In conclusion, Oliver (1991) attempted to illustrate that the institutional framework is able to cope with a different strategic responses to the institutional environment and the response that organizations exhibit in response to institutional constraints and expectations, based on the degree of choice and attractiveness that organizations have. Resource dependency theory identified a set of alternate strategies that organizations can use to confront institutional demands and expectations. Hereby Oliver (1991) was able to determine factors that can be used to predict when organisation will opt to conform, or resist, institutional pressures.

These antecedents and predictive factors can be applied to the case of the GDPR to determine what response strategy is to be expected from secondary schools. The causes for secondary schools to react to the GDPR meet the characteristics of both legitimacy and efficiency. Schools need to abide the law in order to be seen as legitimate by state, students, parents, employees and/or (social) media in order to be able to stay competitive as a school and fulfil their goals. Moreover, the new jurisdiction given to the Autoriteit Persoonsgegevens via the GDPR means

schools can expect high fines when they do not comply with the new regulation. A potential (high) fine results in fewer resources for the school and therefore endangers the efficiency. Therefore both causes legitimacy and efficiency can be seen as high. Since there are many stakeholders and parties that are influenced by the GDPR the multiplicity of the constituents can be seen as moderate, while only the AP that can coercively exert pressure on secondary schools to comply with the GDPR, parents, students, other governmental institutions and (social) media can also put pressure on the schools to comply to the GDPR. The dependence on the constituents can be seen as high. Schools need governmental support in order to have access to subsidies to be able to be efficient and are dependant on the public opinion and the opinion of students, parents and employees to stay legitimate. The content to which schools need to abide via de GDPR is highly consistent with the organizational goals of secondary schools. Schools reside in a sensitive environment, where (young) students take their steps into their future and where they develop themselves. This has to be done in a secure environment and privacy is a big part of that security. Therefore the privacy and good security of the private information that schools process should already be part of their organizational goals. The constraint that the GDPR puts on schools in terms of content can be seen as moderate. The GDPR sets frameworks in which schools need to work and therefore partly limits the way they operate and how they run their business. The GDPR is imposed via European Law and can therefore be seen as highly coercive. The amount of diffusion can be seen as moderate to high. Schools have incentive to show constituents that they are willing to adhere to the institutional pressures, for example because privacy and security have always been an important part of the schools strategy or to gain more legitimacy and therefore competitive advantage over less diffused schools. Since the GDPR is a new regulation that addresses topics, such as privacy, security of personal information and personal information processing, the complete effects of the regulation for secondary schools is not fully known. While the regulation and its sanctions are known the way of enforcing of these sanctions and the supervision and auditing process by the AP are not fully known by schools. The regulation is new and changes and jurisprudence might (slightly) alter the regulation and its compliance mechanism. Therefore the future state is unknown and there is a moderate to high level of uncertainty that comes with the new regulation. Lastly, the environment can be described as moderately interconnected due to the many constituents that secondary schools have in their environment and the way their interests about personal information and personal information security overlap. The previous section is represented in the following figure.

TABLE 4
Institutional Antecedents and Predicted Strategic Responses

Predictive Factor	Strategic Responses				
	Acquiesce	Compromise	Avoid	Defy	Manipulate
Cause					
Legitimacy	High	Low	Low	Low	Low
Efficiency	High	Low	Low	Low	Low
Constituents					
Multiplicity	Low	High	High	High	High
Dependence	High	High	Moderate	Low	Low
Content					
Consistency	High	Moderate	Moderate	Low	Low
Constraint	Low	Moderate	High	High	High
Control					
Coercion	High	Moderate	Moderate	Low	Low
Diffusion	High	High	Moderate	Low	Low
Context					
Uncertainty	High	High	High	Low	Low
Interconnectedness	High	High	Moderate	Low	Low

Figure 3: Institutional antecedents and strategic responses (Oliver, 1991) and the General Data Protection Regulation

When these antecedents and their predictive factors are pared with Oliver's (1991) five strategies of strategic response, a strategy of 'Acquiesce' is the strategy that is predicted to be chosen by secondary schools when reacting to the new GDPR. After that an alternative choice of strategy could be that of 'Compromise', however the high need for legitimacy and efficiency predicted do not match with the strategy of 'Compromise'. Therefore it is predicted that the secondary schools will opt for a strategy of 'Acquiesce' to respond to the GDPR and will choose a strategy of 'Acquiesce' when faced with a specific scenario involving the new GDPR.

Factors influence the strategic response strategy

According to Oliver's (1991) predictive dimensions a strategy of 'Acquiesce' in response to the GDPR is to be expected from secondary schools. However, the definitive response strategy of secondary schools might deviate from what is expected. Past studies show that organizations dealing with (new) regulation(s) do not always follow a strategy of 'Acquiesce'. For example, in the empirical study conducted by Van Hoof and Gosselt (2013). They used underage mystery shoppers in to check if distributors of alcoholic beverages in the Netherlands actually comply

with the law and deny a sale to under aged shoppers. They found that in all twenty mystery shoppers were able to buy at least one unit of alcohol and in total were successfully able to complete a purchase in 173 out of 198 times (van Hoof and Gosselt, 2013). Another example can be found in the research conducted by Ay, Evrengil, Guner, & Dagli, (2016). They researched noncompliance to the smoke-free law in Istanbul. They found that while the Turkish Parliament passed an amendment prohibiting smoking at hospitality establishments in 2008, not all establishments complied with this legislation. They found that noncompliance in hospitality establishment for 2013 and 2014 was 49% and 29.7% respectively. This study shows that six years after the passing of new legislation almost 30% of the hospitality establishments in the sample were still violating the law (Ay et al., 2016). A similar result was found in study of Barnoya, Monzon, Briz, & Navas-Acien (2016). They researched long-term compliance with the smoke-free law in Guatemala five years after implementation. They found that 71% of the venues in the sample still had a smoking section, violating the law (Barnoya et al., 2016).

These examples show that while, according to Oliver (1991), a strategy of 'Acquiesce' is expected from organizations facing (new) regulation(s) this not always the chosen strategy. This begs the question why those organizations did not chose to (fully) comply with the new regulations and what factors did have an influence on their strategy decision.

Different factors can have an influence on a chosen strategy. The work of Van Kranenburg & Voinea (2017) showed that available firm resources and firm roles influence organizational preference for a specific nonmarket strategy. They examined the effects of the factors 'Size', 'Host country experience', 'Market scope', 'Regional headquarters role', 'Autonomist degree' and 'Country difference' on the choice for a specific nonmarket strategy. Parts of their findings, among others, include a positive relationship between firm size and the choice of a relational strategy, a negative relationship between host country experience and relational strategy and a negative relationship between market scope and the choice for a relational strategy (Van Kranenburg & Voinea, 2017). Their research showed that there are indeed factors that could influence the organizational choice for a type of nonmarket strategy.

Moreover, Raaijmakers, Vermeulen, Meeus, & Zietsma (2015) examined the influence of another factor, time, on the response to new coercive institutional demands in the childcare sector. Where the work of Oliver (1991) focussed on the strategic response of organizations to a singular institutional pressure, Raaijmakers et al. focussed more on multiple contradictory

pressures and complex institutional environments. One important aspect in the research of Raaijmakers et al (2015) is 'time', in their case the time it takes for organizations to adopt the new institutional practice and what actions the organizations take during this time. Their model suggests that managers opt for early adoption when the institutional complexity has been assessed as 'low'. However when it is seen as moderate or high managers intent to delay compliance with the institutional pressure and use the time before compliance as a resource for action to reduce the complexity or as a buffering resource to wait for complexity to resolve itself (Raaijmakers et al., 2015). Raaijmakers et al. (2015) therefore showed that the amount of time organizations have to respond to new or changing regulation(s) could have an effect on the chosen response strategy.

The possible effects of these factors on the strategic response strategy of secondary in response to the new GDPR are studied in this research.

Size

The size of an organization is plays an important role in the strategic nonmarket behaviour (Hillman et al., 2004). There is an extensive perspective in organizational literature that states that firms with a larger resource and employee base have more assets and can therefore benefit or lose to a greater extend from new or changing regulation(s) (Masters & Keim, 1985). A secondary school can be large in terms of number of students, number of employees and number of employees per student. Larger secondary schools can use their greater resource and employee base to react on new or changing regulation(s) and are more capable of compliance to the regulation(s). However, larger secondary schools are also more vulnerable to the power of different constituents such as the (social) media, the government and other political and social actors, because of their higher visibility being a large organization (Getz, 1997). This is also reason for larger secondary schools to urge compliance to new or changing regulation(s), because they are more likely to catch the public's and more importantly the regulatory enforcing institution's eye. In case of the GDPR larger secondary schools with a larger resource and employee base are expected to be more capable to comply to the regulation, have more internal incentive to comply due to a larger amount of personal data and personal data processing of their internal stakeholders (employees, students and parents) and have greater risks when not complying with the new regulation. Therefore the following hypothesis can be formulated:

Hypothesis 1a: Larger secondary schools will rather choose a strategy of ‘Acquiesce’ in response to the GDPR as opposed to smaller secondary schools.

Hypothesis 1b: Larger secondary schools will have a higher level of compliance with the GDPR as opposed to smaller secondary schools.

Market scope

The market scope is another factor that could influence the strategic response strategy of secondary schools (Marx 1990). The market scope dictates how broad an organization is offering its products or services on the market. In the case of secondary school the market scope is defined by the education structure that the school has. The more levels of education a secondary school offers, bigger the education structure, thus broader the market scope. A broader market scope allows schools to exploit more opportunities in these different educational levels, but it also means that secondary schools have to manage a broader range of nonmarket issues and actors active in these different educational levels (Wan & Hillman, 2005). This broader scope therefore makes it more difficult for secondary schools to adhere to the demands of all the nonmarket actors and therefore makes compliance to new regulation more difficult. Secondary schools with narrower market scopes can focus on just the one setting, one educational level. This makes it easier for these schools to mobilize and focus their resources and employee base to address new regulation (Barron, 1995). Therefore the following hypotheses can be formulated:

Hypothesis 2a: Secondary schools that offer one level of education will rather choose a strategy of ‘Acquiesce’ in response to the GDPR as opposed to secondary schools that offer more than one level of education.

Hypothesis 2b: Secondary schools that offer one level of education will have a higher level of compliance with the GDPR as opposed to secondary schools that offer more than one level of education.

Time

Another factor that could influence the choice for a preferred strategic response strategy is time. Time can be defined as the amount of it takes organizations to adapt to, or comply with, new or changing regulation. Studies by, for example, Baron, Dobbin, and Jennings (1986) and Westphal and Zajac, (1994) argued that early adopters seek efficiency while late adopters seek legitimacy. However, Kennedy and Fiss (2009) argue that both early and late adopters adopted

for both efficiency and legitimacy. In line with Oliver (1991), Lawrence, Winn, & Jennings (2001) suggested that forced institutionalization of processes, underlined by coercive demands, would be rapid while influenced institutionalization of processes would be slower. The work of Raaijmakers et al. (2015) showed that, in contrary to expectations of compliant responses (Oliver, 1991) and rapid institutionalization processes (Lawrence et al., 2001), in the face of coercive pressures, decision makers did indeed delay their compliance in the hopes of complexity resolving through their own, or other's actions. Furthermore, Raaijmakers et al. (2015) examined what the effect of time was on the compliance with new regulation of organizations in the childcare sector. They researched the reason for the delay in compliance in the Dutch childcare sector and were able to form a model for a pathway to compliance under institutional complexity. Their model suggests that managers opt for early adoption when the institutional complexity has been assessed as 'low'. However when the institutional complexity was seen as moderate or high managers intent to delay compliance with the institutional pressure and use the time before compliance as a resource for action to reduce the complexity or as a buffering resource to wait for complexity to resolve itself (Raaijmakers et al., 2015). The new General Data Protection Regulation is a forced institutionalization of processes, underlined by coercive demands and therefore it can be argued that rapid compliance leads to a greater amount of efficiency and legitimacy for adapting secondary school. While the GDPR is characterised by a moderate to high amount of uncertainty, leading to a moderate amount of institutional complexity, it should not lead to a great delay in compliance or even a deviance from a strategy 'Acquiesce'. This is because the need for legitimacy and efficiency outweigh the risks paired with delayed compliance or even noncompliance. However, the time it takes secondary schools to react to the GDPR could influence how fully secondary schools are able to comply. Following the work of Raaijmakers et al. (2015), due to the uncertainty and complexity associated with the new GDPR secondary schools might delay compliance in order to see how other secondary schools cope with the GDPR to be able to copy them, following the 'Imitate' tactic (Oliver, 1991). However due to late adaption those late adapters might not be able to fully comply with the GDPR. Therefore the following hypotheses can be formulated:

Hypothesis 3a: There will be no difference in choice of strategic response strategy for secondary schools between late and early reactors to the GDPR.

Hypothesis 3b: Secondary schools that reacted early to the GDPR will have a higher level of compliance with the GDPR as opposed to secondary schools that reacted late to the GDPR.

Methodology

Research method

The ways that managers in organizations respond to new regulation are suited for quantitative research design. The case that is studied in this research is the new General Data Protection Regulation set forth by the EU. It is about what strategic response strategies secondary schools have to this new regulation and which factors might influence the choice for a specific strategy. The units that are analysed are the managers of secondary schools that have to respond to this new legislation. The research approach for this study is the inductive approach in form of a grounded theory approach. This approach is suited for this study because theoretical expectations have not been fully described. By doing so, the research is not bounded to these expectations; which leads to a more open research and can lead to novel insights for the existing theories (Bleijenbergh, 2013; Corbin & Strauss, 2008; Boeije, 2005). Existing theories, e.g. Oliver (1991), Raaijmakers et al. (2005) etc., are used to direct the research by forming sensitizing concepts. Examples of theories that can help forming these concepts are the antecedents of for strategic responses as well as the strategic responses and tactics proposed by Oliver (1991). This test is used to test if there are significant differences in the dependent variables between different groups and can therefore be used to the hypotheses that were formulated earlier in this research. For example, to test if there is a difference between smaller and bigger secondary schools in the preferred choice for a strategic response strategy (Field, 2013).

Population and sample selection

The population that is being studied are all secondary schools in the Netherlands. These schools vary in size (number of students and employees) and in their education structure, which consists of: PRO, VBO, MBO, MAVO, HAVO and VWO. A public database containing the address information, contact information and boards of 653 secondary schools' headquarters can be found and has been created by the Basis Registratie Instellingen (BRIN) (Dienst uitvoering onderwijs, n.d.). The goal is to have a sample that is as big a possible given the time to carry out the research.

Data collection

To examine how the managers of these schools responded to the new legislation and what their specific strategies and tactics were, a vignette experiment and interviews were conducted. The schools were contacted by phone and/or by email and asked to play a part in vignette experiment and possibly a follow-up interview.

The survey

Raaijmakers et al. (2015) showed the effectiveness of a vignette experiment when conducting an analysis of the strategy and tactics of decision makers in a certain context. A vignette experiment gives the researcher the opportunity to create a hypothetical situation which can be given to the respondent, he or she has to try to resolve the situation and elaborate on his or her strategy, tactics and choices. This makes a vignette experiment an ideal way to gather data on the response strategy and tactics of secondary school managers and their response to the new GDPR legislation. The managers will be given two hypothetical settings. A number of settings need to be offered in order to research the response strategies and tactics in an effective manner. The settings will present different problems in connection with the GDPR for the managers to cope with.

The vignette experiment is distributed in the form of a multiple-choice survey, generating quantitative data. The survey was distributed in Dutch, because all possible respondents in the sample speak Dutch. The English version of the survey is shown in Appendix 1. The survey consisted of two parts. Part one contained questions about the general strategic response of the organization to the GDPR. The second part consisted of the two earlier discussed hypothetical settings or scenarios, and associated questions. The survey was prepared using the Qualtrics software and the Radboud University licence, which generated an anonymous link that was sent to the respondents.

As is said earlier the schools were contacted by phone or email. From the public database created by the Basis Registratie Instellingen (BRIN) (Dienst uitvoering onderwijs, n.d.), the general phone number of the schools were extracted. These numbers were called one by one and after explaining the purpose and aim of the research the person on the other line was asked to bring the researcher in contact, preferably by phone and otherwise by email, with the person in the contacted organisation that could possibly answer the survey questions adequately. The mail contained a short but detailed description of the research, its purpose and aim and had a

link directing the respondent directly to the online survey. In an attempt to increase the response rate the researcher tried to make contact via the phone and send reminders to the respondents that did not complete the survey one week after receiving the mail with the link.

During the research period the email containing the description of the research, the survey and the anonymous link to the survey as well as a reminder were sent to 168 different schools. There were 38 responses tot the survey. This means that there also was a response rate of 22.62 per cent, but not all respondents (fully) completed the survey. More information over the responses on the survey is discussed in the next part of this thesis.

The interviews

These follow-up interviews were conducted to further elaborate on the strategy, tactics and choices that the managers made. Interviews are an ideal tool for qualitative research. One of the main advantages of interviews is that respondents have the opportunity to give their answers in their own words (Bleijenbergh, 2013). Because respondents write their answers in the vignette experiment, misinterpretation by the researcher might occur. Interviews give the researcher the chance to clear out doubt by asking the respondent to elaborate on any unclear parts of the experiment. Interviews also give the opportunity to gain in-depth information by asking question aimed at a specific part of an answer in the vignette experiment. The information gathered from the interviews was used to substantiate the findings stemming form the quantitative analysis.

The second to last question of the survey was *'Would you be willing to participate in a short telephonic interview to further elaborate on your given answers?'*, Followed by a question asking the respondent to fill in a phone number on which they wanted to be contacted. This way the respondents that were willing to participate in an interview were easily filtered out. Sixteen respondents said that they were willing to participate in a short telephonic interview. All these respondents were contacted using the phone number that they provided. However, not al respondents were available for the interviews. For various reasons (mainly lack of time or availability) a big portion rejected their willingness to participate when called upon. Still, during the research period four respondents were available and were therefore interviewed. Full transcribes of the four interviews that were conducted are shown in Appendix 2.

Data analysis procedures

The data analysis procedures used in this research is two fold. SPSS was used to analyse the quantitative data that was gather using the distributed survey. As was stated earlier the independent-samples *t*-test was used to compare the difference between the sample means that were collected to the difference between the sample means that would be expected to be obtained if there was no effect. In other words, the test tests if the null hypothesis is true, meaning that there is no difference between the expected and the collected sample means or that the null hypothesis is rejected and the alternative hypothesis, stated in the previous part of this research is accepted (Field, 2015).

To test the hypotheses using the independent-samples *t*-test there need to be dependent variables and different grouping variables.

Variables

Dependent variable

To be able to test the hypotheses using the independent-samples *t*-test the dependent variables need to be of at least interval level (Field, 2015). The dependent variables in this research are the choice of strategic response, the choice of strategic response during scenario 1, the choice of strategic response during scenario 2, the actions already taken to comply with the GDPR.

The data for the first three of these variables stems from questions 10, 17 and 19 respectively, see Appendix 1. To be able to use the answers of the respondents to these questions in the independent-samples *t*-test, the dependent variables need to be of at least interval measurement level (Field, 2015). The interval scale is constructed from the questionnaire survey. All three questions had the same five answer options: 'Compromise', 'Avoid', 'Defy', 'Acquiesce' and 'Manipulate'. These five options correspond with Oliver's (1991) typology of strategic response strategies. These five answer options were all given a score in this research. The scores ranged form 1 to 5 with a 1-point interval between each score. The scores corresponded with how close the option is to a strategy of full compliance, the higher the score the more the strategy follows compliance. This way three variables named 'Compliance score', 'Compliance score sc1' and 'Compliance score sc2' of Likert-scale were created and therefore the stipulation for interval level dependent variables was met. The following scores were given to the following answer options: 5) 'Acquiesce', 4) 'Compromise', 3) 'Avoid', 4) 'Defy' and 5) 'Manipulate'.

A Likert-scale was also constructed for the dependent variable ‘actions already taken to comply with the GDPR’. The data for this variable stems from survey question 15, see Appendix 1. This question had 8 answer options, one of which was the textual option: ‘Other, namely’ where respondents could fill in other actions they had taken to comply with the GDPR. In this research each action selected equaled one point, therefore the maximum score on this question was 8 and lowest 0 with a 1-point interval between each score, creating a 8-point Likert-scale, thus a variable of interval measurement level.

Grouping variables

In this research different grouping variables are used to divide the sample in a scale of groups in order to be able to test the hypotheses that were formulated in the previous part of this research thesis.

First, in order to be able to divide the sample in two groups based on ‘Size’, three different variables were constructed based on data stemming from survey questions 3 and 4, see Appendix 1. These variables are originally from ratio measurement level, since the questions are how many students and employees the responding organizations had during the educational year 2017-2018. To divide the respondents in two groups a median split is used (Field, 2015). The mean split is used to come to two groups of equal group size to be able to have equal group sizes in the independent-samples *t*-test analysis. This means that the respondents with a score on or below the median were coded into group 0 and the respondents with a score above the median were coded into group 1. This way three grouping variables for the construct ‘Size’ were constructed, each with two categories:

1. Number of employees: ‘Large number of employees’ and ‘Small number of employees’;
2. Number of students: ‘Large number of students’ and ‘Small number of students’;
3. Number of students per employee: ‘Large number of students per employee’ and ‘Small number of students per employee’.

Next, the sample was divided in two groups based on ‘Market scope’. One variable ‘Market scope’ was constructed based on the data stemming from survey question 2, see Appendix 1. Two groups were coded based on the number of answers selected. Group 0 consisted of the ‘Narrow market scope’ organizations; these organizations only offer three levels of education

to their students. Whereas the respondents in group 1 offer more than three levels of education to their students. This was done because the maximum number of levels of education that can be offered by secondary schools in the Netherlands is 6.

Lastly, the sample was divided in two groups based on 'Response time'. One variable 'Response time' was constructed based on the data stemming from survey question 6, see Appendix 1. The two groups were coded based on the moment on which the organizations first discussed the GDPR. In the original question the respondents were given seven answer options, the respondents that choose either answer option 1, 2 or 3 were coded into group 0, the 'Early adopters' and the respondents that choose either answer option 4, 5, 6 or 7 were coded into group 1, the 'Late adopters'.

Research limitations and research ethics

Research limitations

One limitation of the research was that it was not known beforehand what the respondent's knowledge was about the GDPR and how familiar they were with the regulation and its consequences for the data processing processes for their school. Moreover it was not clear at the start of the research what functionary in the organisation of the schools was responsible for dealing with the GDPR and who made the decisions on how to respond. This became clearer when the schools were approached and the schools forwarded the responsible functionary.

Research ethics

During the research a range of ethical principal need to be uphold. Firstly, information should be obtained from participants with consent. This was ensured by calling the participants and asking them to participate in the study, if they did not want, they did not have to and were not bothered any further. Next, no harm was to be done to participants in any way, physically, mentally, socially etc. If harm in any way was dealt it we minimized and the participant will was informed directly, gladly this was not the case. Also, the participants' identities were kept anonymous and all gathered data was threatened with full confidentiality. Furthermore, no deceptive practices were used and lastly participants were given the right to withdraw from the research at any given time.

Data cleaning

Before the quantitative data could be analyzed it had to be cleaned to make it operable. In this section the process of data cleaning is described in short. A full description of the data cleaning process can be read in Appendix 3. The starting point is the mother database that is send along with this research thesis. This database starts with 41 responses. First the incomplete responses and 3 'test' responses given by the researcher were removed. There were 8 incomplete responses resulting in the deletion of 11 responses, leaving the data set with 30 complete responses. Next the compatibility of the responses with SPSS was checked. SPSS is used to conduct the independent-samples *t*-test and form the descriptive statistics of the different variables used. The original answers to these questions and further questions that had answers cleaned are shown in Appendix 4. This is done to give the reader insight in the process of data cleaning and to ensure that that no human errors were made during the data cleaning process. The end result after data cleaning was compared to the mother database to ensure that the answers of the respondents were still the very same. Lastly the open answers were checked to check the textual answers given when respondents had the chance to do that.

Interviews

To ensure that errors due to translation were minimized different synonyms for words were translated to search for the best fit in terms of translation without misinterpreting the answers of the respondents.

Representativeness

The representativeness of the sample is checked by comparing descriptive statistics of the sample to that of the whole population. However for not all variables there was data available, therefore the representativeness was checked using the variables 'Size' and 'Market scope'. In figure 4 the descriptive statistics for the variable 'Size' are shown are shown:

	Sample	Population	Correcting for outlier
Number of students per school			
Mean	5,915	1,505	3,838
Median	2,567	-	2,392
Highest	62,000	-	14,000
Lowest	1304	-	1,304
Number of employees per school			
Mean	812	245	599

Median	296	-	300
Highest	7,000	-	4,500
Lowest	118	-	118
Number of students per employee per school			
Mean	9,02	15.60	9,02
Median	8.84	-	8,8
Highest	14.35	-	14,35
Lowest	6.00	-	6,00

Figure 4: Descriptive statistics variable 'Size'

*The data about average number of students per secondary school and the average number of students per employees of secondary schools of the population in the Netherlands were found using STAMOS (n.d.) and stem from the educational year 2015-2016 as opposed to the data from the sample which stems from the educational year 2017-2018.

*Number are rounded to two decimals

*The median, highest and lowest score for the different variables are not known for total population and are therefore left blank

Looking at the data in the figure it becomes clear that the sample does not accurately match the population. This is due to a number of reasons. Firstly, in the sample there are outliers, for example there is a secondary school with 62,000 students, far exceeding the average in the sample, 5,6915, and the average number of students in the population, 1,505. The same goes for the number of employees where the same secondary school has 7,000 employees. This is because that organization is not just one secondary school but it is an umbrella organization for multiple schools. This means that representativeness of the sample for the population is not established. Therefore, a new check was done where the outlier and its data was eliminated from the sample. There are notable differences, for example the mean number of students in the sample without the outlier comes a lot closer to the mean number of students in the population. Thus it could be argued that the outlier needs to be deleted from the data set for the sample to better represent the population. However, for the purpose of this research secondary schools are divided into two groups based on size via a critical cut-off point. Therefore an outlier will have less effect on the outcomes of the independent-samples *t*-test. Also, due to the relatively small size of the sample, no cases are deleted to be able to fully stretch the potential of the sample. The groups are formed as followed:

	Grouping variable size students	Grouping variable size employees	Grouping variable size students per employee
Group 0:	Equal or below 3,400	Equal or below 375	Equal or below 8.8
Group 1:	Above 3,400	Above 375	Above 8.8

Since the values for the ‘Grouping variable size students per employee’ all lie in a relatively small range, ranging from 6 to 14.35, the median is used as critical cut-off point.

Next, the representativeness of the sample for the population was checked using the variable ‘Market scope’. The ‘Market scope’ was measured by measuring how many levels of education each secondary school offers to its students. Each educational leveled offered means that the secondary school scores one point, with a minimum of 1 and a maximum of 6. In figure 5 the descriptive statistics for the variable ‘Market scope’ are shown are shown:

	Sample	% of sample	Population	% of sample
Number of educational levels offered				
1	0	0	68	12.23
2	1	3.33	95	17.09
3	7	23.33	105	18.88
4	12	40.00	226	40.65
5	7	23.33	53	9.53
6	3	10.00	9	1.62
Total	30	100.00	556	100

Figure 5: Descriptive statistics variable ‘Market scope’

*The data about the offered educational levels come from Basis Registratie Instellingen (BRIN) (Dienst uitvoering onderwijs, n.d.);

*Number are rounded to two decimals

When the data for the sample and population are compared it is notable that 12.23 per cent of the population offers only 1 level of education, but none of the secondary schools in the sample do. Next the percentage of secondary schools that offer 3 or 4 levels of education in the sample are close to that of the population, which strengthens the representativeness. However, for the secondary schools in the sample that offer 5 or 6 levels of education there are discrepancies from the population. This means that representativeness of the sample for the population is not established. Due to the relative small size of the sample, no cases are deleted to be able to fully stretch the potential of the sample. The division in groups based on ‘Market scope’ was

originally planned to be on the number of levels of education offered, where group 0 would be schools that offer 1 level of education and group 1 to be schools that offer more than 1 level of education. However, due to the composition of the sample data that division is no longer possible. To be able to use the variable 'Market scope' in the analysis a new division is made. Group 0 will now consist of secondary school that offer less than 4 levels of education, 'Narrow market scope' and group 1 will consist of secondary schools that offer 4 or more levels of education, 'Broad market scope'. This leads to group 0, 'Narrow market scope', consisting of 8 responses and group 1, 'Broad market scope' consisting of 8. This limitation for the research will be further elaborated on in the discussion section of this research thesis.

Data analysis and results

In this part of the research thesis the data analysis is shown as well as the results that stem from the analysis. Before the analyses were conducted the quantitative data was cleaned in order to be able to use the data. The qualitative data that was retrieved from interviews only needed to be translated from Dutch to English.

In the first part different descriptive statistics are shown in regard to the general information of the different organizations that responded to the survey. This is done to generate a general overview of how the organizations look in terms of pressure to respond to the GDPR, general strategy and motives for responding to the GDPR, number of hours that they reserved and money spend on external help, the actions that they have taken already and those that they still have to take. In the second part the organizations will be divided in different groups based on size of the organization (E.g. based on number of students, number of employees, number of students per employee, hours reserved to deal with the GDPR and money spend on external help and the moment they first encountered the GDPR. In the last part the two cases and the answers of the respondents will be discussed, mainly focusing on difference between general strategy and the strategy for dealing with the cases.

Descriptive statistics dependent variables and Compliance scores

After cleaning the data there were thirty complete responses left that could be used in the quantitative analysis. Before conducting the independent-samples *t*-test the descriptive statistics of the dependent variables are examined. Also, after looking at the compliance scores hypothesis 1a, 1b and 1c are discussed.

Level of compliance

To check whether secondary school complied with the GDPR in full, the variable ‘Level of compliance’ was constructed. The data for this variable stems from survey question 15, see appendix 1. This question had 8 answer options, one of which was the textual option: ‘Other, namely’ where respondents could fill in other actions they had taken to comply with the GDPR. In this research each action selected equaled one point, therefore the maximum score possible on this question was 8 and lowest 0 with a 1-point interval between each score. The descriptive statistics for this variable are shown in the figure below:

Level of compliance					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	3	6	20,0	20,0	20,0
	4	5	16,7	16,7	36,7
	5	6	20,0	20,0	56,7
	6	6	20,0	20,0	76,7
	7	5	16,7	16,7	93,3
	8	2	6,7	6,7	100,0
	Total	30	100,0	100,0	

Descriptives				
			Statistic	Std. Error
Level of compliance	Mean		5,17	,288
	95% Confidence Interval for Mean	Lower Bound	4,58	
		Upper Bound	5,76	
	5% Trimmed Mean		5,13	
	Median		5,00	
	Variance		2,489	
	Std. Deviation		1,577	
	Minimum		3	
	Maximum		8	
	Range		5	
	Interquartile Range		2	
	Skewness		,101	,427
	Kurtosis		-1,078	,833

Figure 6: Descriptive statistics, variable 34: 'Compliance score based on actions taken'

The descriptive statistics show an average 'Level of compliance' of 5.17, with a standard error of .288 and a standard deviation of 1.577. What is interesting is that only 2 respondents (6.7 per cent) scored an 8, meaning that they stated that they have already taken all the necessary actions to comply with the GDPR. Which in turn also means that 28 respondent (80 per cent) stated that they did not yet take all the necessary actions to fully comply with the GDPR.

Compliance scores

Three out of four dependent variables are about the choice for strategic response strategy described in one word. As is stated earlier in this research paper, all three variables come from three questions that had the same five answer options. These five options correspond with Oliver's (1991) typology of strategic response strategies. These five answer options were all given a score in this research. The scores ranged from 1 to 5 with a 1-point interval between each score. The scores corresponded with how close the option is to a strategy of full compliance, the higher the score the more the strategy follows compliance.

The first question that was analyzed is question 10: *'If you have to describe the strategy of your organization, regarding the GDPR, in one word; which of the following would describe this strategy the best?'*. A figure showing the descriptive statistics of the responses of the secondary schools is shown in figure 7.

Compliance score				
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 2	1	3,3	3,3	3,3
4	11	36,7	36,7	40,0
5	18	60,0	60,0	100,0
Total	30	100,0	100,0	

Descriptives				
			Statistic	Std. Error
Compliance score	Mean		4,53	,124
	95% Confidence Interval for Mean	Lower Bound	4,28	
		Upper Bound	4,79	
	5% Trimmed Mean		4,61	
	Median		5,00	
	Variance		,464	
	Std. Deviation		,681	
	Minimum		2	
	Maximum		5	
	Range		3	
	Interquartile Range		1	
	Skewness		-1,879	,427
	Kurtosis		5,108	,833

Figure 7: Descriptive statistics, variable 29: 'Compliance score'

The most frequently chosen strategy is 5) 'Acquiesce'. This strategy is chosen 18 times (60 percent), where a strategy of 4) 'Compromise' is chosen 11 times (36.7 percent) and 1 respondent chose a strategy of 2) 'Defy' (3.3 percent). Therefore the average compliance score in the sample is 4.53, with a standard error of .124, and standard deviation of .681.) it was proposed that the predictive strategic response strategy of secondary schools to the GDPR would be a strategy of 'Acquiesce'. However, based on the answer given by the respondents this hypothesis is rejected. While 18 out of 30 respondents indeed did opt for a strategy of 'Acquiesce', 12 out of 30 (40 per cent) did not choose the same strategy.

Moreover the respondents were asked what their choice of response strategy would be in two certain scenarios. First for scenario 1 question 19: *'If you have to describe the strategy of your organization, regarding this scenario, in one word; which of the following would describe this strategy the best?'* was analyzed. A figure showing the descriptive statistics of the responses of the secondary schools is shown in figure 8.

Compliance score sc1				
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 4	9	30,0	30,0	30,0
5	21	70,0	70,0	100,0
Total	30	100,0	100,0	

Descriptives				
			Statistic	Std. Error
Compliance score sc1	Mean		4,70	,085
	95% Confidence Interval for Mean	Lower Bound	4,53	
		Upper Bound	4,87	
	5% Trimmed Mean		4,72	
	Median		5,00	
	Variance		,217	
	Std. Deviation		,466	
	Minimum		4	
	Maximum		5	
	Range		1	
	Interquartile Range		1	
	Skewness		-,920	,427
	Kurtosis		-1,242	,833

Figure 8: Descriptive statistics, variable 30: 'Compliance score sc1'

Again the most frequently chosen strategy in scenario 1 is 5) 'Acquiesce'. This strategy is chosen 21 times (70 percent), where a strategy of 4) 'Compromise' is chosen 9 times (30 percent), no other answer options were chosen for scenario 1. Therefore the average compliance score in the sample is 4.70, higher than the compliance score for question 10, with a standard error of .085, and standard deviation of .466. Based on the predictive dimensions and antecedent of strategic response proposed by Oliver (1991) it was proposed that secondary schools would follow a strategy of 'Acquiesce'. While indeed a small majority did chose to follow a strategy of 'Acquiesce' the results show that the predicted response did not come true.

Third, question 24: *'If you have to describe the strategy of your organization, regarding this scenario, in one word; which of the following would describe this strategy the best?'* was analyzed. A figure showing the descriptive statistics of the responses of the secondary schools is shown in figure 9a & 9b.

Compliance score sc2				
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 4	10	33,3	33,3	33,3
5	20	66,7	66,7	100,0
Total	30	100,0	100,0	

Figure 9a: Descriptive statistics, variable 31: 'Compliance score sc2'

Descriptives			Statistic	Std. Error
Compliance score sc2	Mean		4,67	,088
	95% Confidence Interval for Mean	Lower Bound	4,49	
		Upper Bound	4,85	
	5% Trimmed Mean		4,69	
	Median		5,00	
	Variance		,230	
	Std. Deviation		,479	
	Minimum		4	
	Maximum		5	
	Range		1	
	Interquartile Range		1	
	Skewness		-,745	,427
	Kurtosis		-1,554	,833

Figure 9b: Descriptive statistics, variable 31: 'Compliance score sc2'

The most frequently chosen strategy in scenario 2, again, is 5) 'Acquiesce'. This strategy is chosen 20 times (66.7 percent), where a strategy of 4) 'Compromise' is chosen 10 times (33.3 percent), no other answer options were chosen for scenario 2. Therefore the average compliance score in the sample is 4.67, higher than the compliance score for question 10 but lower than that for question 19. A standard error of .088 was measured, with a standard deviation of .469. These results are almost identical to the results for scenario 1.

It was proposed that the predictive strategic response strategy to the GDPR under scenario 2 would be a strategy of 'Acquiesce'. However, based on the answer given by the respondents this hypothesis is rejected. While 20 out of 30 respondents indeed did opt for a strategy of 'Acquiesce' 10 out of 30 (33.33 per cent) did not chose the same strategy. This again shows that the predicted choice of response strategy did not come true.

Interviews were conducted to examine why the respondents did opt for a certain strategy and what the motives were for the respondents that choose a strategy of 'Acquiesce' or choose not to follow the expected response strategy of 'Acquiesce'. During the four interviews different themes kept coming back.

The first two themes that kept coming back are 'Legitimacy' and 'Coercion'. In the figure below a number of quotes form the interviews are shown that represent these themes.

Theme	Quote	Source
Legitimacy	<i>'We are a school and as such we believe that we have an exemplary function to our students, and thus we have to comply with the law and regulations.'</i>	Appendix 2, Interview 1, page 73

	<i>'That is not the case for with the GDPR, the GDPR is about privacy and we as board value and understand the importance of privacy in our organization.'</i> <i>'I believe it is clear that our first approach is to abide the law. Not because of the threat of fines but because we value the privacy of our students and staff'</i> <i>'Sense of duty'</i> <i>'We believe it is our duty to have the privacy of our staff and students in order'</i>	Appendix 2, interview 1, page 74.1 Appendix 2, interview 1, page 75.3 Appendix 2, interview 2, page 79.2 Appendix 2, interview 4, page 91
Coercion	<i>'It is the law and we have to take responsibility'</i> <i>'We have to comply, end of discussion.'</i>	Appendix 2, interview 1, page 74.2 Appendix 2, interview 4, page 90
Legitimacy and Coercion	<i>'Complying with the GDPR is something we need to do, but also something we want to do, because we believe privacy is an important matter and we want do right.'</i>	Appendix 2, interview 2, page 79.1

Figure 10: Quotes form interviews, themes 'Legitimacy' and 'Coercion'

These quotes highlight two important returning themes that substantiate the choice of strategic response strategy of the respondents. In the proposition earlier in this research it was stated that both a high a mount of coercion and a high cause for legitimacy determine the preferred choice of response strategy. Both of these are confirmed to be high. When talking about why their secondary school chose for a strategy of 'Acquiesce' stated: *'We have to comply, end of discussion'*, while another acknowledged the high amount of coercion stating: *'It is the law and*

we have to take responsibility'. These examples clearly show that secondary schools feel the pressure to comply with the GDPR based on the high amount of coercion that is paired with its implementation.

Furthermore, a cause to comply with the GDPR seems to stem from a high need for legitimacy. Two different respondents acknowledge their *'Sense of duty'* and believe *'it is our duty'* to ensure that the privacy of their staff and students is secure. They state that the privacy of their students and staff is valued and that they feel it as their legitimate cause to ensure that they comply with the GDPR, which is implemented to further secure the privacy of staff and students. It is accurately summed up in this quote: *'Complying with the GDPR is something we need to do, but also something we want to do, because we believe privacy is an important matter and we want do right'*. These statements show that secondary schools do have the intent, based on a need for legitimacy and high coercion, to follow a strategic response strategy of 'Acquiesce' in response to the GDPR.

However, based on the descriptive statistics, not all of the respondents choose to follow that strategy. During the interviews two themes rose that partly explain why some respondents choose a strategy of 'Compromise' instead of 'Acquiesce'. Two themes kept coming back, being 'Uncertainty' and 'Efficiency'. In the figure below a number of quotes form the interviews are shown that represent these themes.

Theme	Quote	Source
Uncertainty	<i>'There are also some things that are not fully clear... The basis for information sharing in this case was already withdrawn.'</i>	Appendix 2, interview 1, page 75.2
	<i>'But I believe more jurisprudence will follow on matters like this'</i>	Appendix 2, interview 1, page 76
Efficiency	<i>'And sometimes you have to admit and state that something cannot be done, that it is not realistic to do everything that is stated on paper to comply.'</i>	Appendix 2, interview 1, page 75.1

	<i>'Our primary goal is to delivery a good education and not to follow the GDPR on the dot.'</i>	Appendix 2, interview 2, page 80.1
	<i>'Our standpoint is to comply as much as possible with the GDPR, but if that compromises our primary objective to deliver a good education and to show so, we have to make compromises.'</i>	Appendix 2, interview 2, page 80.2
	<i>'Then we have to find a compromise to make sure that we do what we have to do but that what we have to do needs to be workable.'</i>	Appendix 2, interview 3, page 85.1
	<i>'Look, if you want to apply the GDPR to the dot it will create an unworkable situation. You'll have to find a compromise between on the one hand what the law states and on the other hands what school say is workable and allows them to offer proper educations.'</i>	Appendix 2, interview 3, page 85.2
	<i>'For example you cannot expect an organization with a turnover of say 1 million to implement measures in say IT that cost 100 thousand euro. Then you'll have to look again and check what is possible for such an organization and you do what you can, that is the compromise.'</i>	Appendix 2, interview 4, page 93
Uncertainty and Efficiency	<i>'Well we concluded that we were doing things, taking actions, and that we were ahead of the Data Protection Officer of the foundation and that they did not fully think things through or that is was not fully clear how some things have to be handled on foundation level.'</i>	Appendix 2, interview 3, page 84

Figure 11: Quotes form interviews, themes 'Uncertainty' and 'Efficiency'

These statements highlight two themes in regard to the GDPR. First, there is an amount of uncertainty in how secondary schools have to respond to all facets of the GDPR. One

respondent, stating, highlights it: *‘There are many things that are not fully clear’*. The respondent then proceeds to give an example about a certain scenario that they thoroughly researched with a confirmed outcome, being that they could share certain personal information about their students with a general health organization in the Netherlands, the GGD. However, when the same case was discussed in a workshop meeting attended by the respondent his answer was deemed wrong with the workshop counselor stating that: *‘The basis for information sharing in this case was already withdrawn’*. This shows that the specific regulations in certain scenarios following the GDPR are changing and thus not fully clear. Another respondent acknowledges this by stating: *‘But I believe more jurisprudence will follow on matters like this’*. This again showcases that there are facets of the GDPR that still need judgmental ruling. This high amount of uncertainty made secondary schools seek compromises in compliance and one respondent even stated that they were waiting with implementing certain steps because the frameworks were not fully clear.

This high amount of uncertainty also enforces the second theme: ‘Efficiency’. In the different quotes showcased in figure 11 it becomes clear that organizations are very willing to comply with the GDPR but value their efficiency to carry out *‘good education’* above that. One respondent states that they want *‘to comply as much as possible with the GDPR, but if that compromises our primary objective to deliver a good education and to show so, we have to make compromises’*. This is also stated in other words by another respondent: *‘we do what we have to do but that what we have to do needs to be workable’*. An example is given by respondent saying that the AP can’t expect secondary schools with a turnover of 1 million to implement IT-systems costing 100 thousand because it will not fit in the budget and therefore might compromise their primary objective of offering a good education to their students.

This shows that a high amount of uncertainty combined with a high need for efficiency in the case of secondary schools responding to the GDPR can result in a response strategy of ‘Compromise’ instead of the predicted strategic response strategy of ‘Acquiesce’.

The work of Oliver (1991) showed that there are predictive dimensions that can be used to predict the choice for a specific strategic response strategy when organizations face certain institutional pressures. In the case of the General Data Protection Regulation (GDPR) and the strategic response strategies chosen by the sample of secondary schools the predictions made earlier in this research do not seem to hold. Therefore more research was conducted on factors

that might have an influence on the choice of strategic response strategies by secondary schools in order to respond to the GDPR.

Factors influencing the choice for strategic response strategy and level of compliance

To determine if there is a influence of different contextual and organizational factors on the choice of preferred strategic response strategy and level of compliance a number independent-samples *t*-tests were conducted. The original output of these tests can be found in appendix 5.

Size

In hypothesis 1a it is stated that a larger secondary school will rather choose a strategy of 'Acquiesce' as opposed to a smaller secondary school. In hypothesis 1b it is stated that a larger secondary school will have a higher level of compliance as opposed to a smaller secondary school. To test these hypotheses three dependent variables are used as well as three grouping variables. First the impact of 'Size' based on number of students on the choice for strategic response strategy and level of compliance is examined using an independent-samples *t*-test. Next the impact of 'Size', based on number of employees is examined and lastly the effect of 'Size' based on number of students per employee is examined using an independent-samples *t*-test.

Number of students

As was stated earlier in this research two groups were formed based on the number of students that the secondary schools reported to have during the educational year 2017-2018. The groups were divided via a cut-off point. The cut-off point for this research was decided to be 3,400 students. Since the responding school with the least number of students had a total of 1,304 students and the difference between that and the school with the cut-off point in terms of number of students is almost 2,100. The school next in line, in terms of number of students, after the cut-off point has a total of 5,600, which is a difference of 2,200 with the cut-off point. Making 3,400 a viable choice for cut-off point.

With the respondents divided in two groups the first independent-samples *t*-test could be conducted. Using this test the difference on 'Compliance score' between the two groups was analyzed. The outcomes of the independent-samples *t*-test are show in appendix 5, figure 1.

Looking at the group statistics it is noticeable that the average 'Compliance score' of the 'Large number of students' group is slightly higher than that of the 'Small number of students' group, 4.83 over 4.45. Also the standard deviation is smaller for the 'Large number of students' group compared to that of the 'Small number of students' group. The difference in means numerically is only 0.38. The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 3.057 with a significance p-value of 0.092. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the t-value in the upper layer is checked. There is t-value of -1.196 with a 2-tailed significance p-value of 0.242 for 28 degrees of freedom (df). Because the p-value is bigger than the critical p-value of 0.05, the null hypothesis that was tested using this independent-samples *t*-test cannot be rejected. The null hypothesis states that there is no significant statistical difference for 'Compliance score' between the two groups 'Large number of students' and 'Small number of students'. Since this hypothesis cannot be rejected, based on the p-value, we accept the null hypothesis meaning that there is no significant statistical difference in 'Compliance score' between the two groups.

To further examine the possible effect of 'Size', based on number of students, on the choices made by secondary schools. The effect of 'Size' on the 'Level of compliance' is examined. The groups remain the same and again an independent-samples *t*-test was conducted, the results are shown in appendix 5, figure 2.

Looking at the group statistics it is noticeable that the average 'Level of compliance' of the 'Large number of students' group is a lot higher than that of the 'Small number of students' group, 6.67 over 4.95. Also the standard deviation is smaller for the 'Large number of students' group compared to that of the 'Small number of students' group. The difference in means numerically is 1.72. The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 0.190 with a significance p-value of 0.666. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the t-value in the upper layer is checked. There is t-value of -2.728 with a 2-tailed significance p-value of 0.011 for 28 degrees of freedom (df). Because the p-value is smaller than the critical p-value of 0.05, the null hypothesis that was tested using this independent-samples *t*-test is rejected. The null

hypothesis states that there is no significant statistical difference for 'Compliance score' between the two groups 'Large number of students' and 'Small number of students'. Since this hypothesis is rejected, based on the p-value, we accept the alternate hypothesis meaning that there is indeed a significant statistical difference in 'Compliance score' between the two groups. This means that there is a significant statistical difference on 'Level of compliance' between secondary schools with a large student and small student base. In this case it means that the 'Level of compliance' with the GDPR of secondary school with a large student base is significantly higher than the 'Level of compliance' with the GDPR of secondary schools with a smaller student base.

Number of employees

As was stated earlier in this research two groups were formed based on the number of employees that the secondary schools reported to have during the educational year 2017-2018. The groups were divided via a cut-off point. The cut-off point for this research was decided to be 375 employees. Since the responding school with the least number of employees had a total of 118 employees and the difference between that and the school with the cut-off point in terms of number of employees is almost 260. The school next in line, in terms of number of employees, after the cut-off point has a total of 600, which is a difference of 225 with the cut-off point. Making 375 a viable choice for cut-off point.

With the respondents divided in two groups the first independent-samples *t*-test could be conducted. Using this test the difference on 'Compliance score' between the two groups was analyzed. The outcomes of the independent-samples *t*-test are show in appendix 5, figure 3.

Looking at the group statistics it is noticeable that the average 'Compliance score' of the 'Large number of employees' group is slightly higher than that of the 'Small number of employees' group, 4.75 over 4.45. Also the standard deviation is smaller for the 'Large number of employees' group compared to that of the 'Small number of employees' group. The difference in means numerically is only 0.30. The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 1.969 with a significance p-value of 0.172. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the t-value in the upper layer is checked. There is t-value of -1.052 with a 2-tailed

significance p-value of 0.302 for 28 degrees of freedom (df). Because the p-value is bigger than the critical p-value of 0.05, the null hypothesis that was tested using this independent-samples *t*-test cannot be rejected. The null hypothesis states that there is no significant statistical difference for 'Compliance score' between the two groups 'Large number of employees' and 'Small number of employees'. Since this hypothesis cannot be rejected, based on the p-value, the null-hypothesis is accepted meaning that there is no significant statistical difference in 'Compliance score' between the two groups.

To further examine the possible effect of 'Size', based on number of employees, on the choices made by secondary schools. The effect of 'Size' on the 'Level of compliance' is examined. The groups remain the same and again an independent-samples *t*-test was conducted, the results are shown in appendix 5, figure 4.

Looking at the group statistics it is noticeable that the average 'Level of compliance' of the 'Large number of employees' group is slightly higher than that of the 'Small number of employees' group, 5.75 over 4.95. The difference in means numerically is 0.80. The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 1.427 with a significance p-value of 0.242. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the t-value in the upper layer is checked. There is t-value of -1.232 with a 2-tailed significance p-value of 0.228 for 28 degrees of freedom (df). Because the p-value is bigger than the critical p-value of 0.05, the null hypothesis that was tested using this independent-samples *t*-test cannot be rejected. The null hypothesis states that there is no significant statistical difference for 'Level of compliance' between the two groups 'Large number of employees' and 'Small number of employees'. Since this hypothesis cannot be rejected, based on the p-value, the null-hypothesis is accepted meaning that there is no significant statistical difference in 'Level of compliance' between the two groups.

Number of students per employee

As was stated earlier in this research two groups were formed based on the number of students per employee that the secondary schools reported to have during the educational year 2017-2018. The groups were divided via a median split. This variable is constructed to account for outliers in 'number of students' and 'number of employees' by dividing the former by the latter,

forming a more representing variable. The use of a median split allows this research to form two groups of equal size, with the median value being 8.81 number of students per employee. Since there were 28 complete responses, the number of responses in each group is 14. Group 0 'Less students per employee' is the group with less than 8.81 students per employee and group 1 'More students per employee' is the group with more than 8.81 students per employee.

With the respondents divided in two groups the first independent-samples *t*-test could be conducted. Using this test the difference on 'Compliance score' between the two groups was analyzed. The outcomes of the independent-samples *t*-test are show in appendix 5, figure 5.

Looking at the group statistics it is noticeable that the average 'Compliance score' of the 'More students per employee' group is slightly higher than that of the 'Less students per employee' group, 4.79 over 4.29. Also the standard deviation and the standard error of the mean for the 'More students per employee' group are lower than that of the 'Less students per employee group'. The difference in means numerically is 0.50. The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 3.155 with a significance p-value of 0.087. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the *t*-value in the upper layer is checked. There is *t*-value of -2.014 with a 2-tailed significance p-value of 0.054 for 28 degrees of freedom (df). Because the p-value is bigger than the critical p-value of 0.05, the null hypothesis that was tested using this independent-samples *t*-test cannot be rejected. The null hypothesis states that there is no significant statistical difference for 'Compliance score' between the two groups 'More students per employee' and 'Less students per employee'. Since this hypothesis cannot be rejected, based on the p-value, the null-hypothesis is accepted meaning that there is no significant statistical difference in 'Compliance score' between the two groups.

To further examine the possible effect of 'Size', based on number of students per employee, on the choices made by secondary schools. The effect of 'Size' on the 'Level of compliance' is examined. The groups remain the same and again an independent-samples *t*-test was conducted, the results are shown in appendix 5, figure 6.

Looking at the group statistics it is noticeable that the average 'Level of compliance' of the 'More students per employee' group is slightly higher than that of the 'Less students per employee' group, 5.64 over 5.00. Also the standard deviation and the standard error of the mean for the 'More students per employee' group are lower than that of the 'Less students per employee group'. The difference in means numerically is 0.64. The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 0.008 with a significance p-value of 0.930. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the t-value in the upper layer is checked. There is t-value of -1.127 with a 2-tailed significance p-value of 0.270 for 28 degrees of freedom (df). Because the p-value is bigger than the critical p-value of 0.05, the null hypothesis that was tested using this independent-samples *t*-test cannot be rejected. The null hypothesis states that there is no significant statistical difference for 'Level of compliance' between the two groups 'More students per employee' and 'Less students per employee'. Since this hypothesis cannot be rejected, based on the p-value, the null-hypothesis is accepted meaning that there is no significant statistical difference in 'Level of compliance' between the two groups.

To determine if there is indeed an effect of 'Size' on either/or or both the 'Compliance score' and 'Level of compliance' the results of the independent-samples *t*-test of the three forms of 'Size' are examined.

First in hypothesis 1a it is stated that *'Larger secondary schools will rather choose a strategy of 'Acquiesce' in response to the GDPR as opposed to smaller secondary schools'*. Thus it was hypothesized that larger secondary schools would score a significantly higher on 'Compliance score' than smaller secondary schools. For 'Size' based on number of students the results of the independent-samples *t*-test show a t-value of -1.196 with a 2-tailed significance p-value of 0.242 for 28 degrees of freedom (df). This means that there is no significant statistical difference on 'Compliance score' between the two groups 'Large number of students' and 'Small number of students'. When 'Size' based on number of employees was examined, the result showed a t-value of -1.052 with a 2-tailed significance p-value of 0.302 for 28 degrees of freedom (df). This in turn means that there is no significant statistical difference on 'Compliance score' between the two groups 'Large number of employees' and 'Small number of employees'. Lastly, also no significant statistical difference on 'Compliance score' between the two groups

‘Less students per employee’ and ‘More students per employee’ is found, since the result of the *t*-test showed a *t*-value of -2.014 with a 2-tailed significance *p*-value of 0.054 for 28 degrees of freedom (df). Therefore hypothesis 1a has to be rejected meaning that ‘Size’ in this form has no significant effect on the ‘Compliance score’ and that larger secondary schools do not rather choose a strategy of ‘Acquiesce’ as opposed to smaller secondary school when responding to the GDPR.

Second, in hypothesis 1b it is stated that *‘Larger secondary schools will have a higher level of compliance with the GDPR as opposed to smaller secondary schools’*. Thus it was hypothesized that larger secondary schools would score a significantly higher on ‘Level of compliance’ than smaller secondary schools. For ‘Size’ based on number of students the results of the independent-samples *t*-test show a *t*-value of -2.728 with a 2-tailed significance *p*-value of 0.011 for 28 degrees of freedom (df). This means that there is a significant statistical difference on ‘Level of compliance’ between the two groups ‘Large number of students’ and ‘Small number of students’. When ‘Size’ based on number of employees was examined, the result showed a *t*-value of -1.232 with a 2-tailed significance *p*-value of 0.228 for 28 degrees of freedom (df). This in turn means that there is no significant statistical difference on ‘Level of compliance’ between the two groups ‘Large number of employees’ and ‘Small number of employees’. Lastly, also no significant statistical difference on ‘Level of compliance’ between the two groups ‘Less students per employee’ and ‘More students per employee’ is found, since the result of the *t*-test showed a *t*-value of -1.127 with a 2-tailed significance *p*-value of 0.270 for 28 degrees of freedom (df). This means that for two of the three forms of ‘Size’, no significant statistical differences was found, but for one form, based on number of employees, a significant statistical difference on ‘Level of compliance’ was found. Since two out of three were shown to be not significant hypothesis 1b has to be partially rejected meaning that ‘Size’ in this form has no significant effect on the ‘Level of compliance’ and that larger secondary schools do not have a higher level of compliance with the GDPR as opposed to smaller secondary schools.

Market scope

To examine the impact of market scope on the choice for a specific strategic response strategy and its impact on extend to which secondary schools comply with the GDPR the difference in

the variables 'Compliance score' and 'Level of compliance' between two groups, 'Narrow market scope' and 'Broad market scope' is tested using an independent-samples *t*-test. As was stated earlier in this research papers the groups were made based on the answers to survey question 2, see appendix 1. After examining the descriptive statistics of the answers given by the respondents. It was concluded that the division of the groups needed to be adjusted to fit the sample. Therefore two new groups were formed. Group 0 'Narrow market scope', which includes all responding secondary schools that offer 3 or less educational levels, and group 1 'Broad market scope', includes all responding secondary schools that offer 4 or more educational levels. After this adjustment group 0 consists of 8 respondents and group 1 consists of 22. Although the group sizes are not equal for the purpose of this research they were deemed adequately. Firstly the difference between the two groups and the 'Compliance score' are examined. The results of independent-samples *t*-test are shown appendix 5, figure 7.

Looking at the group statistics it is noticeable that the average 'Compliance score' of the 'Broad market scope' group is slightly higher than that of the 'Narrow market scope' group, 4.64 over 4.25. Also the standard deviation and standard error of the mean are smaller for the 'Broad market scope' group compared to that of the 'Narrow market scope' group. The difference in means numerically is only 0.39. The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 4.010 with a significance p-value of 0.055. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the *t*-value in the upper layer is checked. There is *t*-value of -1.396 with a 2-tailed significance p-value of .174 for 28 degrees of freedom (df). Because the p-value is bigger than the critical p-value of .05, the null hypothesis that was tested using this independent-samples *t*-test cannot be rejected. The null hypothesis states that there is no significant statistical difference for 'Compliance score' between the two groups 'Narrow market scope' and 'Broad market scope'. Since this hypothesis cannot be rejected, based on the p-value, the null-hypothesis is accepted meaning that there is no statistical difference in 'Compliance score' between the two groups.

In hypothesis 2a it is stated that secondary schools that offer less levels of education, that have a narrower market scope, would rather choose a strategy of 'Acquiesce' and thus have a higher 'Compliance score' as opposed to secondary schools that offer more levels of educations,

having a broader market scope. However, the results of the independent-samples *t*-test show no statistical significant difference between the two groups and therefore hypothesis 2a is rejected.

Furthermore the difference between the two groups and the 'Level of compliance' is examined. The results of independent-samples *t*-test are shown in appendix 5, figure 8.

Looking at the group statistics it is noticeable that the average 'Level of compliance' of the 'Broad market scope' group is higher than that of the 'Narrow market scope' group, 5.41 versus 4.50. Also the standard deviation and standard error of the mean are smaller for the 'Broad market scope' group compared to that of the 'Narrow market scope' group. The difference in means numerically is 0.91, which is quite large. The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 0.118 with a significance p-value of 0.734. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the t-value in the upper layer is checked. There is t-value of -1.420 with a 2-tailed significance p-value of 0.167 for 28 degrees of freedom (df). Because the p-value is bigger than the critical p-value of 0.05, the null hypothesis that was tested using this independent-samples *t*-test cannot be rejected. The null hypothesis states that there is no statistical difference for 'Compliance score' between the two groups 'Narrow market scope' and 'Broad market scope'. Since this hypothesis cannot be rejected, based on the p-value, the null-hypothesis is accepted meaning that there is no statistical difference in 'Compliance score' between the two groups.

In hypothesis 2b it is stated that secondary schools that offer less levels of education, that have a narrower market scope, would comply more in full and thus have a higher 'Compliance score based on actions taken' as opposed to secondary schools that offer more levels of educations, having a broader market scope. However, the results of the independent-samples *t*-test show no statistical significant difference between the two groups and therefore hypothesis 2b is rejected.

Time

To examine the impact of time on the choice for a specific strategic response strategy and its impact on extend to which secondary schools comply with the GDPR the difference in the variables 'Compliance score' and 'Level of compliance' between two groups, 'Early adopters' and 'Late adopters' is tested using an independent-samples *t*-test. As was stated earlier in this

research papers the groups were made based on the answers to survey question 6, see appendix 1. The respondents that chose answer option 1 ‘Before January 2017’, were giving the highest adoption score, 7, the respondents that chose answer option 2 ‘Between January 2017 and April 2017’ were given an adoption score of 6 and so on until the last answer option ‘This is the first time I am encountering the new GDPR’ who were given the lowest adoption score, 1. Therefore the higher the adoption score the earlier the secondary school adopted the new GDPR. The descriptive statistics of the adoption scores of the respondents are shown in figure 12 below:

Adoptation score				
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 1	4	13,3	13,3	13,3
2	9	30,0	30,0	43,3
5	4	13,3	13,3	56,7
6	7	23,3	23,3	80,0
7	6	20,0	20,0	100,0
Total	30	100,0	100,0	

Descriptives			
		Statistic	Std. Error
Adoptation score	Mean	4,20	,425
	95% Confidence Interval for Mean	Lower Bound	3,33
		Upper Bound	5,07
	5% Trimmed Mean	4,22	
	Median	5,00	
	Variance	5,407	
	Std. Deviation	2,325	
	Minimum	1	
	Maximum	7	
	Range	6	
	Interquartile Range	4	
	Skewness	-,154	,427
	Kurtosis	-1,779	,833

Figure 12: Descriptive statistics, variable 6: ‘Adoption score’

The average adoption score for the sample is 4.20, with a standard error of 0.425 and a standard deviation of 2.325. The score is not that high, but that is due to the thirteen respondents that scored either a ‘1’ or ‘2’ bending down the average score a little. Two groups are made based, group 0 the ‘Early adopters’ and group 1 the ‘Late adopters’. In group 0 the respondents scoring a 5 or higher reside and in group 1 the respondents scoring a 4 or below reside. This means that group 0 has 17 incumbents and group 1 has thirteen, therefore the group sizes are almost equal and the independent-samples *t*-test can be conducted. The results of independent-samples *t*-test are shown appendix 5, figure 9.

Looking at the group statistics it is noticeable that the average compliance score of the ‘Late adopters’ group is higher than that of the ‘Early adopters’ group, 4.69 over 4.41. Also the standard deviation and standard error of the mean are smaller for the ‘Late adopters’ group compared to that of the ‘Early adopters’ group. The difference in means numerically is 0.28.

The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 2.031 with a significance p-value of 0.165. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the t-value in the upper layer is checked. There is t-value of -1.122 with a 2-tailed significance p-value of 0.271 for 28 degrees of freedom (df). Because the p-value is bigger than the critical p-value of 0.05, the null hypothesis that was tested using this independent-samples *t*-test cannot be rejected. The null hypothesis states that there is no statistical difference for 'Compliance score' between the two groups 'Early adopters' and 'Late adopters' group. Since this hypothesis cannot be rejected, based on the p-value, the null-hypothesis is accepted meaning that there is no statistical difference in 'Compliance score' between the two groups.

In hypothesis 3a it is stated that there would be no statistical significant difference in choice for strategic response strategy between early and late adopting secondary schools. Meaning that there would be no statistical significant difference in 'Compliance score' between the two groups. The results of the independent-samples *t*-test show that there is indeed no statistical significant difference between the two groups and therefore hypothesis 3a is accepted.

Furthermore the scores on 'Level of compliance' are examined. Again an independent-samples *t*-test is used to examine if there is difference between 'Early adopters' and 'Late adopters'. The outcomes of the independent-samples *t*-test are shown in appendix 5, figure 10.

Looking at the group statistics it is noticeable that the average 'Level of compliance' based on actions taken of the 'Late adopters' group is higher than that of the 'Early adopters' group, 5.77 over 4.71. However the standard deviation and standard error of the mean are larger for the 'Late adopters' group compared to that of the 'Early adopters' group. The difference in means numerically is 1.06. The next thing to look at is Levene's test for equality of variance to test the homogeneity of variance between the two groups. The Levene's test shows a F-value of 0.458 with a significance p-value of 0.504. Therefore no statistical significance is established. This means that the null hypothesis for Levene's test, which states that the variances are statically equal for both groups, cannot be rejected. Since equal variances are assumed the t-value in the upper layer is checked. There is t-value of -1.911 with a 2-tailed significance p-value of 0.066 for 28 degrees of freedom (df). Because the p-value is bigger than the critical p-value of 0.05,

the null hypothesis that was tested using this independent-samples *t*-test cannot be rejected. The null hypothesis states that there is no statistical difference for 'Level of compliance' between the two groups 'Early adopters' and 'Late adopters' group. Since this hypothesis cannot be rejected, based on the p-value, the null-hypothesis is accepted meaning that there is no statistical difference in 'Level of compliance' between the two groups.

In hypothesis 3b it is stated that secondary schools that react early to the GDPR, the 'Early adopters', would comply more in full, thus have a higher 'Level of compliance', as opposed to the 'Late adopters'. However, the results of the independent-samples *t*-test show that there is no statistical significant difference between the two groups. Moreover, the group statistics even show that the 'Late adopters' in this research sample score higher on 'Level of compliance' than the 'Early adopters' group. Due to the outcomes of the *t*-test hypothesis 3b could not be accepted and is therefore rejected.

Discussion

The aim of this research was to give insights and provide understanding of the different strategies that secondary schools employ to cope with new legislation and institutional pressure, how they respond to the new GDPR legislation in particular, and what factors influence this choice of strategy. In this research the framework of Oliver (1991) was used to predict the strategic response strategies of secondary schools in the Netherlands in response to the new General Data Protection Regulation (GDPR). The highly coercive implementation of the GDPR was paired with a high need for legitimacy and efficiency for secondary schools, who are highly dependent on their constituents, the implementation is highly consistent with their own organizational goals but is also paired with a high amount of uncertainty. Based on the work of Oliver (1991) a strategic response strategy of 'Acquiesce' was predicted to be the preferred strategic response of secondary schools in response to the GDPR. However the results of this research show that this prediction did not uphold. The respondents were asked how they would describe the strategic response strategy of their secondary school in general and under two different scenarios. In the general 18 out of 30 respondents did indeed choose a strategy of 'Acquiesce', 11 chose 'Compromise' and 1 chose 'Defy'. When faced with scenario 1, see appendix 1, 21 chose 'Acquiesce' and 9 chose 'Compromise', under scenario 2, see appendix 1, 20 chose 'Acquiesce' and 10 chose 'Compromise'. During the conducted interview the respondents confirmed that a strong '*sense of duty*' and the coercive pressures coming with the GDPR, '*The law is the law and we have to abide*', are reasons that secondary schools chose a strategy of 'Acquiesce'. This is inline with the work of Oliver (1991). However, in contrary to what Oliver (1991) predicted, the high amount of uncertainty that is paired with the implementation of the GDPR and the high need for efficiency to be able to '*deliver a good education to their students, which is our primary goal*' respondents said to chose a strategy of 'Compromise'. Oliver (1991) predicted a high need for efficiency to be a predictive factor for a strategy of 'Acquiesce', however this high need for efficiency and being able to deliver a good education by making compromises when reacting to the GDPR is done to keep the processes '*workable*'. Therefore this study shows that a high need for efficiency can be a predictive factor for a strategy of 'Compromise' in contrary to the findings of Oliver (1991).

To further elaborate on the differences between the predicted choice of strategic response strategy by secondary schools three different contextual factors and their effect on that choice

and level of compliance with the GDPR were examined. Using insights from organizational literature it was hypothesized that larger organization would have a larger resource and employee base and therefore would be more able to comply with the GDPR (Hillman et al., 2004; Master & Keim, 1985). Furthermore, Getz (1997) found that larger secondary schools are also more vulnerable to the power of different constituents due to a higher visibility being a large organization, prompting these organizations to comply with new regulation(s). The size of secondary schools in this research was based on the number of students, number of employees and number of students per employee. The results show no significant statistical differences on 'Compliance score' between the smaller and larger secondary schools. This shows that the choice of strategic response strategy in this research is not significantly influence by the size of the secondary school. Also, the results show no significant statistical difference on 'Level of compliance' between smaller and larger secondary schools in 2 out of 3 bases for 'Size'. A significant statistical difference on 'Level of compliance' was found between schools with a 'Small number of students' and schools with a 'Large number of students', with a significant p-value of 0.011. However, no significant statistical differences were found between small and large secondary school based on number of employees and number of students per employee. These findings are different from the work of Hillman et al. (2004), Master & Keim (1985) and Getz (1997). While, almost no significant statistical differences were found in this research, the mean scores do show an interesting trend. The means scores on 'Compliance score' and 'Level of compliance' as well as the difference in means between the groups are shown in the figure below.

Size	Mean 'Compliance score'	Difference on 'Compliance score'	Mean 'Level of compliance'	Difference on 'Level of compliance'
Small number of students	4,45	0,38	4,95	1,72
Large number of students	4,83		6,67	
Small number of employees	4,45	0,30	4,95	0,80
Large number of employees	4,75		5,75	
Less students per employee	4,29	0,50	5,00	0,64
More students per employee	4,79		5,64	

Figure 13: Mean scores and differences between means, variable 'Size'

As can be seen in figure 13, larger secondary schools, based on all three forms of 'Size', score higher on average on 'Compliance score' and 'Level of compliance' than smaller secondary schools. Even though these numerical differences are not statistically significant, it is an interesting trend, which is in line with the findings of Hillman et al. (2004), Master & Keim (1985) and Getz (1997). These results show that there might be an influence of 'Size' on the choice for

strategic response strategy and level of compliance of secondary schools even though that influence was deemed not to be significant in this study. Therefore further research has to be conducted on the way the size of organizations influences that preferred choice for a strategic response strategy and the level of compliance of the organizations in response to new regulation.

Another factor and its relationship to the preferred choice for strategic response strategy and level of compliance that was examined in this research is the market scope of the secondary schools. The more levels of education a secondary school offers, bigger the education structure, thus broader the market scope. A broader market scope allows schools to exploit more opportunities in these different educational levels, but it also means that secondary schools have to manage a broader range of nonmarket issues and actors active in these different educational levels (Wan & Hillman, 2005). However based on the finding of Barron (1995) it was hypothesized that secondary schools with narrower market schools would be easier able to mobilize and focus their resources and employees base and thus making compliance with the GDPR easier, resulting in a preferred strategic choice of 'Acquiesce' and a higher level of compliance. However, the results of this study show that there is no significant statistical difference on 'Compliance score' and 'Level of compliance' between secondary schools with a narrow market scope and secondary schools with a broad market scope. Therefore in this research no significant effect of 'Market scope' on the preferred choice for strategic response strategy and level of compliance were found. This is deviant from the findings of Wan & Hillman (2005) who's work found secondary schools with a broader market scope to score higher and Barron (1995) who's work found secondary schools with a narrower market scope to score higher. While, no significant statistical differences were found in this research, the mean scores do show a numerical difference. The means scores on 'Compliance score' and 'Level of compliance' as well as the difference in means between the groups are shown in the figure below.

Market scope	Mean 'Compliance score'	Difference on 'Compliance score'	Mean 'Level of compliance'	Difference on 'Level of compliance'
Narrow market scope	4,25	0,39	4,50	0,91
Broad market scope	4,64		5,41	

Figure 14: Mean scores and differences between means, variable 'Market scope'

The mean scores on both 'Compliance score' and 'Level of compliance' are higher on average for the secondary schools with a broad market scope compared to the averages scores of the secondary school with a narrow market scope. These results, while not statistically significant,

due show that in this study secondary schools with a broader market scope score higher, which is in line with the work of Wan & Hillman (2005). Since, different studies by Wan & Hillman (2005) and Barron (1995) have yielded different insights and even though no significant statistical differences between the groups were found in this research the results can be ground for further research on the effect of market scope on the preferred choice for strategic response strategy and level of compliance to new regulation(s).

The final factor that was examined in this study was 'Time'. Studies by, for example, Baron, Dobbin, and Jennings (1986) and Westphal and Zajac, (1994) argued that early adopters seek efficiency while late adopters seek legitimacy. However, Kennedy and Fiss (2009) argue that both early and late adopters adopted for both efficiency and legitimacy. The work of Raaijmakers et al. (2015) showed that, in contrary to expectations of compliant responses (Oliver, 1991) and rapid institutionalization processes (Lawrence et al., 2001), in the face of coercive pressures, decision makers did indeed delay their compliance in the hopes of complexity resolving through their own, or other's actions. In this research 'Time' was based on the moment of first response to the GDPR, dividing the sample in early and late adopters. In this study due to the different insights from earlier studies it was hypothesized that both the early and late adopters would chose to follow a strategic response strategy of 'Acquiesce' due to the coercive notion of the GDPR. However, it was also hypothesized that secondary schools that started to adopt the GDPR early would have a higher of compliance because they seek efficiency and legitimacy. No significant statistical differences on 'Compliance score' were found between the early and late adopters, with the average score being 4.41 out of 5. This result is in line with the findings of Baron, Dobbin, and Jennings (1986) and Westphal and Zajac, (1994). Furthermore, Raaijmakers et al. (2015) argue that due to the uncertainty and complexity associated with the new GDPR secondary schools might delay compliance. However, in contrary to their work no significant statistical differences were found on 'Level of compliance' between the early and late adopters. Although high uncertainty was a factor mentioned by the respondents in the interview the effects are found not significant in this study. Moreover, where Raijmakers et al. (2015) found that in an uncertain environment organizations might delay compliance and therefore score lower on level of compliance, the score on 'Level of compliance; for the late adopters is higher on average than the score for the early adopters. As can be seen in 15 below.

Time	Mean 'Compliance score'	Difference on 'Compliance score'	Mean 'Level of compliance'	Difference on 'Level of compliance'
Early adopters	4,41	0,28	4,71	1,06
Late adopters	4,69		5,77	

Figure 15: Mean scores and differences between means, variable 'Time'

This is deviant from the work of Raaijmakers et al. (2005) and while this difference is found to be not significant, the results can be ground for further research into the effect of response time and time in general on the preferred choice for strategic response strategy and level of compliance when facing new regulation(s).

Conclusion

Main findings

The aim of this research was to give insights and provide understanding of the different strategies that secondary schools employ to cope with new legislation and institutional pressure, how they respond to the new General Data Protection Regulation (GDPR) legislation in particular, and what factors influence this choice of strategy. In this study the work of Oliver (1991) was used to identify predictive dimensions and a derived predicted strategic response strategy for secondary schools to respond to the GDPR. Based on the work of Oliver it was proposed that secondary schools would follow a strategy of 'Acquiesce' to respond to the GDPR issuing full compliance. Using data gathered via a questionnaire out of a sample of 30 secondary schools it was found that this proposition did not hold. Only 18 out of 30 respondents stated that they follow a strategy of 'Acquiesce', were 11 others chose to follow a strategy of 'Compromise' and 1 respondent chose a strategy of 'Defy' (Oliver, 1991). To elaborate on this deviation from the predicted strategic response strategy the works of Hillman et al. (2004), Master & Keim (1985), Van Kranenburg & Voinea (2017), Wan & Hillman (2005) and Barron (1995), among others, were used to derive factors affect the choice of preferred strategic response strategy. These factors were organization size, market scope of the secondary schools and adaption time. The data retrieved form the sample showed no significant statistical differences in choice of strategic response strategy and level of compliance for organization size and market scope. Also no significant statistical differences in compliance score and level of compliance based on response time were found. To further elaborate on these research results the mean differences between the groups on both 'Compliance score' and 'Level of compliance' were analyzed. This analysis yielded the insight that there are in deed trends that show the impact of contextual and organizational factors on the preferred choice for strategic response strategy and level of compliance of secondary schools in response to the GDPR. However, since no statistical evidence was found of a significant effect of these factors in this study it can be concluded secondary schools will follow the framework of Oliver (1991) and will opt for a strategy of either 'Acquiesce' or 'Compromise' and that contextual and organizational factors do not significantly influence this choice of preferred strategic response strategy of secondary schools facing the new General Data Protection Regulation.

Limitations of this research

The findings of this research are subject to a few limitations that are bound to this study. Firstly, the sample size in this study can be described as minimal, with 30 complete responses used in the quantitative analysis and 4 in-depth interviews conducted. Furthermore the representativeness of the sample for the population, as was stated earlier in this research, is not fully guaranteed. Some outliers were found but they were, for different reasons, still included in this research. Therefore the results should be threatened lightly and delicately and for future research it is recommended to increase the sample size to increase representativeness. Furthermore the operationalization of the independent and dependent variables are limiting in this study. The dependent variable 'Compliance score' that was used to determine what the preferred choice of strategic response strategy was could be operationalized in other ways, for example with a wider Likert-scale. Also the decision to form a grouping variable size and dividing the groups based on a cut-off point due to the sample size and responses in the sample could have had an influence on the results. Which again means that the results should be threatened lightly and delicately. Moreover, the translation of the quotes from the interviews was done by the researcher by searching for synonyms for different definitions to try and match the intended definition of the respondents. This means that they are subject to human error and error in interpretation of the researcher.

Directions for future research

Although this study increases the understanding of choice for preferred strategic response strategy and factors influencing this choice, a number of starting points for future research can be made. First, results in this study reflect the perception of managers of secondary schools in one country, the Netherlands, while the GDPR is implemented in all member states of the EU. It is recommended to include secondary schools from more countries and domestic and/or foreign organizations from different industries to gain deeper insights on the preferred choice for strategic response strategy to the GDPR and level of compliance with the GDPR and the contextual factors that might have a significant effect on this choice of strategy and level of compliance. While the GDPR regulation is the same for all member states of the EU the total contextual environment differs from country to country and industry to industry therefore including more countries and industries will grand more insights in the effects of the different factors on the preferred choice of response strategy and level of compliance. Second, as was stated at the start of this research this little research on the choice of strategic response strategy in practice has been conducted. The findings in this study can be reason to further

examine how strategic response strategies are chosen in practice. Therefore it is recommended for further research to include other (new) and/or changing regulation(s) to examine how organizations in practice chose to respond to these regulations.

Implications for practice

Two parties, policy makers and secondary schools can apply the findings made in this research study in practice. Policy makers on domestic and possibly international level can use the results of this study to gain insight in the strategic reaction of institutions affected by new and/or changing regulation(s). The choice for strategic response strategy and level of compliance of an organization determine how it reacts to new and/or changing regulation(s). With more insight in factors that influence the preferred choice for strategic response and level of compliance policy makers will be able to more accurately predict how organization might react to new and/or changing regulation(s). Therefore they might be able to react on that predicted response by, for example spotting a potential bottleneck before implementing new regulations, smoothing the processes and avoiding negative responses in advance. Furthermore, secondary schools in the Netherlands and other member states of the European Union can use the insights gained from this study to gain insight in how other secondary schools respond to new and/or changing regulation. They can gain insights in what factors influence the choice for a preferred response strategy and how these factors affect the level of compliance. These insights can be used to discuss a choice of strategic response strategy to new and/or changing regulation with other secondary schools that have to deal with the same regulation. Therefore they can determine what their best response strategy is in advance and optimize how they process new regulation. Thereby they will be able to implement changes in their processes due to new and/or changing regulation with less loss of efficiency. Meaning that they can keep their focus on their organizational goals.

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Appendixes

Appendix 1: Master's Thesis Survey: Strategic response of secondary education on the GDPR

In this appendix the English version of the distributed survey is shown. The survey is distributed in Dutch to accommodate the respondents. First the introduction and general information about the survey are shown. After that the survey itself consists of two parts. Part 1 has general question about the responding organization has coped with the coming GDPR. The second part consist of two hypothetical situations that could occur as a result of the new GDPR, followed by some question regarding the reaction of the responding organization on those hypothetical situations. Question will be underlined; answer options will be in normal writing style. Where the responding organization had the option to fill in a short text or a simple number as an answer it is shown as '.....'. Some definitions, for example the education structure of the responding organization, are shown in Dutch since the structure is different in English speaking countries and cannot by translated easily. Definitions used in the main body of the Master's thesis are translated accordingly.

Introduction:

On may 25th of 2018 the new privacy regulation, the General Data Protection Regulation (GDPR), was installed in the entire European Union (EU). This regulation is applied in the entire EU and replaces the different national regulations concern privacy that are active in the member states. In the Netherlands this means that the 'Wet Berscherming persoonsgegevens' (wbp) is substituted for the GDPR. The Autoriteit Persoonsgegevens (AP) is the supervisor institution in the Netherlands and they will have oversight on the compliance with the AVG, also they have the authority to enforce sanctions, for example fines.

The entrance of the GDPR results in more responsibility to fully protect personal information and footage of your students, personnel and volunteers for organizations such as your school.

This research aims to gain insight the strategic response and underlying motives for the chosen response of secondary education to cope with this new regulation.

The survey:

The first part of this survey consist of some general questions about how your organization is coping with the this new upcoming regulation. The second part consists of a pair of hypothetical scenarios that could play out as a result of this regulation with some question about the response of your organization on these hypothetical situations.

At some of the question multiple answers can be selected, this will be mentioned at the end of the concerning questions.

The survey takes fifteen to twenty minutes on average to complete.

Feel free to contact me with any question concerning this research survey.

All your answers will be processed anonymously and will be processed in a responsible way.

Thank you in advance for your cooperation.

Guus van Hout

Student Master Strategic Management, Radboud University

Guusvhout@gmail.com

Survey part 1:

Q1: What is the name of your organization?

.....

Q2: What is the educational structure of your organization? (Multiple answers can be selected)

- PRO
- VBO
- MBO
- MAVO
- HAVO
- VWO

Q3: How many students does your organization have during the educational year 2017-2018?

.....

Q4: How many employees does your organization have during the educational year 2017-2018?

.....

Q5: When did you personally first encounter the new GDPR?

- Before January of 2017
- Between January 2017 and April 2017
- Between May 2017 and August 2017
- Between September 2017 and December 2017
- Between January 2018 and April 2018
- Mei 2018
- This is the first time I am encountering the new GDPR

Q6: When did you first discuss the new GDPR in your organization?

- Before January of 2017
- Between January 2017 and April 2017
- Between May 2017 and August 2017
- Between September 2017 and December 2017
- Between January 2018 and April 2018
- Mei 2018
- This is the first time I am encountering the new GDPR

Q7: Which of the following stakeholders have pressured your organization in responding to the new GDPR? (Multiple answers can be selected)

- The Autoriteit Persoonsgegevens
- Employees
- Students
- Parents of students
- Municipal government
- Volunteers
- We do not feel any pressure for any stakeholder
- Other, namely:

Q8: Which motives did your organization have to take steps in reaction on the AVG? (A maximum of three answers can be selected)

- The law is the law and we have to abide
- Avoiding sanctions
- Stay legitimate
- Colleague organizations do this as well and we do not want to lag behind
- Stakeholder pressure
- Other, namely:

Q9: How would you describe the way your organizations copes with the GDPR? (A maximum of three answers can be selected)

- Follow invisible and take the norms for granted
- Mimic other secondary education organizations
- Seek to balance the expectations of different constituents to come to a compromise
- Negotiate with the institutional stakeholders about the actions that need to be undertaken
- Obeying the law and its rules and norm on the dot
- (Partly) disguise nonconformity
- Changing goals, activities or domains to avoid the regulation
- Assaulting the sources of institutional pressure
- Negotiate with the institutional stakeholders
- Try to reshape values and criteria

Q10: If you have to describe the strategy of your organization, regarding the GDPR, in one word; which of the following would describe this strategy the best?

- Compromise
- Avoid
- Defy
- Acquiesce
- Manipulate

Q11: Did your organization appoint one, or more; people to be responsible for the processes concerning the GDPR?

- Yes

- No

Q12 (Only when selected 'Yes' at Q11): How many hours a month are reserved for the people responsible for the processes concerning the GDPR?

.....

Q13: Did your organization contact external help concerning the GDPR?

- Yes
- No

Q14 (Only when selected 'Yes' at Q113): What are the costs of this external help?

- 0 to 5.000 euro's
- 5.000 to 10.000 euro's
- 10.000 to 15.000 euro's
- 20.000 to 25.000 euro's
- Over 25.000 euro's

Q15: Which of the following steps did your organization already take concerning the GDPR?

(Multiple answers can be selected)

- Mapped the concerning institutions and parties
- Informed the concerning institutions and parties
- Made a assimilation register
- Up-dated the privacy policy
- Up-dated the IT-applications
- Implemented security measures
- Appointed a Data Protection Officer (DPO)
- Other, namely:

Q16: Which of the following steps does your organization still have to take concerning the GDPR? (Multiple answers can be selected)

- Mapped the concerning institutions and parties
- Informed the concerning institution and parties
- Made a assimilation register
- Up-dated the privacy policy

- Up-dated the IT-applications
- Implemented security measures
- Appointed a Data Protection Officer (DPO)
- Other, namely:

Scenario 1: Lost personal information

A teacher Dutch that is employed at your organization has come to you to give account of a lost handbag containing a set of exams that his students made. The exams were part of the degree program and the grades are needed because they count towards the final grade. If not found, the students will have to retake the exams. Besides the subject and date of examination the exams also contain personal information about the students, like their name and student number and the name of the teacher in question. According to the GDPR the loss of this kind of information means that there is a data leak. The teacher tells you that he believes he left his handbag in a establishment that he visits regularly to drink coffee. He believes that he will be able to retrieve his handbag, although he is not entirely certain.

The teacher has already been asked by the students how they performed on the exams, on which he stated that he did not yet check the exams.

Q17: Do you think that this scenario could occur at your organization?

- Yes
- No

Q18: How would you describe the way your organizations copes with this scenario? (A maximum of three answers can be selected)

- Mimic other secondary education organizations
- Seek to balance the expectations of different constituents
- Negotiate with the institutional stakeholders about the actions that need to be undertaken
- Obeying the law and its rules and norm on the dot
- (Partly) disguise nonconformity
- Changing goals, activities or domains to avoid the regulation
- Assaulting the sources of institutional pressure
- Negotiate with the institutional stakeholders
- Try to reshape values and criteria

Q19: If you have to describe the strategy of your organization, regarding this scenario, in one word; which of the following would describe this strategy the best?

- Compromise
- Avoid
- Manipulate
- Acquiesce
- Defy

Q20: Which of the following institutions and parties would your organization notify directly (within 48 hours) about this scenario? (Multiple answers can be selected)

- The Autoriteit Persoonsgegevens
- The students
- The parents of students
- The other employees
- The visitors of (social) media channels via a statement
- All the above
- None of the above
- Other, namely:

Q21: Which of the following actions would your organization take to prevent a similar scenario from occurring again? (Multiple answers can be selected)

- Store the exams in a secured location
- Let students take the exams digitally and store them on secured servers
- Inform employees about the importance of privacy and how to adequately deal with sensitive information
- Call in external help to make the organization GDPR proof
- Other, namely:

Scenario 2: Parental permission

Your organization organized a sporting event. On the day of the event a photographer took pictures of the sporting kids and volunteers that were present on your account. After the sporting event these pictures were published on the internal as well external as (social) media channels of your organization. In your general conditions, that each student or parent has to

sign when they enroll in your organization is stated that the students give the organization permission to published pictures of school organized activities on the intranet of the organization, nothing is stated in the general conditions about publishing the pictures on external (social) media channels. The students or their parents that are enrolled have all signed these general conditions.

After seeing the pictures of their children on external (social) media channels of the organization some parents wrote the organization and stated that they did not give permission to publish these pictures on the external (social) media channel and they ask for them to be removed.

After reviewing the pictures in question you come to the conclusion that on most of the pictures there is some one being portrayed from whom there is no permission to do so. Therefore there will only be several pictures left after removing the others.

Q22: Do you think that this scenario could occur at your organization?

- Yes
- No

Q23: How would you describe the way your organizations copes with this scenario? (A maximum of three answers can be selected)

- Mimic other secondary education organizations
- Seek to balance the expectations of different constituents
- Negotiate with the institutional stakeholders about the actions that need to be undertaken
- Obeying the law and its rules and norm on the dot
- (Partly) disguise nonconformity
- Changing goals, activities or domains to avoid the regulation
- Assaulting the sources of institutional pressure
- Negotiate with the institutional stakeholders
- Try to reshape values and criteria

Q24: If you have to describe the strategy of your organization, regarding this scenario, in one word; which of the following would describe this strategy the best?

- Compromise
- Avoid

- Manipulate
- Acquiesce
- Defy

Q25: Which of the following institutions and parties would your organization notify directly (within 48 hours) about this scenario? (Multiple answers can be selected)

- The Autoriteit Persoonsgegevens
- The students
- The parents of students
- The other employees
- The visitors of (social) media channels via a statement
- All the above
- None of the above
- Other, namely:

Q26: Which of the following actions would your organization take to prevent a similar scenario from occurring again? (Multiple answers can be selected)

- Change the general conditions and have all students or their parents sign them again
- Stop posting pictures of school activities on (external) (social) media
- Inform employees about the importance of privacy and how to adequately deal with sensitive information
- Call in external help to make the organization GDPR proof
- Other, namely:

Final questions

Q27: Would you be willing to participate in a short telephonic interview to further elaborate on your given answers?

- Yes
- No

Q28 (Only when selected 'Yes' at Q27): On what number can you be contacted?

.....

Appendix 2: Transcribed interviews

In the paragraphs below the transcripts of the conducted interviews are shown. All respondents have agreed with the interviews being recorded. To ensure the privacy of the respondents, who have agreed to be interviewed for this research, all names and other personal information of people and organization have been censored and shown as ‘.....’. Questions asked by the researcher are written in cursive text style, answers given by the respondent are written in the normal text style. The interviews are transcribed in Dutch except for the cited parts that are used in the main body of the master’s thesis.

Transcript interview 1: Organization 1 (O1)

Goedendag meneer je spreek met Guus van Hout van de Radboud Universiteit, bel ik u gelegen?

Ja, het kan.

Ik zag dat u aangegeven heeft in de survey ‘Strategische respons middelbare scholen op AVG’ dat u open stond voor een kort (telefonisch) interview, ik vroeg me af op dit nu uitkomt?

Hoe kort is kort?

Ik verwacht maximaal een half uurtje.

Ja dat is goed, doe maar.

Oke, dank u wel meneer. Dan wil ik u eerst ragen of u het goed vindt dat ik dit gesprek opneem, transcribeer en opneem in mijn scriptie verslag. Uiteraard zal dat anoniem gebeuren, waarbij eventuele namen van personen en instanties worden weggelaten.

Ja hoor, dat is goed.

Ik had een aantal korte vragen over de antwoorden die u ingevuld heeft en daarnaast nog een paar verdiepende vragen. De eerste vraag die ik eigenlijk heb is dat u aangegeven heeft dat jullie als organisatie voor januari 2017 de AVG al besproken hebben. Ik vroeg me af wat u mij kunt vertellen over het beslissingsproces met betrekking tot de AVG tot eigenlijk de invoering van de AVG, dus wie er bij betrokken zijn en welke uh factoren jullie meegewogen hebben in jullie beslissing. Dus welke budgeten jullie opgesteld hebben of uh het aantal uren dat jullie beschikbaar wilden stellen om met die wet om te gaan.

Oke, uhm, ja oke, ik moet je eerlijk bekennen ik heb niet helemaal scherp de uhh tijdstippen termijnen voor ogen, maar als ik de geschiedenis schets zoals ik hem uh in mijn hoofd heb

dan uh ja is het zeg maar zo. Wij waren bezig met de Wet Bescherming Persoonsgegevens datalekken, die kwam op een gegeven moment. Daar zijn we op gaan handelen en hebben we gekeken van wat is daar voor nodig. Dan spreken we nu dus over zo'n 2,5 jaar geleden, want uh ja wat is daar voor nodig. En uhh uhh toen zagen we dat ja, uh, ja dat daar best wel wat nadenk werk aan vast zat. Op dat moment kreeg ik te horen dat uhm een aantal schoolbesturen gezamenlijk uhh een protocol aan het inkopen waren samen met een juridisch kantoor. En uhm dat is iemand, ik ken een van die besturen namelijk en uh daar sprak ik mee en die zei van ja wij doen dat zo. Toen zei ik van ja nou dat vind ik interessant. Dat was 2.500 euro exclusief btw en op dat moment waren daar twaalf besturen bij betrokken en ja uhm hoe meer besturen hoe lager de prijs. Uiteindelijk zijn daar twintig besturen geweest die iets van 1.200 euro hebben betaald voor een heel pakket uhh uhh protocollen met betrekking tot data lekken enzovoorts. Dat zijn we toen gaan implementeren. Dat ben ik samen gaan doen met een interne beleidsmedewerker. Ja en dan komt op een gegeven moment naar voren dat er nieuwe algehele Europese wet voor de privacy komt, de AVG zo heet hij hier idd. Het is dan duidelijk dat dat impact heeft op je handboek data lekken. We hebben toen dus dat privacy handboek gekocht, zo heette het, met een dertiental bijlage enzo. We hebben dat handboek toen stilgelegd en gezegd laten we uhh we uhh ja even kijken wat die nieuwe wet voor impact daarop heeft. En daar kwam langzaam duidelijk over, dat hebben we ook vragen over uitgezet naar onze Voorgezeten Ouderwijs-raad (VO-raad) en de juridische dienst van uhh ja wat houdt dat dan precies in. Wat betekent dit voor ons, daar zaten ook concrete vragen in van moeten wij een functionaris gegevensbescherming (FG) aanstellen of niet? Dat was niet duidelijk voor ons, dat konden wij er niet uit opmaken. Dan komen er antwoorden en zo'n ondertussen drie vier maanden geleden kwamen Kennisnet en de VO-raad met duidelijkheid naar buiten. Ze zeiden van ja uhh zo kun je AVG implementeren en ja je moet een FG aanstellen. Ja nou vanaf dat moment zijn wij uhh ja eerlijk gezegd iets eerder hebben we het wel weer opgepakt, want we zagen ja dat juridische kantoor dat had een update die AVG proof was voor dat handboek, daar vroegen ze dan wel weer 250 euro voor. Toen vroegen we ons af van gaan we dat doen, wat is de inhoud daarvan of gaan we dat zelf bijwerken en wat moeten we daar dan voor doen? Dus ook vandaar die vragen naar de VO-raad enzo op basis daarvan en onze account die vond dat wij achterop liepen vanuit accountancy vanuit een goed beheerd informatiesysteem vonden ze dat wij erg achterop liepen. Uiteindelijk heeft de accountant dan wel geoordeeld dat het wel conform wat andere scholen in de VO-raad deden was. Dus toen hebben we dat handboek voor privacy weer opgepakt en ondertussen kwam het juridisch kantoor dus met de update. En toen dachten wij van ja dan is het mainstream en toen

zijn we dus verder gegaan met die protocollen waar we 250 euro extra voor betaald hebben. Die hebben we toen ook geïmplementeerd.

Ja. Dus wat u inderdaad zegt is dat jullie als organisatie al met een handbook voor de privacy en datalekken bezig uhm waren en dat toen ja zegmaar die AVG kwam jullie toch de ‘best practice’ overgenomen hebben die ook door collega scholen gebruikt worden eigenlijk, of door andere besturen gebruikt wordt?

Ja, uhm ja, ja klopt.

Oke, dan heb ik als volgende vraag. Bij een van de vragen over de welke druk u van welke partijen voelt om in te gaan op de AVG heeft u onder andere uhm aangegeven dat u uhh jullie druk voelen van medewerkers en ouders van leerlingen, kunt u daar iets verder over uitweiden? Is het echt zo dat bijvoorbeeld die wet besproken is bij jullie door medewerkers, of dat ouders uhm vragen stelden over hoe jullie ermee om zouden gaan?

Ja van ouders, of ja sorry medewerkers, kwamen wel vragen binnen. Niet zo heel veel hoor, meer van ‘Ja, wat betekent dat dan voor ons?’. Of, ‘Wat moeten wij nu anders gaan doen?’. Ja en ja de druk van ouders dat is meer ja, uh hele lichte druk, de druk die we wel verwachten uhm ja. Niet zo zeer heel concrete druk, maar meer dat ze er kleine dingen over vragen.

Kunt u misschien een voorbeeld geven van de manier wat op die druk zich dan uit, of heeft u niet direct een voorbeeld?

Ja, kijk, ouders ja, die hebben er dus na aanleiding van het verhaal van datalekken en die aankoop van dat handboek wel vragen over gesteld, ook omdat Security en Privacy onderdeel is van ons meer jaren plannen. Daarin stond bij dat onderdeel ook de nieuwe wet op de privacy op de planning. Dat plan is breed gecommuniceerd ook naar ouders, die vragen dan uhm ja bijvoorbeeld naar de voortgang. De ouders die waren daar dan wel scherp op en terecht. **But I have also already stated that we as a school have our own motivation to respond to the GDPR. We are a school and as such we believe that we have an exemplary function to our students, and thus we have to comply with the law and regulations.**

Ik zie inderdaad dat u dat aangegeven heeft bij een van de survey vragen, dat jullie willen voldoen aan de wet met als motivatie ‘good practice’. Wat u daarmee dus wil zeggen is dat jullie motivatie als organisatie is: wij zijn een school en wij hebben een verantwoordelijke functie ne plaats in de maatschappij en daarom vinden wij dat we moeten voldoen?

Ja, inderdaad. En kijk ja dan heb je uhh daar altijd nog speelruimte in, maar de leden van het management team die uhh die vinden dat ook uhh uhh bij behoorlijk en netjes horen. Kijk, we vinden wel dat je uhh, zegmaar ja uhh, kijk je bent natuurlijk wel kritisch van ja komt er zinnige wetgeving uit Den Haag of niet. Wij kunnen dan wel een keer maatschappelijk ongehoorzaam zijn, maar wel altijd met het belang van je onderwijs in het achterhoofd. Dan is er soms wel eens een discussie. Van stel dat er vanuit Den Haag een wet zou komen waardoor we geen minister president meer zouden hebben, maar alleen een koning dan uhh ja, dan kun je als school daar een mening over hebben en een discussie voeren en zeggen ja maar wij geloven daar niet in en wij voldoen daar niet aan. Ja, dat kan als er hele vreemde wetten zijn dan kun je die discussie hebben, maar dat is dan in openbaarheid. **That is not the case for with the GDPR, the GDPR is about privacy and we als board value and understand the importance of privacy in our organization.**

Het is voor jullie als organisatie dus een core issue die privacy en die willen jullie daarom dus goed geregeld hebben voor jullie leerlingen en medewerkers als ik het zo hoor?

Ja, ja. Er is hier dan een locatie directeur die dan zegt van: 'Ja, wat is dit allemaal voor gedoe, waar is het allemaal voor nodig dat kost toch allemaal veel te veel energie en tijd.'. Ja, uhh die krijgt van het antwoord en van het bestuur van dat er inderdaad school besturen zijn die zo'n wet naast zich neerleggen en wel kijken waar het schip beland, maar wij zijn zo niet. **It is the law and we have to take responsibility.** Uiteindelijk draait die locatie directeur dan ook bij.

Oke, dus ja, jullie hebben als organisatie dus niet echt gekeken naar budgeten en het vrijmaken van geld of investeren van tijd was voor jullie geen probleem?

Juist, juist, **there are always sound of dissatisfaction stating that responding to regulation and doing what has to be done costs a lot of time, but that time is necessary so it is viewed differently.**

Oke, want je hoort van andere scholen bijvoorbeeld wel dat ze echt aangegeven hebben dat een maximaal aantal uren wilde inzetten, maar dat is bij jullie du sniet echt ter sprake gekomen?

Nee nee, er is bij ons niet gemaximeerd. We moeten gewoon doen wat moet en uhh ja op een gegeven moment ontstaat er een tijdsdruk en dat doet dan wat af aan de kwaliteit van de doorloop tijd van het doorvoeren van de stappen van de AVG. De doelstelling is om alles volledig te implementeren en dat duurt dan iets langer.

Ja. U zegt 'wat moet, dat moet', is dat dan ook met oog op mogelijke sancties die de Autoriteit Persoonsgegevens nu wel mag opleggen?

Ja nee dat is niet uit angst voor sancties. Het is echt om uhh om uhh te laten zien dat het kan en daar waar je als organisatie het niet voor elkaar kunt krijgen om privacy gevoelige gegevens goed af te schermen zal dat ook als een signaal naar buiten moeten. **And sometimes you have to admit and state that something cannot be done, that it is not realistic to do everything that is stated on paper to comply.** En sommige dingen zijn heel verdrietig wat betreft de AVG. Kijk uhh bijvoorbeeld, leerlingen komen niet meer in de krant als ze geslaagd zijn, dat vind ik gewoon heel jammer. En ik, ik uhh, ja ik ben niemand tegen gekomen om dat te bestrijden, terwijl iedereen dat jammer vindt.

Ja. Dus in die zeggen jullie ook als organisatie dat jullie bepaalde delen van de wet jammer vinden en het er eigenlijk niet helemaal mee eens zijn, maar toch voldoen, omdat het moet?

Ja, dat is wel hoe het is. There are also some ot things that are not fully clear. Een aardige die ik nog tegen kwam is dat wij een verzoek kregen van de GGD om informatie over leerlingen te verschaffen zodat zij de leerlingen kunnen oproepen voor gezondheidsonderzoeken. Dan is voor ons de uhh vraag of wij de geboortedatum, naam en klas waarin een leerling zit mogen leveren aan de GGD. Dat hebben we uitgevraagd bij de VO-raad en onze juridische dienst. Die zeggen dan dat dat mag omdat er een wettelijke grondslag is voor de activiteiten van de GGD. Afgelopen donderdag hoor ik een AVG functionaris van een aan bestuur een vergelijkbare casus voor, met de vraag of de scholen de gegevens mogen verstrekken. Dus ik steek mijn hand op en geef aan dat wij dat uitgebreid uitgezocht hebben en dat dat mag. Nee zegt de beste man, dat mag niet want die grondslag is al weer komen te vervallen. Het is dus wel jammer dat zoiets niet wordt gecommuniceerd. Dan krijgen wij te horen dat de GGD dus niet akkoord is met de AVG omdat het hen meer werk kost, het is dus lastig om het allemaal scherp te krijgen. Dat is raar en onwennig, je krijgt hierdoor hele rare discussies.

Ja begrijpelijk dat dit vragen oproept. Is het ook zo dat jullie daarom bepaalde delen van de wet niet helemaal inrichting, omdat je niet duidelijk weet wat er nu precies de bedoeling is?

Nou ja goed, **I believe it is clear that our first approach is to abide the law. Not because of the threat of fines but because we value the privacy of our students and staff.** Dus wij kijken of we dat zonder al te idioten maatschappelijke kosten in de lucht kunnen houden. En ja uhm stel dat over 5 jaar blijkt dat het allemaal niet bol te werken is en we het ja zeg maar uhh ja

allemaal weer te greppel moeten gooien dan hebben we wel met elkaar geleerd om daar waar je wel grip hebt op de materie daar iets te doen. Bijvoorbeeld gewoon goed nadenken waar je bepaalde bestanden neerzet.

Zo, zijn er ook wel meer vreemde dingen. Ik werd laatst gebeld door een stage bureau van ja uhh jullie hebben een stagiair van ons bij jullie lopen en zou je een beoordelingsformulier in kunnen vullen. Dan vraag ik van ja dat kan om welke stagiair gaat het, dan krijg je van zo'n bureau te horen dat ze dat met oog op de privacy van de stagiair niet kunnen vertellen. Ja, dat is voor ons geen doen.

Ja, dat is inderdaad lastig een beoordelingsformulier invullen, wat is er toen gebeurd?

Nou ja ik heb dat stage bureau gebeld en gezegd dat de naam in dit geval geen privacy gevoelige informatie is die niet mag worden vrijgegeven want om stage te kunnen lopen bij ons moet die naam bekend zijn. Ja dan krijg je een discussie, zij zeggen van wel, wij van niet. Dat is dan heel lastig om daar samen uit te komen met zo'n partij. Het is dan van de zotte dat hij een verklaring omtrent gedrag en kopie van ID moet overleggen zodat we weten wie hij is, maar dat er in communicatie met het stage bureau geen namen genoemd mogen worden.

Ja, inderdaad dat is lastig. Dan heb ik nog een vraag die misschien wel aansluit bij wat u net vertelde. Op de vraag 'Hoe zou u de manier waarop jullie als organisatie omgaan met de AVG omschrijven?' onder andere gekozen voor het zoeken van de balans tussen de belangen van verschillende partijen en proberen tot een compromis te komen, is de eerder beschreven situatie hier een voorbeeld van?

Ja, precies. In alle redelijkheid, kijk je uhh moet dan wel het doel en de middelen uit elkaar weten te houden. Het doel is het beschermen van de privacy en daar zijn dan middelen voor. Maar daar waar voor en in dit geval zijn er dan drie partijen, het object de stage loper waarover het gaat en de twee partijen. Ja als je dan alle drie tot de conclusie komt van ja zo kan iemand niet beoordeeld worden dit is niet goed ja dan moet je overleggen hoe het wel kan. Maar zoals de situatie nu is met de AVG vraag je op voorhand al niet de stage loper waarover het gaat wat hij vindt, maar als twee bedrijven praat je erover en schat je in wat het privacy belang is voor de persoon. Wat van belang is voor die stage loper is een goede stage, met feedback en communicatie zodat hij iets leert en ik denk dat je dan legitiem bent en daar ga je dan over discussiëren. **But i believe more jurisprudence will follow on matters like this.**

Ja, dus in die zin zegt u dat jullie in zo'n situatie het gesprek aan gaan met het object en beide partijen om te kijken waar het belang van het object ligt en wat de beste koers is en ja uhh om te proberen in alle redelijkheid tot een goede samenwerking te komen?

Ja, precies en ja toen heb ik het stage bureau gebeld en die zeggen van ja die gegevens mag ik niet verstrekken, dus ik vroeg of ze het daarover wilde hebben en of we konden praten maar toen kreeg ik een nee, dus ja dan houdt het op. Dat is wel jammer.

Ja dat is zeer begrijpelijk en spijtig. Dat was in ieder geval mijn laatste vraag dus dan wil ik u nog heel erg bedanken voor uw tijd.

Ja graag gedaan en veel succes met het afstuderen, tot ziens.

Transcript interview 2: Organization 2 (O2)

Goedemorgen mevrouw u spreekt met Guus van Hout.

Goedemorgen Guus.

Hallo, ik zag dat u in mijn survey aangegeven heeft dat ik u mocht benaderen voor een kort telefonisch interview ter verdieping op uw antwoorden, komt het gelegen of wilt u uhh liever een afspraak maken voor een ander uhh moment?

Nee dat kan nu wel, maar ik doe dan wel even de deur van mijn kantoor dicht, ogenblik. Als zo de bel gaat stromen anders de leerlingen door de gang en dan kan ik je niet meer verstaan.

Oke, dat is prima.

Vertel, wat wilde je vragen.

Ja, ik wilde wat extra vragen stellen over de antwoorden die u ingevuld heeft, maar eerst wil ik u vragen of u het goed vindt dat ik dit gesprek opneem en transcribeer, zodat het als bijlage aan mijn scriptie toegevoegd kan worden.

Ja hoor, dat is prima.

Het zal uiteraard volledig anoniem gebeuren.

Ja.

Oke, de eerste vraag die ik eigenlijk had gaat over het moment waarop u aangegeven heeft dat jullie voor het eerst kennis genomen hebben van de AVG, daar staat januari tot april

2018. Dan vroeg ik me af op welke manier jullie kennisgenomen hebben van de AVG en welke stappen jullie hebben ondernomen binnen jullie organisatie met betrekking tot het proces om die AVG aan te pakken, dus wie zijn er betrokken en op welke manier hebben jullie gezegd van we willen uhh zo en zo op die wet in gaan?

Ja, oke, nou uhh, om te beginnen spreek ik vanuit mezelf als ik aangeef dat het januari 2018 tot april 2018 is, ik weet wel dat mijn collega van ICT al eerder bezig is geweest met het inlezen in de wet. Die is ruim een jaar eerder begonnen met het kijken naar autorisaties van collega's het beter beveiligen, wachtwoorden beter maken en het meer bewust worden. Dus die is daar al veel eerder mee begonnen. En uhh uiteindelijk ben ik daar bij betrokken en aangehaakt, omdat bij AVG is niet alleen doen zoals het hoort, maar ook een stuk bewust worden bij collega's en uhh ja die bewustwording en communicatie dat is niet zijn sterkste punt en daar had hij hulp bij nodig.

Oke, dus wat u eigenlijk zegt is dat jullie als het ware een technische man hebben aangesteld die de inrichting van de wet doet en dat u dan eigenlijk meer de persoonlijke kant doet, het bewust maken van de medewerkers en het communiceren van de gevolgen van de wet naar ouders en medewerkers en andere partijen?

Ja precies, en daarnaast zijn wij samen met zes andere middelbare scholen in een alliantie getreden. Dus wij zijn eigenlijk met 7 scholen in een stichting en die stichting heeft ook nog een FG aangenomen. Die gebruiken wij als expert en sparringpartner. Met zijn drieën houden wij dan het bestuur van de school op de hoogte. De FG stippelt dan samen met ons het beleid uit, of kaders, om binnen te werken met betrekking tot de AVG.

Oke, en en hij stippelt dan dus samen met jullie het beleid uit? Is het dan zo dat hij centraal een format maakt of richtlijnen uitzet over uhh hoe jullie uhh die AVG moeten oppakken, of heb je daarin wel redelijke vrijheid en dat jullie het meer terugkoppelen naar hem?

Ja, nou wij hebben wel wat speelruimte, niet in alle gevallen natuurlijk. Soms moet je gewoon doen wat je gezegd wordt, maar uhh, uhh, uhh, kijk ja, uhh, bijvoorbeeld het niet vragen van toestemming aan ouders voor het gebruik van beeld en geluid materiaal dat is bijvoorbeeld geen optie, dat moet gewoon. Die ruimte hebben we natuurlijk niet. Maar uhh hij heeft ons het format aangegeven over de manier waarop we zoiets zouden kunnen doen. En die heb ik dan behoorlijk verbouwd en naar hem gestuurd, daar hebben we dan zijn expertise en informatie voor gebruikt en vervolgens in onze eigen huisstijl gecommuniceerd.

Ja, en heeft dat dan bijvoorbeeld ook te maken met de partijen waar jullie mee om gaan? Want u heeft bij vraag 7 bijvoorbeeld aangegeven dat jullie als organisatie enige druk voelen van medewerkers en ouders van leerlingen om in te gaan op de AVG, kunt u daar misschien iets verder uitweiden over de manier waarop die druk zich manifesteert dan?

Ja, nou uhh uhm, **complying with the GDPR is something we need to do, but also something we want to do, because we believe privacy is an important subject and we want to do right.** Maar daarnaast merk je ook dat de AVG op dit moment wel een beetje een hype is, er is veel informatie over. Ook heeft bijna iedereen een mailbox voor met dingen die om toestemming vragen en onze collega's die, die stellen mij vragen over hoe iets moet of hoe iets gedaan moet worden en of dat zo mag blijven, of dat dat moet worden aangepast. En uhh ik krijg daar vragen over en daardoor ja onze collega's hebben ook een gevoel van perceptie van we moeten iets doen. Dus in die zin leggen zij met de vragen de druk bij mij en ons als organisatie.

Ja, en geldt dit ook voor de ouders van leerlingen dat een beetje met dezelfde vragen komen van hoe zit dat dan bij de school van mijn kinderen?

Nou, ja, uhhh, ik beheer de mailbox van de school en ik heb daar verder echt 0 vragen van ouders over binnen gekregen, ook nog geen vragen van leerlingen. Maar het kan natuurlijk zo zijn dat ouders de vragen aan de mentoren stellen, al heb ik daar ook nog geen berichten over ontvangen.

Oke, want u heeft wel aangegeven dat u enige druk voelt van ouders van leerlingen. Is dat dan om een andere reden, of is dat meer vanuit het plichts- en verantwoordelijkheidsgevoel dat jullie als organisatie hebben?

Ja, we voelen wel een soort **sense of duty** om goed om te gaan met de privacy van een kwetsbare groep kinderen ja.

Dan even naar de volgende vraag, bij vraag 4 heeft u ingevuld bij de vraag: Hoe zou u de strategie van uw organisatie aangaande de AVG in een woord omschrijven? Ingevuld de keuze 'compromis'. Kunt u daar misschien iets meer over vertellen of een voorbeeld geven van een compromis die u heeft moet sluiten of iets dat u heeft moeten afwegen aangaande de AVG?

Uhh, nou ik denk dat we nog niet echt zover zijn dat we beslissing moeten nemen uhh waarbij we uhh de AVG naast ons neer leggen. Voor mijn gevoel zitten we echt nog in een soort

overgangsfase, ook op advies van de FG trouwens. We zitten nog niet uhh, we hebben nog geen echt pijnlijke beslissingen genomen laat ik het zo zeggen. We hebben nog niet een situatie gehad waarin we dachten nou dit is wat we eigenlijk moeten doen en dit is wat wij wenselijk vinden, die beslissingen moeten nog komen denk ik. Een voorbeeld zou uhh kunnen zijn als zich op dit moment iemand solliciteert en daar staat op een CV persoonsgegevens dat wij dan eerst nog toestemming moeten vragen aan de sollicitant of wij de gegevens in behandeling mogen nemen. Dat vind ik een vrij kromme regeling.

Bedoelt u hier dan mee dat de wet bijvoorbeeld een proces voor jullie school als het aannemen van nieuwe leerkrachten of medewerkers enigszins in de weg zit? En dat dan dus eigenlijk de compromis is van ja we moeten dit doen, maar gaan we dit dan doen terwijl we het daarmee onszelf een stuk moeilijker maken?

Ja, maar ook, niet alleen meer werk, maar het moet vooral ook werkbaar zijn, zo'n wet. **Our primary goal is to delivery a good education and not to follow the GDPR on the dot.**

Ja, dat begrijp ik. Ik hoor dat ook bij meer scholen, dat ze aangeven van we willen zoveel mogelijk de wet volgen, maar de afweging is, is het werkbaar en kunnen we zo onze primaire taken uit blijven voeren zegmaar?

Ja, precies, ja ja.

Is dit dan ook de reden dat jullie als antwoord 'compromis' hebbe gekozen?

Ja, dat is wel waarom ja. **Our standdpoint is to comply as much as possible with the GDPR, but if that compromises our primary objective to deliver a good education and to show so, we have to make compromises**

Oke, en kunt u misschien een voorbeeld geven van factoren die voor jullie een rol spelen, bijvoorbeeld de tijd die je beschikbaar hebt om te besteden aan de wet of andere factoren als budget in het algemeen of het welzijn van leerlingen, zijn er dan meer dingen die mee spelen in die afweging?

Nou, onze Functionaris Gegevensbescherming (FG) die zegt dat hij het nu liever in een keer goed gereeld dan dat we gaan proberen om zo snel mogelijk te voldoen aan de AVG. Dat betekent dat wij ons nu in een soort overgangsfase bevinden. Uhh dus uhh ja sommige dingen zijn bij ons nog niet geregeld en die ruimte en tijd nemen we dan ook maar om die goed uhh

goed in te regelen. Ja, nee daarom zijn sommige dingen dus ook nog niet geregeld, we willen goed de tijd nemen.

Oke en klopt het dat u daarmee wilt zeggen dat die jullie tot nu toe ondernomen hebben aangaande de AVG wel volledig kwalitatief goed ingeregeld zijn?

Ja, ja.

Dan heb ik nog een korte vraag over de tweede casus, over de toestemming van ouders. U geeft aan dat u dit een realistisch casus vindt, kunt u een voorbeeld geven waarom u deze casus realistisch vindt en hoe die op jullie organisatie van toepassing kan zijn?

Ja, uhh, ja kijk, als er bij ons omstanders in beeld zijn ja dan moeten we daar toestemming voor gaan vragen. En wij zijn nu bezig met het bestuur nu bezig om uhh ja toestemming te vragen of in ieder geval wensen aan te geven. Dus de komende weken zullen er foto's worden gemaakt en die worden gepubliceerd terwijl we daar nog geen toestemming voor hebben, of niet weten of die toestemming er is op het moment. Bijvoorbeeld bij het maken van foto's van de geslaagden. De komende weken is deze casus voor ons dus zeer realistisch en van toepassing. Maar ik kan me niet voorstellen waarom we foto's zouden maken van ouders en omstanders. Dan is het natuurlijk ook zo dat de collega's die wij al heel volledig geïnformeerd hebben over de AVG, dat die waarschijnlijk de komende weken tot we alles met betrekking tot toestemming goed hebben staan, terughoudend zullen zijn met het gebruiken van foto's. Want je kunt ook leerlingen van de achterkant fotograferen of foto's maken van het landschap of sportactiviteiten. Die foto's kun je ook gebruiken i.p.v. je weet dat je toestemming moet hebben terwijl je weet dat je die nog niet hebt.

Oke, ja, dus u zegt dat jullie in zo'n geval toch het liefste de wet zoveel mogelijk volgen en echt toestemming vragen daar waar het kan er ook echt mee bezig zijn?

Ja.

Oke, u heeft bij de vraag over de strategie van jullie organisatie aan die casus in een woord wel gekozen voor 'compromis'. Dus kunt u misschien daar wel een voorbeeld noemen in welke zin u dan wel een compromis zoeken?

Ik vind het uhh, het uhh, een compromis voor ons is dan dus om tijdelijk terughoudend te zijn met het maken van foto's en uhh ja.

Ja, want waar gebruiken jullie dergelijke foto's allemaal voor?

We gebruiken die om ons te profileren en reclame te maken voor ons instituut.

Wilt u dan zeggen dat het in die zin een compromis door te zeggen dat jullie tijdelijk geen foto's maken en dus minder makkelijk reclame kunnen maken en je daarmee wel aan de wet houden, dus daarvoor je commerciële belang achter te stellen? Om het maar even in bedrijfskundige termen uit te drukken.

Ja, ja, ja.

Oke, dan denk ik dat ik een heel eind door mijn vragen heen ben. Heeft u zelf nog vragen voor mij of dingen waarmee ik u kan helpen.

Nee, nee, ik red me verder wel. Succes met het afstuderen.

Ja dank u wel, u ook heel erg bedankt voor uw tijd en een fijne dag nog.

Graag gedaan, fijne dag, doe.

Transcript interview 3: Organization 3 (O3)

Goedendag meneer, u spreekt met Guus van Hout.

Goedendag Guus.

Hallo, ik bel u omdat ik zag dat u bij de laatste vraag van de door mij verstuurde survey ingevuld heeft dat uhh u wel open staat voor een kort telefonisch interview ter verdieping op uw antwoorden. Komt het nu gelegen?

Uhh ja, ja dat kan wel eventjes, ik gooi hier even de deur dicht dan kan ik mijn eigen een beetje concentreren. Nee dat is geen probleem, vertel, vertel, vertel.

Oke, mooi. Dan wil ik u eerst even vragen of u het uhh goed vindt uhh als ik dit gesprek opneem en transcribeer voor mijn onderzoek. Dat zal uiteraard geheel anoniem gebeuren waarbij de eventuele namen van personen organisaties weggelaten worden.

Oke, nee dat is geen probleem.

Oke, dan is mijn eerste vraag eigenlijk uhh dat u aangegeven heeft dat jullie als organisatie tussen januari en april van 2017 voor het eerst met de AVG in aanraking gekomen zijn. Kunt u mij iets vertellen over uhh hoe dat gegaan en hoe jullie dan uiteindelijk bij de dag van

vandaag terecht gekomen zijn? Wat voor proces is er in gang gezet op het moment dat jullie hoorden dat die AVG er aan kwam?

Uhh nou kijk, wij als College zijn onderdeel van Ik weet of je dat kent maar dat is een vereniging in ... die hebben daar allemaal specialisten zitten. Wij worden door hun centraal op de hoogte gehouden van allerlei ontwikkelingen uhm. Ik was natuurlijk althans we waren natuurlijk al een beetje op de hoogte in het kader van de wet data-lekken dat de nieuwe privacy wetgeving er aan zat te komen. En ja uhh langzamer zeker hoorde we ook dat er bij al een Functionaris Gegevensbescherming (FG) was benoemd en ja die uhh begint dan ook met informatie te spuwen en te verstrekken. Vandaar zijn we uhh ja op basis van zijn informatie zijn we de eerste stappen gaan zetten.

Aha, ja, dus jullie hebben eigenlijk met hem een gesprek gehad of informatie uitgewisseld waarin hij zegt van wij hebben besloten om het als de stichting zo op te pakken en wij willen dat jullie op deze en deze manier deelnemen daaraan?

Ja, nou het is niet zo strikt hoor nee. Het is meer dat uhh een aantal kaders zijn aangegeven van nou hoe zou je om kunnen gaan en waar moet je op letten. Het is verder wel uhh aan elke eigen school uhh zelf om te bepalen hoe ze exact met de AVG om willen gaan en hoe ze bijvoorbeeld met data beveiliging om willen gaan etc.. Er zijn wel regelmatig terugkoppelingsbijeenkomsten voor mensen van de scholen die daar mee bezig zijn om een soort samenhangigheid te creëren. Er werd in eerste instantie ook wel gehamerd op de verwerkingsovereenkomsten die we met diverse partijen moesten gaan sluiten.

Ja. En kunt u dan een voorbeeld geven van een van de dingen die jullie binnen die kaders juist wel hetzelfde gedaan hebben als andere deelnemende scholen of juist heel anders gedaan hebben dan andere scholen?

Nou ja, wat ik zo kan zeggen, wij zijn toen begonnen met het implementeren van de AVG en we hadden op het gegeven moment een gevoel dat wij voor de troepen uit aan het lopen waren. Toen hebben we uhh op een gegeven moment toch een beetje op de rem getrapt, omdat we anders het gevoel hadden dat wij sporen voor de stichting aan het uitzetten waren. Dus uhh ja, wat hebben we dan wel, ja we hebben natuurlijk de bewerkersovereenkomst afgesloten en uhh een stukje bewustzijn gedaan. We hebben in ieder geval archief vernietiging ingeschakeld voor alle lijstwerken die hier gedraaid worden en weggegooid dienen te worden. Ja, in hoeverre we uhh dan anders binnen die kaders hebben gehandeld of

niet. Nou we hebben wel binnen die kaders zijn we wel zekers gebleven laat ik het zo zeggen. Maar die kaders waren zo ruim dat we, uhh je daar heel veel interpretatie mogelijkheden had.

Ja precies. En u zegt jullie op een gegeven moment voor de troepen uitliepen en een pas op de plaats zijn gaan maken. Had dat dan nog een bepaalde reden? Vonden jullie dat jullie er heel veel tijd in staken en de rest eigenlijk achterliep?

Well we concluded that we were doing things, taking actions, and that we were ahead of the Data Protection Officer of the foundation and that they did not fully think things through or that is was not fully clear how some things have to be handeld on foundation level. Dan

kunnen wij natuurlijk wel allemaal dingen gaan uitvinden als school maar als de stichting dan zegt van ja wij hebben nu een eigen format bedacht een daar moeten jullie je aan gaan houden. Ja dan uhh ja dan kun je weer terug. En de AVG is bij ons natuurlijk niet het enige onderwerp dat op tafel ligt, dat is het probleem. Je wordt uhh met de tijd uhh ja je hebt twintig onderwerp en een daarvan is de AVG.

Ja, dus op dat moment stel je dan andere prioriteiten.

Ja, inderdaad dan moeten we dan uhh ja maar even wat minder of uhh aan iets wat meer prioriteit heeft, ja dan moeten we minder tijd in de AVG steken en dan meer aandacht hebben voor andere onderwerpen.

Ja, even de prioriteit verleggen totdat stappen van de AVG volledig duidelijk zijn?

Ja, ja precies ja. Kijk bewustwording daar kun je altijd mee bezig zijn. We zijn vooral nog bezig geweest met de kleine zichtbare zake, het encrypten van usb's, het invoeren van twee-stap verificatie en authenticatie in Magister uhh ja dat soort zaken. Nier iedereen had meer alle rechten binnen Magister als dat niet hoeft. Dus daar is ook strikter naar gekeken naar dat soort dingen. Daar zijn we dus in ieder geval mee bezig geweest.

Oke. Dan heb ik nog een vragen over de tweede casus die voorgelegd is in de survey. In het kort ging die casus over het plaatsen van foto's van een sport evenement of andere activiteit bij jullie op school, waar ouders dan vervolgens hun beklag doen. U heeft de strategie van jullie school aangaande casus in een woord uhh omschreven als uhh 'compromis', terwijl u bij de eerdere vraag om de strategie van jullie school aangaande de AVG in een woord te omschrijven gekozen heeft voor 'volgen'. Kunt u toelichten waarom jullie aangaande de casus wel kiezen voor compromis?

Nou ja kijk, uhh voor het gebruik van beeld materiaal heb je natuurlijk toestemming van de ouders of leerlingen nodig, maar de wijze waarop je die toestemming gaat vragen en registreren is verder aan de school zelf. Dus uhh wat dat betreft uhh is wel het voorschrift van de toestemming moet gevraagd worden, **then we have to find a compromise to make sure that we do what we have to do but that what we have to do needs to be workable.**

Ja.

We hebben nu bijvoorbeeld op papier toestemming gevraagd via de mentoren. De mentoren hebben het uitgedeeld en vervolgens hebben zij het ook weer ingenomen, maar dit blijkt een heidens karwij te zijn om dit ieder jaar zo te doen. Dus dan kun je er op gaan kijken van hoe gaan we dit anders doen en op welke manier past dat dan binnen de kaders van de wet, ge heel of gedeeltelijk, daar uhh moet je dan die compromis in vinden. Hoe zouden we dat bijvoorbeeld kunnen vereenvoudigen.

De compromis is dus eigenlijk tussen het voldoen aan de gestelde regels en het fatsoenlijk uit kunnen voeren in de bedrijfsvoering?

Ja, tussen dat en de praktische haalbaarheid van uhh ja de stuk wetgeving aan de ene kant en de praktische implementatie aan de andere kant en hoe kunnen we dan voorkomen dat dit heel veel werk gaat opleveren.

Ja, dat zijn geluiden die ik bij meer scholen heb gehoord. Ze hebben veelal allemaal privacy hoog in het vaandel staan en uhh ja een wet is een wet daar moeten we aan voldoen, maar ze willen wel hun activiteiten uit kunnen voeren en he tonderwijs staat op 1.

Ja dat is ook zo. **Look, if you want to apply the GDPR to the dot it will create an unworkable situation. You'll have to find a compromise between on the one hand what the law states and on the other hands what school say is workable and allows the mto offer proper educations.**

En we zijn nou eenmaal een organisatie met heel veel persoonsgegevens die ook nodig zijn om het onderwijs te kunnen voeren.

Zijn er dan ook al dingen waar u nu al tegen aan gelopen bent die voorgeschreven zijn die u of jullie echt niet kunnen doen?

Ja nou poeh, ik zit wel even te denken hoor. Nee ik kan zo even niet direct een voorbeeld bedenken nee. Die zijn er ongetwijfeld waarbij een afweging is gemaakt tussen werkbaarheid en onwerkbaarheid.

Ja inderdaad, waar dan dus nog de balans moet worden gezocht tussen wat is werkbaar en wat niet.

Ja. Binnen onze werkgroep hebben wij een ICT man zitten, ik meer vanuit de structuur en processen en er zit iemand bij vanuit uhh als docent erbij om ook te waken voor de praktische toepasbaarheid in het dagelijks onderwijs geven.

Bestaat die werkgroep nog uit meer personen?

Nee die bestaat uit die drie personen, een docent, een technische ICT man en ik voor de structuur en bedrijfsprocessen.

Ja en die werkgroep hebben jullie ook speciaal voor de AVG in het leven geroepen?

Ja, die bestaat al sinds het voorjaar 2017.

Oke. En u vindt dan uhh dus dat dit een prima manier is om een wet op deze manier aan te pakken middels zo'n werkgroep?

Ja, nou ja, ik vind het altijd heel prettig om gewoon uhh ja je kan een bepaalde visie op iets hebben, maar juist door daarover te discussiëren in een groepje kun je tot een duidelijker beeld komen over wat je nou wil en wat je nou zou moeten met zo'n wet. En ja uhh, daarnaast is het gezien de overige taken die ik heb, heb ik gewoon geen uhh tijd om alles in mijn eentje rond te gaan breien uhh dus ik ben uhh gewoon heel blij dat taken verdeeld worden.

Was het voor jullie dan ook een afweging toen jullie die werkgroep begonnen? Dat jullie best meer uren wilden investeren of in ieder geval net als in geval van de docent uren vrij te laten maken om dit op te pakken?

Wij zijn niet echt een school die direct met uurtje gaat gooien om het zo te zeggen. Vanuit uhh de verantwoordelijkheden die je als school hebt pak je bepaalde dingen op en wij uhh vragen dan die mensen die daar affiniteit mee hebben om uhh daar uhh aan deel te nemen. En ja, vooralsnog is dat gewoon binnen de taak en mocht dat echt onoverkomelijk veel gaan worden dan kunnen we nog naar de uren gaan kijken. Het is niet zo dat je bij voorbaat 100 uur per jaar krijgt of iets.

Ja, dus u zegt dat jullie eigenlijk gewoon aan jullie verantwoordelijkheid willen voldoen en dan is het goed en dan kijken jullie ook niet specifiek naar uren of budgeten die nodig zijn als er iets moet dan moet het en dan doen we dat?

Ja, op zich wel en kijk als er iets is waar budget voor benodigd is uhh ja dan leggen we dat gewoon aan de directie voor en dan wordt er een hamer slag op gegeven en kan dat alsnog geregeld worden. Het is dus niet zo dat er bij voorbaat al weet ik veel 5.000 euro budget krijgt en 300 uur. Daar beginnen we niet aan nee, kijk eerst maar eens werkende weg het allemaal inhoudt en dan kunnen we alsnog beslissen om uren vrij te maken of niet.

Oke, ja dat is helemaal duidelijk. Uhh u geeft dus aan als motief voor uw organisatie om in te gaan op de AVG het behouden van legitimiteit en de druk van betrokken partijen. Nou het behouden van legitimiteit heeft u al toegelicht he dat jullie zeggen van we hebben onze maatschappelijke verantwoordelijkheid en daar willen we dus ook aan voldoen. Kunt u iets meer vertellen over de druk die jullie voelen van verschillende partijen aangaande de AVG?

Nou ja, ja, we hebben nog niet zo heel veel aan de hand zegmaar, we hebben wel eens een discussie gehad vanuit een ouder omtrent het filmen van de klas door een stagiair die dat nodig had voor de opleiding. Wat je wel ziet is denk ik, we hebben nu toestemming gevraagd aan alle ouders en hoeveel ouders dan geen toestemming geven dat valt ons eigenlijk wel op.

Ja? Zijn dat er zoveel ja?

Ja. Ik ga dus ook nog een mail sturen naar de ouders dat dat ook betekent dat ze dus bijvoorbeeld niet op een klassenfoto komen te staan niet op een eindexamenfoto komen te staan et cetera in de hoop dat men dan denkt verrek misschien heb ik toch te snel geen toestemming geven dus uiteindelijk wel toestemming geeft. Volgens mij weet de helft ook niet exact wat het nou inhoudt.

U denkt dus dat ouders als snel geneigd om geen toestemming te geven omdat ze niet weten wat er anders gebeurd?

Ja, wat het allemaal inhoudt en wat er mee gebeurd. Ja goed, welke partijen nog meer. Ja in eerste instantie toch meer de raad van bestuur waar we enige druk van voelen, die hebben gezegd dat wij moeten voldoen. Ja en buiten het vragen van toestemming om horen we ook weinig van ouders, het is ook geen gespreksonderwerp binnen de ouderraad en ook niet

binnen de medezeggenschapsraad. Het wordt wel eens een keer zijdelings genoemd, maar het zijn geen hot issues.

Oke, dan is dat duidelijk. Dan ben ik uhh denk ik uhh door mijn vragen heen. Ik weet niet of u nog dingen heeft die u misschien aan wilt vragen?

Nee, ik heb niet uhh echt vragen, daarnaast kijk we hebben regelmatig binnen de stichting terugkoppelingsmomenten en daar kan ik redelijk snel terugkoppeling vinden.

Oke, dan wil ik u bedanken voor uw tijd en hulp.

Dat is goed Guus en heel veel succes met je studie.

Transcript interview 4: Organization 4 (O4)

Goedemorgen meneer, u spreekt met Guus van Hout student aan de Radboud Universiteit.

Goedemorgen Guus.

Dag meneer, wij hadden een belafspraak gepland.

Dat klopt ja, zeg het maar.

Ik vroeg me af of ik u wat vragen mocht stellen over de antwoorden die ingevuld heeft bij mijn survey over de respons van middelbare scholen op de nieuwe privacy uhh wetgeving.

Ja, dat kan,

Oke, dat is mooi. Dan wil ik u nu uhh eerst uhh vragen of u het goed vindt dat ik dit gesprek opneem, dat wordt dan getranscribeerd, om het uhh anoniem uhh toe te uhh voegen uhh aan mijn scriptie.

Dat kan, geen probleem.

Dan zullen we maar meteen beginnen met de vragen, want u zal het ook wel druk hebben, omdat het bijna zomer vakantie is. Is de vraag die ik uhh heb gaat over dat u ingevuld heeft dat jullie 1328 leerlingen hebben en bij de volgende vraag heeft u ingevuld dat jullie 1323 medewerkers hebben. Ik weet niet of dat misschien een invul fout is, of dat jullie echt bijna een medewerker per leerlingen hebben?

Nee, nee nee nee, dat klopt niet. Dat is dan fout gegaan met invullen.

Heeft u enig idee hoeveel dat dan moet zijn, of wat dan het juiste getal is?

Ik zal het hier heel even navragen, mijn collega kan dat zo ophoesten dan voor jou.

Oke, dank u wel. Dan gaan we vast naar de volgende vraag. Moment ik doe even mijn raam dicht, het is hier wat onrustig. Oke, uhh, de uhh, volgende vraag die ik eigenlijk had is dat jullie ingevuld hebben dat jullie de AVG voor het eerst besproken hebben tussen januari en april 2017. En dan vroeg ik me eigenlijk af of uhh u mij iets kon vertellen over het proces vanaf het moment dat jullie de AVG besproken hebben, tot nu. Dus uhh hoe hebben jullie het eigenlijk aangepakt, hebben jullie een werkgroep aangemaakt, wie zijn er dan bij betrokken? Dat soort zaken.

Ja, dat kan ik wel even uitleggen. Ik zit uhh ik houd me bezig met informatie beveiliging en rond die tijd ook met privacy en in het MBO heb je uhh we een landelijke werkgroep, informatiebeveiliging. Die organiseren ook vier keer per jaar een uhh een uhh landelijk overleg waar alle aangesloten MBO instellingen ook naar toe uhh komen. En daar wordt dan overlegd over bijvoorbeeld wetten en uhh ja zeg maar wet en regelgeving die verandert en de AVG is dan natuurlijk de opvolger van de Wbp en daar is toen ook over gesproken en dan neem je dat mee hier intern. En toen is er hier gelijk gezegd uhh van ja prima wij moeten natuurlijk ook voldoen aan de wet en regelgeving dus ook aan de AVG. Toen hebben een intern afstemmingsmodel uhh, daar zit ik uhh in het middenstuk het architecten stuk, ik maak de verbinding van beleid naar operatie zeg maar en dat is daar dus besproken en vervolgens meegenomen naar het strategisch platform. Daar is het ook een agenda ook geworden voor het college van bestuur. Zo is het proces dus eigenlijk gelopen. Inmiddels is er ook een privacy officer zeg maar functionaris gegevensbescherming aangesteld.

Oke, dus wat u eigenlijk zegt is dat jullie als school al onderdeel zijn van een klankgroep op landelijk niveau en dat jullie daar je al bezig hielden met privacy en toen de AVG kwam deze daar besproken hebben en toen intern opgepakt hebben?

Ja, en door elkaar informatie te geven over informatie beveiliging en privacy is ook de vertaling gemaakt naar uhh een normenkader dat wordt ook jaarlijks getoetst. Dat doen we middels een benchmark die jaarlijks gedaan wordt om te kijken waar je staat en dan kunnen ze landelijk ook de vorderingen zien per instelling.

Ja, oke. Wordt er dan ook getoetst hoe ver jullie hoe ver jullie als organisatie zijn om te voldoen aan de AVG?

Ja.

Dus leveren dan aan hoe jullie het gedaan hebben en wordt er gekeken of jullie dat goed gedaan hebben?

Ja, precies je hebt dan een aantal punten als je zeg maar ons normen kader pakt. Dat zijn iets van 119 statements waarvan er 85 van informatie beveiliging zijn en 15 zijn er aangaande privacy en dan heb je eigenlijk nog 19 die overlap zijn die dus niet zonder elkaar kunnen. Je moet bijvoorbeeld gegevens beveiligen tegen onbevoegden als dat qua informatie beveiliging niet geregeld is dan kun je ook nooit aan privacy voldoen.

Zeer begrijpelijk. U zegt dat dat op MBO niveau is, weet u of dat er ook voor andere onderwijsstructuren geldt, bijvoorbeeld HAVO of VWO of is het meer op organisatie niveau?

Nou het is een initiatief vanuit het MBO en wij zijn een vrij grote instelling dus iwj hebben het eigenlijk allemaal, alle onderwijsstructuren onder een koepel. Dus bij ons is dat in zijn volledigheid geregeld. Als je een losse VO school hebt, dan is wordt ook het een en ander geregeld maar is uhh ja dat kan nou niet helemaal zo zeggen, maar mijn onderbuik gevoel zegt dat het dan wel iets minder strak geregeld is.

De volgende vraag die ik heb is. Uhh bij vraag 7, de vraag is van welke van deze partijen voelt u enige druk om te reageren op de AVG, heeft u bij naders namelijk ingevuld: Het wordt gezien als onze plicht te voldoen aan de AVG. Kunt u daar iets meer voer vertellen?

Nou ja wat ik al zei, kijk ik het begin uhh zijn wij uhh natuurlijk al vroeg met de AVG uhh in contact gekomen als organisatie en dat is eigenlijk al heel snel een stelling van uit het College van Bestuur geweest van **we have to comply, end of discussion**. Dan gaan we daar niet omheen draaien of proberen uitvlucht te zoeken. We zien het gewoon als een opdracht om te voldoen aan de AVG.

Oke, ja dus jullie zien het meer van ja die wet is er en aan de wet moet iedereen zich houden dus wij ook, als het ware blind volgen om zeker te zijn dat we voldoen?

Ja.

En het feit dat jullie als school een maatschappelijke functie hebben, heeft dat er ook nog iets mee te maken?

Ja dat is uhh, ja kijk, dat is een meervoudig doel, je doet de privacy niet alleen omdat het moet, maar ook omdat je het belangrijk vindt voor de studenten en de medewerkers en het op school goed geregeld hebt. **We believe it is our duty to have the privacy of our staff and students in order.** Niet dat het uhh alleen uhh alleen maar omdat je een boete kan krijgen nee ja nee je ziet het ook als een maatschappelijke plicht om het voor elkaar te hebben.

Bij vraag 14 heeft u aangegeven dat jullie ongeveer 0 tot 5,000 euro uitgegeven heeft om de organisatie AVG klaar te maken, kunt u daar iets meer voer vertellen? Over wat jullie met dat geld gedaan hebben?

Ja uhh wij hebben een externe expert ingeschakeld. We hebben een bedrijf gevonden om een FG te worden bij ons, dat is een externe bij ons. Daar geven wij het merendeel van het geld aan uit. DE awareness campagne die regelen we zelf en uhh daarvoor hebben we landelijk een soort van game laten ontwikkelen. Dit wordt dan ingezet maar uhh ja dan praat je ja dat is zo weinig, iets van 750 euro per school en dan mag je die game voor iedereen gebruiken. Dat is wel een heel leuk ding wat gedaan is, dan kun je precies uhh zien uhh per uhh unit uhh die je dan ja die je dan aangeef van ja wat zit hier in en wat heeft iedereen gescoord op de vragen en waar zitten de zwakke punten. En ja iedere twee maanden als we die game dan weer spelen krijgen ze daar ook een overzicht van.

Dat doen jullie dan met de aangesloten scholen onderling?

Ja.

Oke en dat gebruiken jullie dan dus als feedback groep of cirkel die iedere twee maanden terugkomt?

Ja. We hebben hem vorig jaar gespeeld zegmaar en dan wacht je weer een tijdje anders worden mensen enr moe van en dan zal hij nu volgend schooljaar ook weer een keer gespeeld worden en dan krijg je een zelfde cyclus maar dan met andere vragen.

Dan is mijn volgende vraag uhh ja zijn er uhh eigenlijk andere dingen waar jullie nog kosten voor gemaakt hebben en hebben jullie daarvoor een speciaal budget opgesteld of is daar verder niet voer gesproken in jullie organisatie?

Nou er is nu in ieder geval een budget opgenomen voor de FG, dat is gebeurd. Ik ben deels aangesteld om me daar ook mee bezig te houden ja. Dus daar zijn middelen voor gereserveerd en voor de awareness campagne is een reservering gemaakt en dan houdt het denk ik op.

Oke dus voor bepaalde specifieke onderdelen zijn reserveren gemaakt? Is er ook een maximum gesteld.

Ja, nee er is geen maximum gesteld volgens mij, maar we doen wat nodig is. Als er echt iets is dat nodig is en we moeten dat opvullen dan wordt dat gedaan en worden er middelen vrijgemaakt.

Is dat ook met het oog op het feit dat jullie niet meer willen besteden dan nodig is?

Ja, dat is een juiste constatering. **We want to do what we have to do and invest what we need to invest, but not more than that.**

Oke, dan uhh u geeft aan als uhh u de strategie zou moeten beschrijven of de manier waarop jullie omgaan met de AVG dan zegt u o.a. dat jullie de balans zoeken tussen de belangen van de verschillende partijen en proberen to een compromis te komen? Heeft u hier misschien een voorbeeld van?

Nou ja pak een goed compromis de bewerkers overeenkomst met microsoft. WE hebben een landelijk model voor de MBO's dat is uit onderhandeld dat heb je nou met pakweg 300 partijen dus we zitten nu in een convenant en een model bewerkers overeenkomst hebben we met bijlages daarbij en die is door 300 partijen ondertekend. Als je dus mee doet in dat convenant dan wordt er niet meer gepraat over de artikelen. Dat is de hoofd overeenkomst of je de artikelen van de AVG erin hebt en hoe je ermee wenst om te gaan en in bijlage 1 worden de privacy bijsluiters en de voorwaarden beschreven en daar vragen wij dan meer verdieping van de leverancier en Microsoft heeft een uhh eigen privacy statement zeg maar. En dat komt heel dicht bij dat van ons maar niet helemaal dus daar hebben we dan op een gegeven moment gezegd wat is maximaal onderhandelbaar en op een paar puntjes voldoen zij dan niet of niet helemaal aan wat wij dan willen, maar dat is dan zo'n grote partij dat we die compromis dan toch nemen, we gaan hun toch niet in beweging krijgen.

Een ander voorbeeld kan zijn van nou goed ja conform de Wbp moet je uhh een lagging kunnen maken een autorisatie in een pakket. Als het pakket dat nog niet heeft dan moet je keuzes maken. Stel we gaan er mee door en dan moet je dat beschrijven of je zegt van ja we

gaan stoppen met die partij. En dan kom je dus vaak tot een compromis van ja dit en dit moet echt wel geregeld worden, zoals two factor authenticatie voor medische dossiers en heel partijen hebben dat nog niet of en manier die jij niet wil ja dan moet je daar een compromis over maken. We hebben het meegemaakt een concreet voorbeeld. Iedereen kan twee factor inloggen of niemand. En die two factor wil je voor sommige dingen wel, maar je wilt bijvoorbeeld niet dat studenten met two factor moeten inloggen want dat is heel onhandig voor hen.

Ja precies. Dus daar zijn jullie nu ook mee bezig?

Ja, en die compromis tref je dan met de leverancier en ook intern met de organisatie want je moet dat risico aankaarten en dan moeten er keuzes gemaakt worden op bestuursniveau.

Zijn er verder nog andere compromis?

Ja, nou, niet echt, of je komt op een stukje proportionaliteit. For example you cannot expect an organization with a turnover of say 1 million to implement measures in say IT that cost 100 thousand euro. Then you'll have to look again and check what is possible for such an organization and you do what you can, that is the compromise. Dat moet je dan goed beschrijven en dat doen we dan ook, dus dan zeggen we wat we wel gedaan hebben.

Denkt u ook dat dat komt door de complexiteit van de wet? Dat de wet misschien te snel aangenomen is en dat ze niet goed weten welke consequenties dit heeft gehad voor bestaande wetten en instanties.

Ik denk eerder dat het probleem re in zit dat de het hem zit in de handhaving en dat er veel meer bevoegdheden zijn nu bij de AP in het kader van boetes uitdeelden en noem maar op dat is een heel ander punt nu. Ja kijk en misschien dat organisaties dus eerst niet echt compliant aan de Wbp waren want er waren geen boetes maar als je uuh ja van ja het begin af aan al compliant had gewerkt dat had je nu minder werk met aanpassen.

Oke ja, ik denk dat ik dan door mij vragen heen ben, dan wil ik u hartelijk bedanken voor uw tijd.

Ja, jij ook bedankt en graag gedaan, veel succes met het afronden van je scriptie.

Appendix 3: Data cleaning process

Before the quantitative data could be analyzed it had to be cleaned to make it operable. In this section the process of data cleaning is described in full, the starting point is the mother database that is send along with this research thesis. This database starts with 41 responses.

Incomplete responses

The first step is to filter out the responses that were not from the sample and the response that are incomplete. To test the operability of the survey and its data 3 test responses were given to the survey to see how the data would form in an SPSS file, these 3 responses were since deleted resulting in 38 responses left. Next, there were some responses that were incomplete that had to be deleted. A response was considered ‘incomplete’ when the respondent; a) did not answer any question, b) did not fully answer part one or c) did not fully answer part two. There were a few exceptions. A exception was made for question 1: *‘What is the name of your organization’* since this question was merely for administrative purposes to check which schools did already complete to survey and which had to be send a reminder. Another exception is made for the respondents that answered every question except question 3: *‘How many students does your organization have during the educational year 2017-2018?’* and/or question 4: *‘How many employees does your organization have during the educational year 2017-2018?’* and/or question 12: *‘How many hours a month are reserved for the people responsible for the processes concerning the GDPR?’*. These responses could still be used for a great number of parts of the analysis, with exception to the parts that involved analyzing the differences in strategic response between schools based on their size in number of students and/or employees and the amount of hours per month reserved for the GDPR were therefore not deleted. In total there were 8 responses that were deemed ‘incomplete’, those were since deleted resulting in 30 responses that were deemed complete.

Compatibility with SPSS

The second step was to check if all the answers entered were compatible with SPSS in terms of format and writing style. The original answers to these questions and further questions that had answers cleaned are shown in Appendix 4. This is done to give the reader insight in the process of data cleaning and to ensure that that no human errors were made during the data cleaning process. The end result after data cleaning was compared to the mother database to ensure that the answers of the respondents were still the very same.

For example, questions 3 and 4 asked the respondent to fill in the number of students and employees respectively. Some respondents did not only put the number but used terms to define proximity like ‘~’, ‘ca’, ‘ong’, and ‘fte’. To be able to use the data from these questions the original answers, shown in Appendix 4, number 1 and 2, were rewritten into a single number. These rewritings are manual actions performed by the researcher.

Another question that faced similar problems was question 12: *‘How many hours a month are reserved for the people responsible for the processes concerning the GDPR?’*. This is again due to the fact that the respondents were able to give a small textual answer and not every respondent did answer with a straight numerical answer. The original answers, shown in Appendix 4, number 3, are rewritten into numerical answers wherever possible, for example ‘1 day a week’ was rewritten to ‘32’ showing the hours a month like the rest of the answers. Textual answers that did not indicate a numerical answer were also rewritten and grouped to fit the same style. For example ‘No budget reserved’ and ‘None’ were both rewritten to ‘No budget reserved’. Also, ‘?’ and ‘Unknown’ were rewritten to ‘Unknown’. Furthermore, there were 3 respondents that left this question blank. One of them answered ‘No’ at question 11, meaning that there was no responsible person appointed, his blank answer was therefore rewritten to ‘0’ because 0 hours have been reserved. Since the other two left the question blank the answers were treated as if they were ‘Unknown’. This resulted in 22 answers that are numerical and 8 answers that are not. Therefore only the 22 cases that have a numerical answer can be used when calculating descriptive statistics using SPSS and when researching differences between schools, however the other answers are viable and therefore useable in the analysis.

Checking open answers

The final step was to check the questions that had an answer option ‘Other, namely: ...’. This answer gave respondents the option to give their own answer other than the preselected multiple choice by putting a small text. This was the case for the questions 7, 8, 15, 16, 20, 21, 25 and 26. The completeness of these answers was checked by comparing the number of times the option ‘Other, namely: ...’ was selected with the number of total answer that were given in text for the different questions. An example is shown in Appendix 4, number 4, showcasing that for question 7, 14 respondents selected the option ‘Other, namely: ...’ and there were also 14 textual reactions. This was also the case for the other mentioned question, which meant that the data was considered complete.

Appendix 4: SPSS output original answers

In this appendix the SPSS output used in the research thesis is shown. It concerns SPSS output tables, graphs and other figures that is generated using SPSS and the cleaned database. All these tables, graphs and others figures are not shown in the main body of this research paper because they do not directly add to the understandability and readability of the research paper. All these figures are named in the main body for different reasons and are recorded in this appendix for readers to follow the process and reasoning of the researcher in using the qualitative database in aid of analyzing the data.

1: Original answers to survey question 3 (translated to English)

How many students does your organization have during the educational year 2017-2018?

	Frequenc y	Percent	Valid Percent	Cumulative Percent
Valid	7	17,1	17,1	17,1
~5600	1	2,4	2,4	19,5
1000	2	4,9	4,9	24,4
10000	1	2,4	2,4	26,8
11000	1	2,4	2,4	29,3
1256	1	2,4	2,4	31,7
1304	1	2,4	2,4	34,1
1328	1	2,4	2,4	36,6
1375	1	2,4	2,4	39,0
14000	1	2,4	2,4	41,5
1773	1	2,4	2,4	43,9
1800	1	2,4	2,4	46,3
1850	1	2,4	2,4	48,8
1872	1	2,4	2,4	51,2
1997	1	2,4	2,4	53,7
2000	1	2,4	2,4	56,1
2011	1	2,4	2,4	58,5
2100	1	2,4	2,4	61,0
220	1	2,4	2,4	63,4
2241	1	2,4	2,4	65,9
2250	1	2,4	2,4	68,3

2300	1	2,4	2,4	70,7
2484	1	2,4	2,4	73,2
2650	1	2,4	2,4	75,6
2683	1	2,4	2,4	78,0
2700	1	2,4	2,4	80,5
2833	1	2,4	2,4	82,9
3000	1	2,4	2,4	85,4
3300	1	2,4	2,4	87,8
3400	1	2,4	2,4	90,2
600	1	2,4	2,4	92,7
62.000	1	2,4	2,4	95,1
ca 1445	1	2,4	2,4	97,6
ong 2200	1	2,4	2,4	100,0
Total	41	100,0	100,0	

2: Original answers to survey question 4 (translated to English)

How many employees does your organization have during the educational year 2017-2018?

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	5	12,2	12,2	12,2
~600	1	2,4	2,4	14,6
100	1	2,4	2,4	17,1
1000	1	2,4	2,4	19,5
1007	1	2,4	2,4	22,0
118	1	2,4	2,4	24,4
120	1	2,4	2,4	26,8
1250	1	2,4	2,4	29,3
1323	1	2,4	2,4	31,7
150	3	7,3	7,3	39,0
163	1	2,4	2,4	41,5
175	1	2,4	2,4	43,9
194 fte	1	2,4	2,4	46,3
200	1	2,4	2,4	48,8
2000	1	2,4	2,4	51,2
220	1	2,4	2,4	53,7
225	1	2,4	2,4	56,1

230	1	2,4	2,4	58,5
250	1	2,4	2,4	61,0
260	1	2,4	2,4	63,4
275	1	2,4	2,4	65,9
280	1	2,4	2,4	68,3
292	1	2,4	2,4	70,7
300	1	2,4	2,4	73,2
302	1	2,4	2,4	75,6
325	1	2,4	2,4	78,0
330	1	2,4	2,4	80,5
340	1	2,4	2,4	82,9
342	1	2,4	2,4	85,4
350	1	2,4	2,4	87,8
375	1	2,4	2,4	90,2
4500	1	2,4	2,4	92,7
47	1	2,4	2,4	95,1
7.000	1	2,4	2,4	97,6
ca 194	1	2,4	2,4	100,0
Total	41	100,0	100,0	

3: Original answers to survey question 12 (translated to English)

How many hours a month are reserved for the people responsible for the processes concerning the GDPR?

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	3	10,0	10,0	10,0
?	1	3,3	3,3	13,3
0,2 fte	1	3,3	3,3	16,7
1 day a week	1	3,3	3,3	20,0
1 fte	1	3,3	3,3	23,3
10	2	6,7	6,7	30,0
14	1	3,3	3,3	33,3
156	1	3,3	3,3	36,7
16	2	6,7	6,7	43,3
20	1	3,3	3,3	46,7
4	5	16,7	16,7	63,3
40	1	3,3	3,3	66,7
48	1	3,3	3,3	70,0
50	1	3,3	3,3	73,3
64	1	3,3	3,3	76,7
80	1	3,3	3,3	80,0

None	1	3,3	3,3	83,3
No budget reserved	1	3,3	3,3	86,7
Unkown	1	3,3	3,3	90,0
Estimated 6 hours a week, 24 a month	1	3,3	3,3	93,3
Decided by the board	1	3,3	3,3	96,7
As many as needed.	1	3,3	3,3	100,0
Total	30	100,0	100,0	

There were 3 respondents that left this question blank. One of them answered 'No' at question 11, meaning that there was no responsible person appointed. Since the other two left the question blank the answers were treated as if they were 'Unknown'.

4: Original answers to survey question 7 (translated to English)

Which of the following stakeholders have pressured your organization in responding to the new GDPR? - Selected Choice

Other, namely:

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Other, namely:	14	46,7	100,0	100,0
Missing System	16	53,3		
Total	30	100,0		

Which of the following stakeholders have pressured your organization in responding to the new GDPR? - Selected Choice

Other, namely: Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	16	53,3	53,3	53,3
Board of the school	1	3,3	3,3	56,7
Board of the school (...)	1	3,3	3,3	60,0
The board and our own ambitions	1	3,3	3,3	63,3

Society in general	1	3,3	3,3	66,7
The media	1	3,3	3,3	70,0
The media and commercial organization jumping on the topic	1	3,3	3,3	73,3
The board and direction of the umbrella organization	1	3,3	3,3	76,7
Own organization	1	3,3	3,3	80,0
It is seen as our duty as a school to comply with the GDPR	1	3,3	3,3	83,3
The minister	1	3,3	3,3	86,7
The organization it self: comply with law and regulation	1	3,3	3,3	90,0
Partners	1	3,3	3,3	93,3
Secondary education council and board of umbrella organization OMO	1	3,3	3,3	96,7
We want to organize it well for ourselves	1	3,3	3,3	100,0
Total	30	100,0	100,0	

5. Strategy described as 'Acquiesce': Original answers to survey question 8, textual answers (translated to English)

Which motives did your organization have to take steps in reaction on the AVG? – Other, namely:

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	11	61,1	61,1	61,1
Governmental coercion	1	5,6	5,6	66,7
Good practice	1	5,6	5,6	72,2
Protection the privacy of students and employees	1	5,6	5,6	77,8
We value privacy	1	5,6	5,6	83,3
Imposed by the school board	1	5,6	5,6	88,9
Privacy has always been of priority	1	5,6	5,6	94,4
Society expects us to deal with privacy sensitive information in a responsible way.	1	5,6	5,6	100,0
Total	18	100,0	100,0	

6. Strategy described as 'Compromise': Original answers to survey question 8, textual answers (translated to English)

Which motives did your organization have to take steps in reaction on the AVG? – Other, namely:

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Missing	7	63,6	63,6	63,6

Protecting the students and their personal information	1	9,1	9,1	72,7
The opportunity to actualize our processes and protocols	1	9,1	9,1	81,8
Apply the law with the progress of education in might, their should be no constraints, it has to be workable	1	9,1	9,1	90,9
The importance of privacy	1	9,1	9,1	100,0
Total	11	100,0	100,0	

Appendix 5: SPSS outfit independent-samples *t*-test

In this appendix the original output figures of the independent-samples *t*-test are shown.

T-test outcomes regarding 'Size'

Figure 1: Output independent-samples *t*-test, effect of 'Size' based on number of students on 'Compliance score'.

Group Statistics 'Size' number of students										
Grouping variable size students		N	Mean	Std. Deviation	Std. Error Mean					
Compliance score	Small number of students	22	4,45	,739	,157					
	Large number of students	6	4,83	,408	,167					

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Compliance score	Equal variances assumed	3,057	,092	-1,196	26	,242	-,379	,317	-1,030	,272
	Equal variances not assumed			-1,652	15,054	,119	-,379	,229	-,867	,110

Figure 2: Output independent-samples *t*-test, effect of 'Size' based on number of students on 'Level of compliance'.

Group Statistics 'Size' students										
Grouping variable size students		N	Mean	Std. Deviation	Std. Error Mean					
Level of compliance	Small number of students	22	4,95	1,397	,298					
	Large number of students	6	6,67	1,211	,494					

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Level of compliance	Equal variances assumed	,190	,666	-2,728	26	,011	-1,712	,628	-3,002	-,422
	Equal variances not assumed			-2,967	9,002	,016	-1,712	,577	-3,018	-,407

Figure 3: Output independent-samples *t*-test, effect of ‘Size’ based on number of employees on ‘Compliance score’.

Group Statistics 'Size' employees										
		Grouping variable size employees		N	Mean	Std. Deviation	Std. Error Mean			
Compliance score	Small number of employees			22	4,45	,739	,157			
	Large number of employees			8	4,75	,463	,164			

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Compliance score	Equal variances assumed	1,969	,172	-1,052	28	,302	-,295	,281	-,871	,280
	Equal variances not assumed			-1,301	20,190	,208	-,295	,227	-,769	,178

Figure 4: Output independent-samples *t*-test, effect of ‘Size’ based on number of employees on ‘Level of compliance’.

Group Statistics 'Size' employees										
		Grouping variable size employees		N	Mean	Std. Deviation	Std. Error Mean			
Level of compliance	Small number of employees			22	4,95	1,397	,298			
	Large number of employees			8	5,75	1,982	,701			

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Level of compliance	Equal variances assumed	1,427	,242	-1,232	28	,228	-,795	,646	-2,118	,527
	Equal variances not assumed			-1,045	9,651	,322	-,795	,761	-2,500	,909

Figure 5: Output independent-samples *t*-test, effect of ‘Size’ based on number of students per employee on ‘Compliance score’.

Group Statistics 'Size' students per employee										
Grouping variable size students per employee		N	Mean	Std. Deviation	Std. Error Mean					
Compliance score	Less students per employee	14	4,29	,825	,221					
	More students per employee	14	4,79	,426	,114					

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Compliance score	Equal variances assumed	3,155	,087	-2,014	26	,054	-,500	,248	-1,010	,010
	Equal variances not assumed			-2,014	19,462	,058	-,500	,248	-1,019	,019

Figure 6: Output independent-samples *t*-test, effect of ‘Size’ based on number of students per employee on ‘Level of compliance’.

Group Statistics 'Size' students per employee										
Grouping variable size students per employee		N	Mean	Std. Deviation	Std. Error Mean					
Level of compliance	Less students per employee	14	5,00	1,519	,406					
	More students per employee	14	5,64	1,499	,401					

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Level of compliance	Equal variances assumed	,008	,930	-1,127	26	,270	-,643	,570	-1,815	,530
	Equal variances not assumed			-1,127	25,995	,270	-,643	,570	-1,815	,530

T-test outcomes regarding 'Market scope'

Figure 7: Output independent-samples *t*-test, effect of 'Market scope' on 'Compliance score'.

Group Statistics 'Market scope'

Grouping variable market scope		N	Mean	Std. Deviation	Std. Error Mean
Compliance score	Narrow market scope	8	4,25	1,035	,366
	Broad market scope	22	4,64	,492	,105

Independent Samples Test

		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Compliance score	Equal variances assumed	4,010	,055	-1,396	28	,174	-,386	,277	-,953	,181
	Equal variances not assumed			-1,015	8,181	,339	-,386	,381	-1,261	,488

Figure 8: Output independent-samples *t*-test, effect of 'Market scope' on 'Level of compliance'.

Group Statistics 'Market scope'										
		Grouping variable market scope	N	Mean	Std. Deviation	Std. Error Mean				
Level of compliance	Narrow market scope		8	4,50	1,604	,567				
	Broad market scope		22	5,41	1,532	,327				
Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Level of compliance	Equal variances assumed	,118	,734	-1,420	28	,167	-,909	,640	-2,220	,402
	Equal variances not assumed			-1,389	11,981	,190	-,909	,654	-2,335	,517

T-test outcomes regarding 'Time'

Figure 9: Output independent-samples *t*-test, effect of 'Time' on 'Compliance score'.

Group Statistics										
Grouping variable adoption score		N	Mean	Std. Deviation	Std. Error Mean					
Compliance score	Early adopters	17	4,41	,795	,193					
	Late adopters	13	4,69	,480	,133					

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Compliance score	Equal variances assumed	2,031	,165	-1,122	28	,271	-,281	,250	-,793	,231
	Equal variances not assumed			-1,197	26,782	,242	-,281	,234	-,762	,201

Figure 10: Output independent-samples *t*-test, effect of 'Time' on 'Compliance score'.

Group Statistics 'Adoption score'										
Grouping variable adoption score		N	Mean	Std. Deviation	Std. Error Mean					
Level of compliance	Early adopters	17	4,71	1,404	,340					
	Late adopters	13	5,77	1,641	,455					

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Level of compliance	Equal variances assumed	,458	,504	-1,911	28	,066	-1,063	,556	-2,203	,076
	Equal variances not assumed			-1,871	23,638	,074	-1,063	,568	-2,237	,111