

# **CODE OF CONDUCT**

**September 2005**

## **INTRODUCTION**

### **The Market Research Society (MRS)**

With members in more than 70 countries, MRS is the world's largest association representing providers and users of market, social, and opinion research, and business intelligence.

MRS serves both individuals and organisations who identify with its core values of professionalism, excellence, and effectiveness.

It has a diverse membership of individual researchers within agencies, independent consultancies, client-side organisations, the public sector and the academic community – at all levels of seniority and in all job functions.

MRS Company Partners include agencies, suppliers, and buyers of all types and sizes who are committed throughout their organisations to supporting the core MRS values.

All individual members and Company Partners agree to self-regulatory compliance with the MRS Code of Conduct. Extensive advice to support this commitment is provided by MRS through its Codeline service and by publication of a wide range of specialist guidelines on best practice.

MRS offers various qualifications and membership grades, as well as training and professional development resources to support them. It is the official awarding body in the UK for vocational qualifications in market research.

MRS is a major supplier of publications and information services, conferences and seminars, and many other meeting and networking opportunities for researchers.

MRS is “the voice of the profession” in its media relations and public affairs activities on behalf of professional research practitioners, and aims to achieve the most favourable climate of opinion and legislative environment for research.

### **The Code of Conduct**

#### **This edition:**

This edition of the Code of Conduct was agreed by MRS to be operative from 1<sup>st</sup> December 2005.

It is a fully revised version of a self-regulatory Code which has been in existence since 1954.

#### **Who it applies to:**

All Members of the MRS must comply with this Code. It applies to all Members, whether they are engaged in consumer, business to business, social, opinion, international or any other type of confidential research project.

It applies to all Members irrespective of the sector or methodologies used e.g. quantitative, qualitative, mystery shopping.

It also applies to MRS Members when conducting non-market research exercises using research techniques e.g. database building or research projects which are used for purposes other than research. More detail about these activities can be found in the guidelines *Using Research Techniques for Non-Research Purposes* and clause B48.

Additionally MRS Company Partner organisations are required to take steps to ensure that all individuals employed or engaged by them (whether MRS Members or not) comply with this Code as if they were MRS Members.

### **The purpose of the Code:**

The Code of Conduct is designed to support all those engaged in market, social or opinion research in maintaining professional standards.

The Code is also intended to reassure the general public and other interested parties that research is carried out in a professional and ethical manner.

### **The principles of the Code:**

These are the core principles of the MRS Code of Conduct which are based upon the ESOMAR principles (visit [www.esomar.org](http://www.esomar.org) for more details):

1. Market researchers will conform to all relevant national and international laws.
2. Market researchers will behave ethically and will not do anything which might damage the reputation of market research.
3. Market researchers will take special care when carrying out research among children and other vulnerable groups of the population.
4. Respondents' cooperation is voluntary and must be based on adequate, and not misleading, information about the general purpose and nature of the project when their agreement to participate is being obtained and all such statements must be honoured.
5. The rights of respondents as private individuals will be respected by market researchers and they will not be harmed or disadvantaged as the result of cooperating in a market research project.
6. Market researchers will never allow personal data they collect in a market research project to be used for any purpose other than market research.
7. Market researchers will ensure that projects and activities are designed, carried out, reported and documented accurately, transparently, objectively and to appropriate quality.

8. Market researchers will conform to the accepted principles of fair competition.

### **The structure of the Code:**

Section A of the Code sets out general rules of professional conduct.

Section B of the Code sets out more specific rules of professional conduct as they apply in different aspects of research.

The Appendix sets out the ICC/ESOMAR International Code of Marketing and Social Research Practice.

All MRS Members must adhere to the rules in Sections A and B of the Code.

### **MRS Guidelines and Regulations**

A full list of guidelines, which provide additional best practice guidance, appear on the Society's website [www.mrs.org.uk](http://www.mrs.org.uk). Unless otherwise stated these guidelines are not binding. Binding guidelines currently in force are as follows:

1. MRS guidance on data protection (which has been written and agreed with the regulator, the Information Commissioner's Office) is binding on Members (except those that are published as consultative drafts).
2. *MRS Guidance Note on Prize Draws* which is based on other self-regulatory rules.

MRS regulations, including those for using research techniques for non-research purposes (which are detailed in a separate document), are binding on Members.

### **MRS Disciplinary Regulations**

Under the MRS Disciplinary Regulations, membership may be withdrawn or other disciplinary action taken, if a Member is deemed guilty of unprofessional conduct. This is defined as a Member:

- a) being guilty of any act or conduct which, in the opinion of a body appointed by Council, might bring discredit on the profession, the professional body or its Members; or
- b) being found by a body appointed by Council to be guilty of any breach of the rules set out in Sections A and/or B of this Code of Conduct; or
- c) being found by a body appointed by Council to be guilty of any breach of the provisions set out in any MRS binding guideline laid down from time-to-time by the Council; or
- d) being found by a body appointed by Council to be guilty of any breach of any other regulations laid down from time-to-time by Council; or
- e) failing without good reason to assist the professional body in the investigation of a complaint; or
- f) in the absence of mitigating circumstances having become bankrupt or having made any arrangement or composition with his/her creditors; or
- g) being found to be in breach of the Data Protection Act 1998 or other comparable legislation applicable outside the UK. Or being found, by a body appointed by Council, to have infringed

any of the 8 data protection principles set out in the Act or similar provisions set out in comparable legislation outside the UK.

Note that where more than one MRS Member is involved in a matter under complaint, whilst the MRS reserves the right to proceed with an investigation and other relevant processes against all such Members under its Disciplinary Regulations, it will usually apply its discretion to proceed only against the most senior MRS Member(s) involved.

## **General**

It is the responsibility of Members to keep themselves updated on changes or amendments to any part of this Code which are published from time to time and announced in publications and on the web pages of the Society. If in doubt about the interpretation of the Code, members may consult the MRS Market Research Standards Board via its Codeline Service which deals with MRS Code enquiries and advises on best practice.

The MRS Code of Conduct does not take precedence over national law. Members responsible for international research shall take its provisions as a minimum requirement and fulfil any other responsibilities set down in law or by nationally agreed standards.

## **Definitions for the Purposes of the MRS Code of Conduct**

### ***Agency:***

Agency includes any individual, organisation, department or division, including any belonging to the same organisation as the Client which is responsible for, or acts as, a supplier on all or part of a research project.

### ***Children:***

Children are defined as those aged under 16. See Section B for full details about children.

### ***Client:***

Client includes any individual, organisation, department or division, including any belonging to the same organisation as the Member, which is responsible for commissioning or applying the results from a research project.

### ***Company Partner:***

An organisation with MRS Members that has signed the MRS Company Partner Service Quality Commitment which applies throughout the organisation.

### ***Confidential Research:***

Confidential research describes research projects which are for the purposes of research (as defined below) and do not disclose personal details at an identifiable level.

### ***Consultant:***

Any individual or organisation that provides research services. Consultants can also be a sub-contractor in the research relationship.

### ***Identity:***

The identity of a Respondent includes, as well as his/her name and/or address, any other information which offers a reasonable chance that he/she can be identified by anyone who has access to the information.

### ***Interview:***

An interview is any form of contact intended to obtain information from a Respondent or group of Respondents.

**Interviewer:**

Person involved in the collection of data for market, opinion and social research purposes.

**Member:**

A Member is an individual who has been admitted to membership of the MRS in one of the five categories set out in Article 3 of the Articles of Association (i.e. Nominated Members, Full Members, Associate Members, Affiliate Members and Field Members).

**Mystery Shopping:**

Mystery shopping or Mystery customer research are the same activity and can be defined as: The use of individuals trained to experience and measure any customer service process, by acting as potential customers and in some way reporting back on their experiences in a detailed and objective way.

**The Profession:**

The profession is the body of research practitioners and others engaged in (or interested in) marketing, social and opinion research

**Professional body:**

Professional body refers to MRS.

**Public place:**

A public place is one to which the public has access (where admission has been gained with or without a charge) and where an individual could reasonably expect to be observed and/or overheard by other people, for example in a shop, in the street or in a place of entertainment.

**Publication:**

The communication of information to the public.

**Recruiter:**

Person who identifies and invites Respondents to participate in a research project.

**Research:**

Research is the collection and analysis of data from a sample or census of individuals or organisations relating to their characteristics, behaviour, attitudes, opinions or possessions. It includes all forms of market, opinion and social research such as consumer and industrial surveys, psychological investigations, qualitative interviews and group discussions, observational, ethnographic, and panel studies.

**Records:**

The term records includes anything containing information relating to a research project and covers all data collection and data processing documents, audio and visual recordings. Primary records are the most comprehensive record of information on which a project is based; they include not only the original data records themselves, but also anything needed to evaluate those records, such as quality control documents. Secondary records are any other records about the Respondent and the research results.

***Respondent:***

A Respondent is any individual or organisation from or about whom data is collected or is approached for interview.

***Responsible Adult:***

An individual who has personal accountability for the well-being of a child, for example a parent, guardian, teacher, nanny or grandparent. See Section B for full details about children.

***Sub-contractor:***

Any individual or organisation that undertakes a part of a research project under the instruction of the Member (self-employed interviewers are not defined as sub-contractors for the purpose of this Code).

## **Introduction to Sections A and B**

Sections A and B below set out rules of professional conduct.

Section A sets out general rules.

Section B sets out more specific rules as they apply in different aspects of research.

All rules set out in Sections A and B must be observed and adhered to by all MRS Members with any involvement, or with any responsibility, at any level in a matter. This means that more than one MRS Member might be in breach of a rule in respect of the same matter.

Note that where more than one MRS Member is involved in a matter under complaint, whilst the MRS reserves the right to proceed with an investigation and other relevant processes against all such Members under its Disciplinary Regulations, it will usually apply its discretion to proceed only against the most senior MRS Member(s) involved.

All MRS Members should be aware that if found under the MRS Disciplinary Regulations to be in breach of any of the rules in Sections A and/or B of this Code, he/she will be deemed guilty of unprofessional conduct and disciplinary action may be taken against him/her.

For further information about the MRS disciplinary procedure, MRS Members are referred to the relevant section in the Introduction to this Code and to the Disciplinary Regulations themselves (which are available on [www.mrs.org.uk](http://www.mrs.org.uk))

Participant in the MRS Company Partner Service are also required, in accordance with the terms of the Service, to take steps to ensure that the Code of Conduct is adhered to by all individuals employed or engaged by them (whether MRS Members or not). (The rules of this service are detailed in the Company Partner Quality Commitment.)

## Section A: General Rules of Professional Conduct

- A1 Research must conform to the national and international legislation relevant to a given project including in particular the Data Protection Act 1998 or other comparable legislation applicable outside the UK.
- A2 Members must take reasonable steps to avoid conflicts of interest with Clients or employers and must make prior voluntary and full disclosure to all parties concerned of all matters that might give rise to such conflict.
- A3 Members must act honestly in dealings with Respondents, Clients (actual or potential), employers, employees, sub-contractors and the general public.
- A4 The use of letters after an individual's name to indicate membership of MRS is permitted only in the case of Fellows (FMRS), Full Members (MMRS) and Associate Members (AMRS). These letters must not be used by any individual not admitted in any of these MRS categories of membership.

*Comment: All MRS members may point out, where relevant, that they belong to the appropriate category of the professional body.*

- A5 Members must not speak or imply that they speak on behalf of MRS unless they have the written authority of Council or of some duly delegated individual or committee.
- A6 Members must not make false claims about their skills and experience or those of their organisation.
- A7 Members must take reasonable steps to ensure that others do not breach or cause a breach of this Code.

*Comment: This includes:*

*Members taking reasonable steps to ensure that the people with whom they work (including other Members, non-member research practitioners, colleagues, Clients, consultants, sub-contractors) are sufficiently familiar with this Code that they are unlikely to breach or cause it to be breached unknowingly or unintentionally, and*

*Members with responsibility for implementing processes, procedures and contracts, taking reasonable steps to ensure that they are such that this Code is unlikely to be breached or caused to be breached by others unknowingly or unintentionally.*

- A8 Members must not act in a way which might bring discredit on the profession, MRS or its Members.

- A9 Members must not disparage or unjustifiably criticise other Members or other non-member researchers.
- A10 Members must take all reasonable precautions to ensure that Respondents are not harmed or adversely affected as a result of participating in a research project.

## **Section B: Rules of Professional Conduct Applicable to Research**

**This section relates to specific aspects of work commonly carried out by MRS Members and other research practitioners.**

**Some of the rules in this section are legal requirements. Members should be aware that this Code does not cover all relevant legislative requirements of Members and it is the responsibility of all Members to familiarise themselves with these. Members should be aware in particular that breaches of the Data Protection Act 1998 or other comparable legislation outside the UK is a ground for disciplinary action under MRS Disciplinary Regulations.**

### **Designing and Setting up a Research Project**

- B1 Members must not knowingly take advantage, without permission, of the unpublished work of another research practitioner which is the property of that other research practitioner.
- Comment: This means, where applicable, that Members must not knowingly carry out or commission work based on proposals prepared by a research practitioner in another organisation unless permission has been obtained.*
- B2 All written or oral assurances made by any Member involved in commissioning or conducting projects must be factually correct and honoured by the Member.
- B3 Members must take reasonable steps to design research to the specification agreed with the Client.
- B4 Members must take reasonable steps to design research which meets the quality standards agreed with the Client.
- B5 Members must take reasonable steps to ensure that the rights and responsibilities of themselves and Clients are governed by a written contract and/or internal commissioning contract.
- B6 Members must not disclose the identity of Clients or any confidential information about Clients without the Client's permission unless there is a legal obligation to do so.

#### *Use of Client Databases, Lists and Personal Contact Details*

- B7 Where lists of named individuals are used e.g. Client databases, the list source must be revealed at an appropriate point in the interview, if requested. This overrides the right to Client anonymity.

### *Respondents' Rights to Anonymity*

B8 The anonymity of Respondents must be preserved unless they have given their informed consent for their details to be revealed or for attributable comments to be passed on.

*Comment: Members must be particularly careful if sample sizes are very small (such as in business and employee research) that they do not inadvertently identify organisations or departments and therefore individuals.*

B9 If Respondents have given consent for data to be passed on in a form which allows them to be personally identified, Members must:

- demonstrate that they have taken all reasonable steps to ensure that it will only be used for the purpose for which it was collected and
- fully inform Respondents as to what will be revealed, to whom and for what purpose.

B10 If Respondents request individual complaints or unresolved issues to be passed back to a Client (for example in customer satisfaction research), Members must comply with that request. The comments/issues to be passed back to a Client must be agreed with the Respondent and must not be linked back to any other data or used for any other purpose without the explicit consent of the Respondent.

### *Re-interviewing Respondents*

B11 A follow up interview with a Respondent can be carried out only if the Respondent's permission has been obtained at the previous interview. The only exception to this is re-contact for quality control purposes.

B12 Any re-contact must match the assurances given to Respondents at the time that permission was gained e.g. when re-contact was to occur, the purpose and by whom.

B13 Respondent details must not be passed on to another third party for research or any other purposes without the prior consent of the Respondent. The only exception to this is if the Client is the Data Controller of the Respondent data.

### **Designing the Questionnaire**

B14 Members must take reasonable steps to ensure all of the following:

- that questions are fit for purpose and Clients have been advised accordingly
- that the design and content of questionnaires are appropriate for the audience being researched;
- that Respondents are able to answer the questions in a way that reflects the view they want to express;

- that Respondents are not led towards a particular answer;
- that answers are capable of being interpreted in an unambiguous way;
- that personal data collected is relevant and not excessive.

## **Preparing for Fieldwork**

### *Communicating with Respondents*

- B15 If there is to be any recording, monitoring or observation during an interview, Respondents must be informed about this both at recruitment and at the beginning of the interview.
- B16 Members must not knowingly make use of personal data collected illegally.

## **Fieldwork**

- B17 Respondents must not be misled when being asked for cooperation to participate in a research project.
- B18 A Respondent's right to withdraw from a research project at any stage must be respected.
- B19 Members must ensure that Respondents are able to check without difficulty the identity and bona fides of any individual and/or their employer conducting a research project (including any sub-contractors).
- B20 For telephone and face to face interviews, calls must not be made to a household (local time) before 9am weekdays and Saturdays, 10am Sundays or after 9pm any day, unless by appointment.
- B21 Members must ensure that all of the following are clearly communicated to the Respondent:
- the name of the interviewer (an Interviewer's Identity Card must be shown if face to face);
  - an assurance that the interview will be carried out according to the MRS Code of Conduct;
  - the general subject of the interview;
  - the purpose of the interview;
  - if asked, the likely length of the interview;
  - any costs likely to be incurred by the Respondent.
- B22 Respondents (including employees in employee research) must not be unduly pressurised to participate.

- B23 Members must delete any responses given by the Respondent, if requested, and if this is reasonable and practicable.
- B24 Recruiters/ interviewers must not reveal to any other Respondents the detailed answers provided by any Respondent or the identity of any other Respondent interviewed.

#### *Incentives*

- B25 Where incentives are offered, Members must clearly inform the Respondent who will administer the incentive.

*Comment: Incentives need not be of a monetary nature to be acceptable to a Respondent as a token of appreciation.*

*With the Client's permission, an offer to supply the Respondent with a brief summary report of the project's findings can sometimes prove a better alternative encouragement to participate in a research project. Other alternatives are for example:*

- *Charity donations*
- *Non-monetary gifts*
- *Prize draws (for Prize draws the rules, as detailed in the MRS Prize Draws Guidance Note, must be adhered to.)*

#### *Children*

*Comment: The intention of the following provisions regarding the age of Respondents is to protect children who are potentially vulnerable members of society and to strengthen the principle of public trust.*

- B26 Consent of a parent or responsible adult (acting in loco parentis) must be obtained before interviewing a child under 16 in the following circumstances:
- In home/at home (face-to-face and telephone interviewing)
  - Group discussions/depth interviews
  - Postal questionnaires
  - Internet questionnaires
  - Email
  - Where interviewer and child are alone together
  - In public places such as in-street/in-store/central locations (see exception under B27)
- B27 Interviews being conducted in public places, such as in-street/in-store/central locations, with 14 years olds or over, may take place without consent of a parent or responsible adult. In these situations Members must give an explanatory thank you note to the child.

*Comment: Under special circumstances, permission to waive parental consent may be obtained, but only with the prior approval of the MRS Market Research Standards Board*

- B28 Where the consent of a parent or responsible adult is required Members must ensure that the adult is given sufficient information about the nature of the research to enable them to provide informed consent.
- B29 Members must ensure that the parent or responsible adult giving consent is recorded (by name, relationship or role).
- B30 For self-completion postal questionnaires, Members must ensure that:
- when it is known, (or ought reasonably to be known) that all or a majority of Respondents are likely to be under 16, these are addressed to the parent or responsible adult; and
  - when it is known, (or ought reasonably to be known) that all or a majority of Respondents are likely to be under 16, that all questionnaires carry a note or notice explaining that consent is required for all children to participate.
- B31 For research administered electronically over the Internet, when it is known (or ought reasonably to be known) that all or a majority of Respondents are likely to be under 16, Members must ensure that Respondents are asked to give their age before any other personal information is requested. Further, if the age given is under 16, the child must be excluded from giving further personal information until the appropriate consent from a parent or responsible adult has been obtained.
- B32 In all cases, Members must ensure that a child has an opportunity to decline to take part, even though a parent or a responsible adult has given consent on their behalf. This remains the case if the research takes place in school.
- B33 Personal information relating to other people must not be collected from children unless for the purposes of gaining consent from a parent or a responsible adult.

#### *Qualitative Research*

- B34 At the time of recruitment (or before the research takes place if details change after recruitment), Members must ensure that Respondents are told all relevant information as per rule B21 and:
- the location of the discussion and if it is to take place in a viewing facility; and
  - whether observers are likely to be present; and
  - when and how the discussion is to be recorded; and
  - the likely length of the discussion including the start and finish time; and
  - the Member, moderator and/or research agency that will be conducting the research;

B35 Members must ensure that completed recruitment questionnaires, incentive and attendance lists, or any other research information which identifies Respondents are not passed to Clients without the explicit permission of the Respondents; and Members must take reasonable steps to ensure that the documents are used only for the purpose agreed at the time of data collection.

B36 If Members have agreed with Clients that observers are to be present, Members must inform all observers fully about their legal and ethical responsibilities.

B37 Members must make clear to Respondents the capacity in which observers are present; Clients must be presented as such, even if they are also Researchers and/or Members of MRS.

*Comment: This also applies to Members themselves when an employee of a Client organisation, advertising/design/PR agency etc.*

B38 There are some situations where observers could adversely affect Respondents' interests and/or wellbeing, and in such instances, Members must ensure that Respondents are told at an appropriate stage the identity of any observer who might be present at the discussion or interview.

B39 Members must ensure that, in instances where observers may know Respondents (as may occur in business-to-business research), Respondents are informed before the start that their interviews are to be observed, with a warning that the observer may include Clients who already know them.

B40 The issue of anonymity and recognition is a particular problem in business and employee research. If guarantees cannot be given then Members must ensure that observers are fully introduced before the group/interview begins and Respondents given a chance to withdraw.

B41 Members must ensure that Respondents on attendance at a venue are informed about the nature of any observation, monitoring or recording and Respondents are given the option of withdrawing from the group/interview.

B42 Members must ensure that any material handed to Clients or included in reports, without consent from Respondents, is anonymised e.g. transcripts containing verbatim comments and projective material.

*Comment: Special care must be taken when the universe is small, as in the case of some business to business research studies.*

### *Mystery Shopping*

*Comment: The objective of a mystery customer research project is to provide management information on processes and/or quality of service, in order to aid*

*training and retraining plans, improvements in service and hence increase customer satisfaction etc.*

*For mystery shopping exercises the 'Respondent' will be a staff member who is subject to the mystery shop and as such there are different levels of allowable disclosure and data usage.*

- B43 For mystery shopping of a Client's own organisation, Members must take reasonable steps to ensure that:
- the Client's employees have been advised by their employer that their service delivery may be checked through mystery shopping; and
  - the objectives and intended uses of the results have been made clear by the employer to staff (including the level of reporting if at branch/store or individual level); and
  - if mystery shopping is to be used in relation to any employment terms and conditions, that this has been made clear by the employer.
- B44 Since competitors' employees cannot be advised that they may be mystery shopped, Members must ensure that their identities are not revealed. Members must ensure that employees are not recorded (e.g. by using audio, photographic or video equipment). This applies in all instances where employees cannot or have not been advised that they could be mystery shopped.
- B45 Where there is mystery shopping of Client's agents or authorised distributors (as well as any organisations which are responsible to a compliance authority), Members must ensure that:
- ✚ the employees to be mystery shopped have been advised by their employer and/or/regulator that their service delivery and/or regulatory compliance may be checked by mystery shopping; and
  - ✚ the objectives and intended uses of the results have been made clear by the employer and/or regulator (including the level of reporting if at branch/store or individual level); and
  - ✚ if mystery shopping is to be used in relation to any employment/contractual/regulatory terms and conditions this has been made clear by the employer and/or regulator.
- B46 Members must take reasonable steps to ensure that mystery shoppers are fully informed of the implications and protected from any adverse implications of conducting a mystery shopping exercise.

*Comment: For example, they must be made aware by the Member that their identity may be revealed to the organisation/individual being mystery shopped if they use personal cards to make purchases, loan arrangements etc. and credit ratings may be affected.*

## Observation

- B47 Members must ensure that all of the following are undertaken when observation equipment is being used:
- Clear and legible signs must be placed in areas where surveillance is taking place.
  - Cameras must be sited so that they monitor only the areas intended for surveillance.
  - Signs must state the individual/organisation responsible for the surveillance, including contact information and the purpose of the observation.

*Comment: Rule A10 of the Code requires Members to take all reasonable precautions to ensure that Respondents are not harmed or adversely affected as a result of participating in a research project. This may have particular pertinence in an ethnographic and observational setting. Issues to be considered are:*

- *the need to be sensitive to the possibility that their presence may, at times, be seen as an unwarranted intrusion; here safeguards, and the ability to end the observation quickly, must be built into any ethnographic situation.*
- *the need to be sensitive to the possibility that Respondents may become over involved with them at a personal level.*
- *the need to be sensitive to the possibility of 'observation fatigue'; again there is value in having the ability to end the observation quickly within any ethnographic situation.*

## Using Research Techniques for Non-Research Purposes

- B48 Members must adhere to the rules in the separate regulations, *Using Research Techniques for Non-Research Purposes*, when conducting exercises which are for purposes in addition to, or other than, research.

## Analysis and Reporting of Research Findings

- B49 Members must ensure that research conclusions disseminated by them are clearly and adequately supported by the data.
- B50 Members must comply with reasonable requests to make available to anyone the technical information necessary to assess the validity of any published findings from a research project.
- B51 Members must ensure that their names, or those of their employer, are only used in connection with any research project as an assurance that the latter has been carried out in conformity with the Code if they are satisfied on reasonable grounds that the project has in all respects met the Code's requirements.

- B52 Members must allow Clients to arrange checks on the quality of fieldwork and data preparation provided that the Client pays any additional costs involved in this.
- B53 Members must provide Clients with sufficient technical details to enable Clients to assess the validity of results of research projects carried out on their behalf.
- B54 Members must ensure that data tables include sufficient technical information to enable reasonable interpretation of the validity of the results.
- B55 Members must ensure that reports include sufficient information to enable reasonable interpretation of the validity of the results.
- B56 Members must ensure that reports and presentations clearly distinguish between facts and interpretation.
- B57 Members must ensure that when interpreting data they make clear which data they are using to support their interpretation.
- B58 Members must ensure that qualitative reports and presentations accurately reflect the findings of the research in addition to the research practitioner's interpretations and conclusions.
- B59 Members must take reasonable steps to check and where necessary amend any Client-prepared materials prior to publication to ensure that the published research results will not be incorrectly or misleadingly reported.

*Comment: This means that Members are expected to take reasonable steps to ensure that any press releases include either final report details (including question wording for any questions quoted) or details of where the information can be obtained (e.g. via a website link).*

- B60 Members must take reasonable steps to ensure that findings from a research project, published by themselves or in their employer's name, are not incorrectly or misleadingly presented.
- B61 If Members are aware, or ought reasonably to be aware, that findings from a research project have been incorrectly or misleadingly reported by a Client he/she must at the earliest opportunity:
- refuse permission for the Client to use their name further in connection with the incorrect or misleading published findings; and
  - publish in an appropriate forum the relevant technical details of the project to correct any incorrect or misleading reporting.

## **Data Storage**

- B62 Members must take reasonable steps to ensure that all hard copy and electronic lists containing personal data are held securely in accordance with the relevant data retention policies and/or contractual obligations.
- B63 Members must take reasonable steps to ensure that all parties involved in the research are aware of their obligations regarding security of data.
- B64 Members must take reasonable steps to ensure that the destruction of data is adequate for the confidentiality of the data being destroyed. For example, any personal data must be destroyed in a manner which safeguards confidentiality.

## **Appendix: ICC/ESOMAR Code of Marketing and Social Research Practice**

The MRS Code of Conduct is based upon the principles of the ICC/ESOMAR Code whilst taking account of UK legislation and practice. The ICC/ESOMAR Code is included for reference only. All disciplinary and compliance enforcement will be in relation to the MRS Code of Conduct.

### **A. General**

1. Marketing research must always be carried out objectively and in accordance with established scientific principles.
2. Marketing research must always conform to the national and international legislation which applies in those countries involved in a given research project.

### **B. The Rights of Respondents**

3. Respondents' cooperation in a marketing research project is entirely voluntary at all stages. They must not be misled when being asked for their cooperation.
4. Respondents' anonymity must be strictly preserved. If the Respondent on request from the Researcher has given permission for data to be passed on in a form which allows that Respondent to be personally identified:
  - (a) the Respondent must first have been told to whom the information would be supplied and the purposes for which it will be used, and also
  - (b) the Researcher must ensure that the information will not be used for any non-research purpose and that the recipient of the information has agreed to conform to the requirements of this Code.
5. The Researcher must take all reasonable precautions to ensure that Respondents are in no way directly harmed or adversely affected as a result of their participation in a marketing research project.
6. The Researcher must take special care when interviewing children and young people. The informed consent of the parent or responsible adult must first be obtained for interviews with children.
7. Respondents must be told (normally at the beginning of the interview) if observation techniques or recording equipment are being used, except where these are used in a public place. If a Respondent so wishes, the record or relevant section of it must be destroyed or deleted. Respondents' anonymity must not be infringed by the use of such methods.
8. Respondents must be enabled to check without difficulty the identity and bona fides of the Researcher.

### **C. The Professional Responsibilities of Researchers**

9. Researchers must not, whether knowingly or negligently, act in any way which could bring discredit on the marketing research profession or lead to a loss of public confidence in it.

10. Researchers must not make false claims about their skills and experience or about those of their organisation.
11. Researchers must not unjustifiably criticise or disparage other Researchers.
12. Researchers must always strive to design research which is cost-efficient and of adequate quality, and then to carry this out to the specifications agreed with the Client.
13. Researchers must ensure the security of all research records in their possession.
14. Researchers must not knowingly allow the dissemination of conclusions from a marketing research project which are not adequately supported by the data. They must always be prepared to make available the technical information necessary to assess the validity of any published findings.
15. When acting in their capacity as Researchers the latter must not undertake any non-research activities, for example database marketing involving data about individuals which will be used for direct marketing and promotional activities. Any such non-research activities must always, in the way they are organised and carried out, be clearly differentiated from marketing research activities.

#### **D. The Mutual Rights and Responsibilities of Researchers and Clients**

16. These rights and responsibilities will normally be governed by a written Contract between the Researcher and the Client. The parties may amend the provisions of Rules 19-23 below if they have agreed to this in writing beforehand; but the other requirements of this Code may not be altered in this way. Marketing research must also always be conducted according to the principles of fair competition, as generally understood and accepted.
17. The Researcher must inform the Client if the work to be carried out for that Client is to be combined or syndicated in the same project with work for other Clients but must not disclose the identity of such Clients.
18. The Researcher must inform the Client as soon as possible in advance when any part of the work for that Client is to be subcontracted outside the Researcher's own organisation (including the use of any outside consultants). On request the Client must be told the identity of any such subcontractor.
19. The Client does not have the right, without prior agreement between the parties involved, to exclusive use of the Researcher's services or those of his organisation, whether in whole or in part. In carrying out work for different Clients, however, the Researcher must endeavour to avoid possible clashes of interest between the services provided to those Clients.
20. The following Records remain the property of the Client and must not be disclosed by the Researcher to any third party without the Client's permission:
  - (a) Marketing research briefs, specifications and other information provided by the Client.
  - (b) The research data and findings from a marketing research project (except in the case of syndicated or multi-client projects or services where the same data are available to more than one Client).

The Client has however no right to know the names or addresses of Respondents unless the latter's explicit permission for this has first been obtained by the Researcher (this particular requirement cannot be altered under Rule 16).

21. Unless it is specifically agreed to the contrary, the following Records remain the property of the Researcher:

(a) Marketing research proposals and cost quotations (unless these have been paid for by the Client). They must not be disclosed by the Client to any third party, other than to a consultant working for the Client on that project (with the exception of any consultant working also for a competitor of the Researcher). In particular, they must not be used by the Client to influence research proposals or cost quotations from other Researchers.

(b) The contents of a report in the case of syndicated and/or multi-client projects or services where the same data are available to more than one Client and where it is clearly understood that the resulting reports are available for general purchase or subscription. The Client may not disclose the findings of such research to any third party (other than to his own consultants and advisors for use in connection with his business) without the permission of the Researcher.

(c) All other research Records prepared by the Researcher (with the exception in the case of non-syndicated projects of the report to the Client, and also the research design and questionnaire where the costs of developing these are covered by the charges paid by the Client).

22. The Researcher must conform to currently agreed professional practice relating to the keeping of such Records for an appropriate period of time after the end of the project. On request the Researcher must supply the Client with duplicate copies of such Records provided that such duplicates do not breach anonymity and confidentiality requirements (Rule 4); that the request is made within the agreed time limit for keeping the Records; and that the Client pays the reasonable costs of providing the duplicates.

23. The Researcher must not disclose the identity of the Client (provided there is no legal obligation to do so), or any confidential information about the latter's business, to any third party without the Client's permission.

24. The Researcher must on request allow the Client to arrange for checks on the quality of fieldwork and data preparation provided that the Client pays any additional costs involved in this. Any such checks must conform to the requirements of Rule 4.

25. The Researcher must provide the Client with all appropriate technical details of any research project carried out for that Client.

26. When reporting on the results of a marketing research project the Researcher must make a clear distinction between the findings as such, the Researcher's interpretation of these and any recommendations based on them.

27. Where any of the findings of a research project are published by the Client the latter has a responsibility to ensure that these are not misleading. The Researcher must be consulted and agree in advance the form and content of publication, and must take action to correct any misleading statements about the research and its findings.

28. Researchers must not allow their names to be used in connection with any research project as

an assurance that the latter has been carried out in conformity with this Code unless they are confident that the project has in all respects met the Code's requirements.

29. Researchers must ensure that Clients are aware of the existence of this Code and of the need to comply with its requirements.