



Guidelines for Online Research

August 2010

DRAFT

Introduction

These Guidelines interpret the MRS Code of Conduct (revised 2010) and provide additional best practice guidance. Unless otherwise stated, Guidelines are not binding. Their aim is to promote professionalism in the conduct of research.

Research is founded upon the willing co-operation of the public and of business organisations. It relies on the confidence of those involved that it is conducted honestly, objectively, without unwelcome intrusion and without harm to respondents. Its purpose is to collect and analyse information and not to create sales or to influence the opinions of anyone participating.

Every respondent must be assured that research projects are carried out in strict accordance with the Code of Conduct and that their rights of privacy are respected.

Rules from the Code of Conduct applicable in each section of this document are stated in the shaded boxes. These rules are binding on MRS members and breaches may result in disciplinary action. The guidance that follows the rules provides interpretation and additional best practice. Members are reminded that this document is designed to complement the MRS Code of Conduct and should not be consulted in isolation.

As specified in the Code, it is the responsibility of the researcher to keep abreast of any legislation which could affect research and to ensure that all those involved in a project are aware of and agree to abide by the MRS Code of Conduct.

This material is provided for information only. It is not legal advice and should not be relied upon as such. Specific legal advice should be taken in relation to specific issues.

The Principles of the MRS Code of Conduct

These are the principles of the MRS Code of Conduct:

1. Researchers shall ensure that participation in their activities is based on voluntary informed consent.
2. Researchers shall be straightforward and honest in all their professional and business relationships.
3. Researchers shall be transparent as to the subject and purpose of data collection.
4. Researchers shall respect the confidentiality of information collected in their professional activities.
5. Researchers shall respect the rights and well being of all individuals.
6. Researchers shall ensure that respondents are not harmed or adversely affected by their professional activities.
7. Researchers shall balance the needs of individuals, clients, and their professional activities.
8. Researchers shall exercise independent professional judgement in the design, conduct and reporting of their professional activities.
9. Researchers shall ensure that their professional activities are conducted by persons with appropriate training, qualifications and experience.
10. Researchers shall protect the reputation and integrity of the profession.

Definition of Online Research

Online Research is defined as research in which a respondent, either on a single occasion or as part of a panel, is involved in any of the following:

- Completing research documentation online via the internet regardless of access route;
- Downloading research documentation from a server on the internet and returning it by email;
- Receiving research documentation incorporated into an email and returning it in the same way;
- Participating in an online qualitative interview or discussion;
- Taking part in a measurement system which tracks web usage using specialist software installed on the user's computer;
- Participating in an online message board;
- Collecting information from a social networking service;
- Any other collection of personal data in the online environment for the purpose of research.

Children and young people:

The MRS Code of Conduct defines children as those aged under 16 years. Where the term young people is used in these guidelines it refers to those as aged 16 and 17 years. Where the term adult is used, it refers to someone aged 18 or over.

Responsible adult:

This is an adult responsible for the child/young person's safety and welfare at the time of the research. In a protected environment, like a school, the responsible adult will be the person in authority or overseeing the location who has responsibility for the protection of the child/young person. In any other environment - like the street or in home - a responsible adult will be a parent, guardian or other person on whom a parent or guardian has conferred responsibility for the child/young person (e.g. a relative, child-minder, au pair or neighbour). It is not an individual who has a limited or specific responsibility such as a lifeguard, instructor or employer.

Guidelines

1: Conducting the research

A. Co-operation is voluntary

The Rules

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.*

B23 Members must delete any responses given by the Respondent, if requested, and if this is reasonable and practicable.

Guidance

1. Researchers should avoid intruding on the privacy of online respondents. Personal information (other than that already available from other sources) should not be sought from, or about, respondents without their prior knowledge and agreement. This includes the use of passive data collection techniques such as digital fingerprinting.
2. In accordance with B23, researchers must conform to any reasonable requests from respondents to delete data collected via online research.

B. Respondents must not be inconvenienced

The Rules

A3 Members must act honestly in dealings with Respondents, Clients (actual or potential), employers, employees, Sub-contractors and the general public.

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

- that the data collection process is fit for purpose and Clients have been advised accordingly
- that the design and content of the data collection process or instrument is appropriate for the audience being researched;
- that Respondents are able to provide information in a way that reflects the view they want to express, including don't know/prefer not to say where appropriate;
- that Respondents are not led towards a particular point of view;
- that answers are capable of being interpreted in an unambiguous way;
- that personal data collected are relevant and not excessive.

B17 Respondents must not be misled when being asked for co-operation to participate .

B18 A Respondent's right to withdraw from a 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 project (including any Sub-contractors).

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.

Guidance

1. Where visitors to a particular website are asked to take part in research, either through clicking through to a research site or via a pop-up window, care should be taken to ensure that those who do not wish to take part could easily exit or delete the research. In accordance with B18, respondents who have refused or completed research documentation must not be re-presented with the same research for completion, as far as this is technically possible..
2. In accordance with B21, for online research the likely length of the data collection and thus the likely time commitment from respondents must be clearly explained. Respondents must not be deliberately misled regarding the likely time commitment.
3. For non-pop-up online research it should be made clear that respondents can complete the research at a time convenient to them, within the schedule dictated by the time frame of the project.
4. Respondents should be given the opportunity to give a considered response (e.g. to amend responses where necessary) and use 'Don't know' or 'Not applicable' responses where appropriate.
5. At the end of the research documentation or project, researchers should provide a *thank you* statement or send a *thank you* email, unless respondents have refused email contact.

C. Respondents must give their informed consent

The Rules

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| 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. |
| A3 | Members must act honestly in dealings with Respondents, Clients (actual or potential), employers, employees, Sub-contractors and the general public. |
| 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.

Comment: *A re-contact question asks permission for a follow-up interview, i.e. an interview for which a Respondent is selected as a consequence of participating in a previous interview. Any re-contact question should be agreed at the design stage with the Client to cover any planned or possible consequential interviews.*

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.

B16 Members must not knowingly make use of personal data collected illegally.

B17 Respondents must not be misled when being asked for cooperation to participate.

B18 A Respondent's right to withdraw from a project at any stage must be respected.

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.

Guidance

1. All the information listed in B21 should be given at the start of the research, as should any links to Data Protection or Privacy Policies (see Special Considerations B). This will ensure that should respondents fail to complete the research for any reason, their rights are protected.
2. Further to B21, respondents must be told the identity of the researcher/organisation conducting the research and/or client carrying out the project along with a contact name and email address at which they can be contacted. This could include a hyperlink to the researcher's home page for more information.
3. It is recognised that there are occasions on which, in order to prevent biased responses, the purpose of the research cannot be fully disclosed to respondents at the beginning of the interview. In accordance with A3, the researcher must avoid deceptive statements (that would be harmful or create a nuisance to the respondent), for example about the likely length of the interview or about the possibilities of being re-interviewed on a later occasion.
4. Further to A3 and B16, researchers must not make use of surreptitious, misleading or unsolicited data collection or recruitment techniques. For example, researchers must not use automated systems to gather personal data from online environments where users have an expectation of privacy without the informed consent of the individuals concerned.
5. If repeat or follow-up research is intended, consent must be sought in accordance with B11 and a statement concerning data protection and storage of address data should be displayed on the respondent's screen by the end of the first interview. Respondents should be given the opportunity to print out this statement. The respondents must be able to refuse further participation in the research and to refuse further contact by email in connection with the research.
6. When recruiting members for an online panel, it must be expressly pointed out to them that personal data collected during recruitment may be stored by the researcher for the purpose of further research, in accordance with the Data Protection Act 1998.

2: Treatment of data

A. Respondents anonymity must be safeguarded

The Rules

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 the data 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.

Guidance

1. Researchers can give the purposes for which data is collected via panel terms and conditions, preambles to interviews, etc. No personally identifiable information may be used for subsequent purposes without the informed consent of the respondents. If consent is not given, the respondent should be reassured that confidentiality will be strictly maintained.
2. A respondent's email address is personal data and must therefore be treated as such for the purpose of the MRS Code of Conduct and the Data Protection Act 1998.

B. Safeguarding data

The Rules

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| 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. |
| A3 | Members must act honestly in dealings with Respondents, Clients (actual or potential), employers, employees, Sub-contractors and the general public. |
| 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. |
| B62 | Members must take reasonable steps to ensure that all hard copy and electronic lists containing personal data are held, transferred and processed 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. |

Guidance

1. Researchers must offer respondents adequate security in the transmission of sensitive data, in accordance with B62. Researchers must also ensure that any confidential information provided to them by clients or others is protected (e.g. by firewall, encryption, etc.) against unauthorised access.
2. Before personal data is sent over the internet to another country, researchers must check with relevant authorities (e.g. a data protection regulator) that the data transfer is permissible. The recipient may need to provide safeguards necessary for the protection of the data since certain countries do not have equivalent data protection legislation. In

accordance with A1, researchers must inform themselves of their obligations under the Data Protection Act 1998, or equivalent national legislation, in this regard.

3. Users and the general public should not be misled about the reliability and validity of online research findings. Therefore the researcher should:
 - follow sound sampling methods consistent with the purpose of the research and current technology.
 - provide the client with a clear definition of the sample universe used in a given research project, the research approach adopted, the number of responses achieved and the analysis methods wherever possible.
 - advise the client of any appropriate reservations about the possible lack of projectability or other limitations of the research findings, for instance, resulting from non-response and other factors.
4. Further to B62 and B63, researchers must adequately protect personal data collected or stored on websites or servers. Sensitive or valuable information should be protected by reliable encryption techniques. If temporary storage of the personal data collected takes place on a server that is operated by a provider, the researcher must place the provider under the obligation to take the necessary precautions to ensure that third parties cannot access the data on the server or during data transfer. Temporary storage of the collected data on the server must be terminated at the earliest possible time.
5. In accordance with the Data Protection Act 1998 and B24, researchers must have adequate safeguards in place to ensure that when emails are sent in batches the email addresses of the respondents are not revealed to other respondents.
6. Clients should be fully informed about the potential risk of posting details of confidential organisation information in online research.

C. Client-supplied data

The Rules

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.

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 the data 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.

Guidance

1. In accordance with B7, where lists of named individuals are used for sample-selection, the source of the list made available to the respondent upon request. Where these are derived from website registration databases, researchers should check that registration was voluntary and that the data is the most current.
2. Clients should be made aware before the project has started that respondent details can not be revealed without the informed consent of the respondents.

3: Special considerations

A. Research with children and young people

The Rules

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.

A10 Members must take all reasonable precautions to ensure that Respondents are not harmed or adversely affected by their professional activities .

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.*

B27 Consent of a parent or responsible adult (acting in *loco parentis*) must be obtained before interviewing a child under 16.

Comment: *A responsible adult (acting in loco parentis) is an individual who has personal accountability for the well-being of a child, for example, a guardian, teacher, nanny or grandparent. It is not an individual who has a limited or specific responsibility such as a lifeguard, instructor or employer. 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 project to enable them to provide informed consent.

B31 For projects administered using an electronic communications network or service , when it is known (or ought reasonably be known) that some Respondents are likely to be under the age of 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 and verified

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.

Guidance

1. Recognising the particular difficulties of ensuring consent in online research, further to B31 researchers must have a method of independently verifying parental consent. Given that children may have unrestricted access to their parents email accounts, if consent is gained via email researchers must follow it up with a phone call or letter.
2. Further to rule A10, researchers must provide advice of any costs likely to be incurred by participation. This may be a particular problem in the case of research using mobile phones where children may not have unlimited data plans or where significant charges may be incurred if data roaming is used overseas.
3. Further to B28, a notice to a parent or responsible adult, seeking their consent for their child to be asked to participate in the research, must be posted on the website or emailed to a parent. This notice should include:
 - a. A heading explaining that this is a notice for parents/responsible adults
 - b. Name and contact details of the researcher/organisation conducting the research.
 - c. The nature of the data to be collected from the child.
 - d. An explanation of how the data will be used.
 - e. An explanation of the reasons the child has been asked to participate and the likely benefits.
 - f. A description of the procedure for giving and verifying consent.
 - g. A request for a parent's or responsible adult's contact address or phone number for verification of consent.
4. Where personal information collected from children will only be used for research purposes and no personal data will be fed back for any other purpose a return email from a parent or responsible adult giving their consent is acceptable, as long as additional steps are taken to ensure that the consent actually came from a parent or responsible adult – for example, following up with a letter or phone call. It is permissible under Data Protection Act 1998 and B33 to ask children to provide contact details for their parents in order for consent to be sought as long as this purpose is made clear in the request for information.

5. Prior parental consent will not be required to:
 - Collect a child or parent/responsible adult's address or email address solely to provide notice of data collection and request consent.
 - Collect a child's age for screening and exclusion purposes.
6. In accordance with the principle of voluntary informed participation, information identifying children must not be collected from forums, social networking sites, blogs, etc without their consent and without obtaining the consent of a parent or responsible adult.
7. Where a researcher participates in a social network or forum, they must declare their presence, their role as a researcher, the identity of the organization they work for, what information they intend to collect, what it will be used for and who will have access to it. It is not acceptable for a researcher to pose as a child, to lurk on networks or forums, or to passively collect data without prior consent.
8. Where researchers are responsible for the design and administration of sites or forums used by child respondents, they should incorporate the "Click CEOP" Internet Advice button to allow children to obtain advice from, and report bullying or inappropriate behaviour to, the Child Exploitation and Online Protection Centre.
9. Researchers should exercise particular care when they use apparently anonymous verbatim quotes obtained online in reported results or in presentations to clients or third parties. Verbatim quotes may be attributed to identifiable respondents through the use of search engines to reveal their original source. Researchers should take steps to check that quotes used in reports, etc., cannot be identified in this way.

B. Privacy Policy Statements

The Rules

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.

Researchers/research organisations carrying out research on the internet must develop a Privacy Policy. This statement should be made available as a link for all online research. The purpose of the following section is to guide researchers on the topics to be considered in their Privacy Policies. Some of the privacy policy may vary depending on the nature of the research and sampling method being used. The order and wording of the Privacy Policy statement is a matter for each researcher to decide.

1. Standard elements for privacy statements:

- Statement of who is doing the research - This could include a hyperlink to the researcher's home page for more information.
- Who is it for? - Explanation that each research project will contain information about the identity of the client, unless there are good reasons for not providing this information.
- A guarantee that in all circumstances identities of individual respondents and their answers will be treated as confidential and will be used only for research purposes unless the respondent expressly requests or permits disclosure to a third party for other purposes.
- A statement offering assurance the researcher will not mislead the respondent.
- Co-operation is Voluntary – As with all forms of research, co-operation is voluntary at all times. No personal information is sought from, or about, the respondents without their prior knowledge and agreement.

- Withdrawal – The respondent is entitled at any stage of the research, or subsequently, to ask that part or all of the record of the research be destroyed or deleted.
- Cookies & invisible processing – In accordance with the Privacy and Electronic Communications Regulations, cookies or similar devices must not be used unless the subscriber or user of the relevant terminal equipment is:
 - a. provided with clear and comprehensive information about the purposes of the storage of, or access to, that information; and
 - b. given the opportunity to refuse the storage of, or access to, that information.

The Regulations are not prescriptive about the sort of information that should be provided but the text should be sufficiently full and intelligible to enable individuals to gain a clear appreciation of the potential consequences of allowing storage and access to the information collected by the device should they wish to do so.

From May 2011, cookies or similar devices must not be used unless the subscriber or user of the relevant terminal equipment is provided with clear and comprehensive information about the purposes of the storage of, or access to, that information *prior* to providing their consent for their use. ***[This may be subject to change when the Privacy and Electronic Communications Regulations 2003 are by the UK Government]***

- Children – clear statement that interviews with children will be carried out in accordance with applicable legislation and with the permission of a parent or responsible adult.
- Security – the statement should outline measures used, the purposes for which the information provided will be accessed, and limits on the number of employees who can view the information.
- Unsolicited mail - state policy not to send unsolicited mail or pass on email addresses to others for this purpose.

C. Passive data collection

1. In accordance with the principle of voluntary informed participation, information identifying respondents must not be collected from “walled gardens” (online environments which are semi-public in nature but are limited by membership, and which provide users with an expectation of privacy e.g. forums, social networking sites, etc) without their consent.
2. Where a researcher participates in a walled garden, they must declare their presence, their role as a researcher, the identity of the organization they work for, what information they intend to collect, what it will be used for and who will have access to it. It is not acceptable for a researcher to pose as a non-researcher, to lurk on walled garden, or to passively collect data without prior consent.
3. Researchers who use techniques to uniquely identify respondents such as cookies, unique IP addresses, digital fingerprinting or browser profiling, must provide clear and comprehensive information to respondents at the time of collection about the data collected, who will have access to it and the purposes for which it will be used.

D. Panels

1. On sign up to a panel a potential panellist must be provided with the following information:
 - a. The purposes for which the panel data may be used;
 - b. The range of subject matter that projects conducted using the panel may cover;
 - c. The identity of the data controller, and whether the panel may be transferred to another panel manager in the future.
2. If the panel is incentivised researchers should give panel members a reasonable estimate of the level of commitment and/or length of time required before the incentive will be paid.

Other guidance and legislation to be considered whilst conducting internet research

[Links to be checked and updated prior to publication of final document]

UK:

DMA – Code of Practice for Commercial Communications to Children Online

<http://tinyurl.com/9kdq9>

Information Commissioner’s Office – Internet: Protection of Privacy

<http://tinyurl.com/drxfm>

Europe:

ESOMAR – Conducting Marketing and Opinion Research Using the Internet

<http://tinyurl.com/clnmv>

Germany:

Guidelines for Online Surveys – ADM, ASI, BVM, DGOF

<http://tinyurl.com/9skkx>

US:

COPPA – Children’s Online Privacy Protection Act

<http://tinyurl.com/8ukzy>