# MRS Regulations for Using Research Techniques for Non-Research Purposes

January 2008

## Transitional Arrangements

As is noted later in this document, these Regulations are binding on MRS Members and MRS Company Partners where actions or procedures are stated as "**must"**. Breaches of these conditions will be treated as breaches of the Code and may be subject to disciplinary action.

Recognising that these Regulations are entirely new and to allow MRS Members and Company Partners to familiarise themselves with their contents, the MRS Market Research Standards Board has decided that it will take disciplinary action only where a breach of these Regulations occurs on or after **1 March, 2008.**

# Contents

# Section A

## Introduction

As research and marketing techniques have developed so has the demand for Researchers' skills and techniques to be used for non-research purposes. Clients in the public and private sectors have come to appreciate and value the skills of quantitative and qualitative researchers. Researchers are increasingly approached to apply their techniques in the areas of policy development, marketing, professional development, regulation and quality control.

MRS believes that this is a welcome development, but acknowledges that its current suite of regulations and guidelines does not adequately guide and support Members and Company Partners engaging in these projects. The purpose of these regulations is to set out the legal and ethical responsibilities of Members and Company Partners working outside the scope of traditional research projects. It is proposed that best practice guidelines for clients and other non-members will follow at a later date.

Originally MRS provided guidance on this topic in the *MRS Draft Guidelines for Collecting Data for Mixed or Non- Research Purposes ("Category 6").* Within these guidelines MRS detailed 6 categories of data collection:

| **Category 1**: | **Category 2:** | **Category 3:** | **Category 4:** | **Category 5:** | **Category 6:** |
|---|---|---|---|---|---|
| "Classic" market research | "Classic" + N/A/ deceased amendments | "Classic" + Interview marker on database | "Classic" + Feedback on service issues | "Classic" + Personal data for market purposes | Non-research & mixed purposes |

Categories 1 to 5 are defined as market research

Category 6 is non-research

The definition of these categories was developed following the introduction of the Data Protection Act 1998 to aid the Information Commissioner, the Crown official that regulates the application of the Act, in understanding the scope of 'research'. Now that the application of the Act is more clearly understood, the division between the categories is better termed as 'research' and 'non-research'

**Categories 1 to 5 - Research**

These cover the disclosure of identifiable personal level data to clients that are permissible within the definition of research as defined by the *MRS* Code of Conduct. These include specific situations where information on identified individuals can be part of the feedback process – providing respondents have explicitly consented to the information being passed back and adequate safeguards are in place to prevent this data being used for further purposes. The definitions covering Category 1-5 are fully explained in the full MRS guidance on data protection (see MRS website for details – **www.mrs.org.uk/standards**).

**Category 6 – Non-Research**

When the data protection guidelines were compiled, the opportunity was also taken for the first time to address the growing demand from members for advice and guidance about the use of personal data collected using research techniques for purposes other than that described as research. Within the data protection guidelines, these were originally defined as **Category 6** projects – covering situations where data collected in projects will be used at a personal respondent level for non-research purposes. Whilst the data protection guidelines provide a basic outline of the conditions covering these types of projects, the MRS recognized that the issues raised were sufficiently complex to require a separate guideline dedicated to Category 6 projects.

The aim of this document is to replace and significantly update the previous guideline on category 6. In addition, the status of the guideline has been strengthened by re-categorising them as MRS Regulations. These regulations also contain some detailed examples to highlight the breadth of activities that may fall within these Regulations. All of the examples given are permissible within the scope of the Regulations.

These regulations are binding of all MRS Members and MRS Company Partners when conducting non-research exercises. In cases where additional legal requirements apply the most stringent set of rules must be applied.

It should be noted that the rules within the MRS Code of Conduct are still binding when non-research exercises are being conducted. The most applicable rules from the MRS Code of Conduct are included (in the shaded boxes) in this document.

## Relationship with the MRS Code of Conduct

These regulations should be read in conjunction with the MRS Code of Conduct and associated guidelines and regulations developed by MRS. It is also advised that other pertinent non-MRS rules which cover the relevant purpose of the data collection are referred to. For example, if a data collection exercise is being conducted for direct marketing purposes the DMA Code of Practice should be referred to. A list of useful non- MRS codes and guidelines are listed in Appendix A of this document.

For more information about the MRS Code of Conduct, regulations and the guidelines please visit the MRS website (www.mrs.org.uk/code.htm) or contact the MRS Standards Department (+44 (0) 20 7490 4911).

**Scope of the Regulations**

> **The Code Rule**
> The MRS Code of Conduct states:
>
> 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.

These Regulations are binding on MRS Members and MRS Company Partners where actions or procedures are stated as "**must**". Breaches of these conditions will be treated as breaches of the Code and may be subject to disciplinary action.

Recommendations within the regulations that members **"should"** behave in certain ways are advisory only.

**Data Protection**

The Data Protection Act 1998 is a key piece of legislation that underpins all forms of data collection (irrespective of the purpose(s) of the data collection). Further, the legislation contains specific rules relating to direct marketing activities which must be adhered to if the non-research purpose is direct marketing. It should also be noted that the research exemptions detailed in Section 33 of the Act do not apply to non-research projects.

Conversely, the Privacy and Electronic Communications (EC Directive) Regulations 2003, which apply to the commercial use of electronic addresses (including by telephone, fax, email, instant messaging, SMS, etc) apply for any non-research activities which have a commercial purpose e.g. direct marketing.

It is advised that these regulations are read in conjunction with the MRS data protection regulations. Advice can also be obtained from the MRS Codeline service (codeline@mrs.org.uk). However, this document, the MRS Codeline Service and other MRS data protection guidance is not legal advice and should not be relied upon as such. Specific legal advice should be taken in relation to specific issues.

## Definitions

For the purposes of these regulations the following definitions will apply:

***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 project drawing on research techniques or the expertise of research staff.

***Company Partner:***

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

***Identity/identifiable:***

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; or could be identified from the data plus information available to, or likely to be available to, anyone who has access to the information. This may include verbatim quotes, transcripts, and audio and video recordings if not anonymised.

***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).

***Notification:***

The data protection regulator, the Information Commissioner, maintains a public register of data controllers. Each register entry includes the name and address of the data controller and a general description of the processing of personal data by a data controller. Individuals can consult the register to find out what processing of personal data is carried out by a particular data controller. Notification is the process by which a data controller's details are added to the register. The Data Protection Act 1998 requires data controllers who process personal data to notify unless they meet on one of the exemptions detailed in the Act`.

***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.

Research data must be collected and analysed in such a way that it generates valid data for the population under study.

***Research Techniques:***

Techniques usually associated with the collection of research data e.g. questionnaire data collection, qualitative interviews, mystery shopping.

***Respondent:***

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

## Section B

### What is a Research Purpose?

A 'research purpose' is where information is systematically collected to assess opinions, attitudes and behaviours of the population under study. It does not include data collection intended directly to create sales or to influence the opinions of participants. Nor does it include data collection as a means of information gathering for use on future sales or marketing activities (direct) for example, to generate potential sales leads/contact details (and related details on consumer usage and consumption patterns). Direct action should not be taken in relation to named individuals or organisations as a result of 'research' as defined. Encompassed within the definition of research are the following activities:

- Collecting research data on an un-attributable basis
- Collecting data from a population or a sample population intended to be representative of that population or one or more sub-sets of it.
- Passing back details of deceased/gone away records to clients
- Passing back details of identifiable individuals who explicitly expressed that their details should be flagged as 'do not contact'
- Passing back contact details of identifiable individuals, separate from the research findings, who explicitly requested to be re-contacted (by the client) for a problem to be rectified
- Passing back details of those who have agreed to be re-contacted for further research.
- Passing back attributable research responses to be used **only** for research purposes. [Note: the passing back of identifiable respondent information can only be completed after the consent of the respondent has been obtained, except for dead/gone away records.]

### What is a Non-research Purpose?

A non-research purpose is when data is collected for reasons other than to enhance understanding in a robust way – i.e. for any other purpose than described above. This includes exercises which have more than one purpose e.g. research and marketing purposes and those that are for purely non-research purposes. Generally non-research exercises have the following characteristics:

- If the data is collected on an identifiable basis, direct action will, or may, be taken.

- The exercise aims primarily to encourage people in general or at random to express views, rather than to achieve robust data based on systematically targeting specific sectors of the population or on the whole range of views from a statistically representative sample of the relevant population.

**Examples of Identifiable Non-research Purposes**

There are an infinite number of exercises that could be defined as a 'non-research purposes' but the following examples are the most common types currently being conducted by researchers. These exercises generally fall into four distinct groups:

1. Using mystery shopping techniques for non-research purposes
2. Using quantitative research techniques for non-research purposes
3. Using qualitative research techniques for non-research purposes
4. Using research techniques to consult stakeholders and/or the public

**<u>Group 1: Using mystery shopping techniques for non-research purposes</u>**

**Example 1: Using mystery shopping techniques to measure legislative compliance**

A financial regulator approaches a researcher to conduct an investigation of its list of approved financial providers. The regulator is concerned that a number of its approved financial providers are not following its rules in relation to the selling of financial products. The **purpose** of the exercise is **to identify providers who are not following the legislative requirements** to enable the regulator to start investigation proceedings. The researcher is asked to use recorded mystery shopping techniques to establish which providers are not following the rules, to provide recorded evidence of the mystery shopping approaches and to provide identifiable details of all providers who are in breach of the rules. The researcher establishes that the mystery shopping requirements set out in rule B45 of the MRS Code of Conduct are in place before agreeing to undertake this exercise.

**Example 2: Using mystery shopping techniques to assess staff performance**

A retailer approaches a researcher to scrutinise the customer service performance of its staff. The **purpose** of the exercise is to establish which of its staff **have improved in their customer service** and to use this information to calculate **the allocation of bonuses**. The researcher is asked to use recorded mystery shopping techniques to establish staff performance levels, to provide recorded evidence of the mystery shopping approaches and to provide identifiable details of individual staff members approached during the exercise. The researcher establishes that the mystery shopping requirements set out in rule B43 of the MRS Code of Conduct are in place before agreeing to undertake this exercise.

When conducting a mystery shopping exercise of this kind Members and Company Partners should ensure that:

1. The MRS Code of Conduct requirements are followed e.g.:
   - 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.

2. The best practice advice contained in the *MRS Guidelines on Mystery Customer Research* is considered.

3. If the mystery shopping exercise is being conducted on behalf of a public body, such as a regulator, the results of the mystery shopping exercise may fall within the disclosure requirements of the Freedom of Information Act 2000 and as such the results of the exercise may be the subject of public scrutiny.

4. Ensure that the data collected is not used for other non-disclosed purposes. Members/Company Partners should ensure that contracts between the Member/Company Partner and the client correctly state the various purposes of the data collection and contains clauses which restrict the client from using the data for other purposes.

**Group 2: Using quantitative research techniques for non-research purposes**

**Example 1: Using a questionnaire to collect feedback from customers to use in staff training**

A bank approaches a researcher to conduct a customer satisfaction exercise among its customers. There is a **dual purpose** for the exercise; to conduct some **market research and to collect feedback, which is attributed to the respondent, to use in staff training.** The researcher is asked to devise a questionnaire which can be administered over the telephone and all calls are to be recorded. The researcher ensures that the questionnaire clearly states the two purposes, and that interviewers are briefed to obtain consent for the recording and for passing identifiable details back to the bank.

**Example 2: Using a questionnaire to collect evidence regarding conformity with regulations**

A government department approaches a researcher to conduct a statutory data collection exercise from businesses with the **purpose** of **assessing whether the businesses are meeting the legislative requirements** regarding tax rebates and returns. The researcher collects the information face to face from business respondents. The researcher ensures that the questionnaire clearly states the purpose of the data collection and that the businesses and the individuals will be identified in the feedback to the government department (which is also named).

When conducting exercises of this kind Members and Company Partners should ensure that:

1. The questionnaire design applied to the project is in line with the purpose, and the requirements of the *MRS* Code of Conduct as defined in rule B14 are still relevant, i.e.:
   - 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.

2. The questionnaire should clearly define the purpose (i.e. direct marketing to establish interest in office supplies per the above example). The key is that the respondent should not be left with the impression that the exercise has a research purpose if it does not.

3. The best practice advice contained in the *MRS Questionnaire Design Guidelines* is considered.

4. If the research is being conducted by a public body (such as the government department in example 3), the results of the exercise may fall within the disclosure requirements of the Freedom of Information Act 2000 and as such the results of the exercise may be the subject of public scrutiny.

5. Ensure that the data collected is not used for other non-disclosed purposes. Members/Company Partners should ensure that contracts correctly state the specific purposes of the data collection and contains clauses which restrict the client from using the data for other purposes.

## Group 3: Using qualitative research techniques for non-research purposes

### Example 1: Reconvening individual respondents to recreate verbatim statements in order to obtain recorded images for a marketing campaign

A mobile phone company is launching a new product and approaches a researcher to conduct a number of group discussions with current and prospective customers. The results were encouraging and the Client wants to highlight some of the positive responses and use some video clips for future **marketing** campaign for the product. The researcher had asked respondents originally (at recruitment) about recontacting them to obtain consent to use data for marketing purposes and is thus able to recontact the respondents. The respondents are advised of the exact purpose of this latter exercise and the researcher obtains consent from the respondents for the **recorded data** to be used for the defined **marketing purposes**. The researcher obtains specific details of the form that the marketing is to take to ensure that the respondents clearly understand how their recorded data may be used.

**Example 2: Conducting a group discussion to obtain recorded images for a conference**

A pharmaceutical company is launching a new drug and approaches a researcher to conduct a qualitative group exercise among a number of patients that have been using the drug and have been part of the drug trials. The **purpose** of this exercise is to obtain **recorded images of patients** which can be used at a **medical conference**. The researcher ensures that at recruitment that respondents are advised of the purpose and fully informs the respondents about the nature of the recording.

When conducting exercises of this kind Members and Company Partners should ensure that:

1. The *MRS* Code of Conduct requirements (as per rule B21) regarding the qualitative research recruitment are still relevant e.g.:
    - 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.

2. The best practice advice contained in the *MRS Qualitative Research Guideline* is considered.

3. Ensure that the data collected, including the recorded data, is not used for other non-disclosed purposes. With developments in technology including digital files the likelihood and risk of recorded data being used incorrectly increases. Members and Company Partners should ensure that contracts correctly state the various purposes of the data collection and contains clauses which restrict the client from using the data for other purposes.

**Group 4: Using research techniques to consult stakeholders and/or the public**

**Example 1: Conducting a group discussion to elicit views from key individuals/influencers**

A local business wants to **consult stakeholders** on a proposed expansion using group discussion techniques. It is interested in the **views of named people with particular roles**, rather than eliciting the range of views of all stakeholders. Specific individuals are approached for the exercise and the Member/Company Partner makes it clear that comments are to be used in materials regarding the proposal.

**Example 2: Using a questionnaire to consult on local planning issues**

A local authority wishes to **consult local residents** on a new development using a questionnaire. The questionnaires are left in key locations in public buildings (e.g. public libraries, post offices, etc); delivered direct to householders or responses are invited in local papers, etc. and there is no systematic attempt to ensure responses received are representative of the views of the population invited to respond. The primary **purpose** of the consultation is to ensure **all those who wish to have an opportunity to give their view,** rather than elicit information which is statistically representative of all the population in scope.

When consulting stakeholders or the public Members and Company Partners should ensure that they:

1. Maintain a clear distinction between the research and non-research elements. When conducting the non-research elements, care should be taken to avoid using words such as “research” or “representative”.

2. Results of non-research elements and any parallel research elements may be presented together in a single report. However, Members/Company Partners must take reasonable steps to avoid conflation of non-research and research results, and subsequent associated confusion amongst members of the public. Explanations of apparent differences between the non-research and research findings should be offered wherever possible.

3. Any report must outline any limitations of the non-research elements in representing the views of the community as a whole.

4. If the research is being conducted by a public body (such as the local authorities in example 2), the results of the exercise may fall within the disclosure requirements of the Freedom of Information Act 2000 and as such the results of the exercise may be the subject of public scrutiny.

## Section C

As stated in the previous section most non-research exercises which use market research techniques are conducted at an identifiable level. However, there are occasions when research techniques are used for non-research exercises which are unidentifiable. These activities tend to be more limited than identifiable exercises. The following section highlights the most common form that these exercises take.

**Examples of Non-research Exercises Where Participants are Not Identified**

The following examples are the most common types of unidentifiable non-research exercises currently being conducted by researchers.

**<u>Group1: Using Mystery Shopping Techniques for non-research exercises where participants are not identified</u>**

> **Example 1: Using mystery shopping techniques to identify examples of behaviours or views**
>
> A magazine intends to write an article to highlight some of the flaws in the insurance industry. The journalist approaches a research organisation that employs mystery shoppers to **gather specific evidence for the article**. The journalist does not want to name names but to gather evidence that there are particular problems within the sector. The mystery shoppers conduct the exercise and the information is **passed to the journalist in aggregated format.**

When conducting a mystery shopping exercise of this kind Members and Company Partners should take care to consider the following:

1. The best practice advice contained in the *MRS Guidelines on Mystery Customer Research.*

2. The relevant *MRS* Code of Conduct rules are considered e.g.:
   - 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,

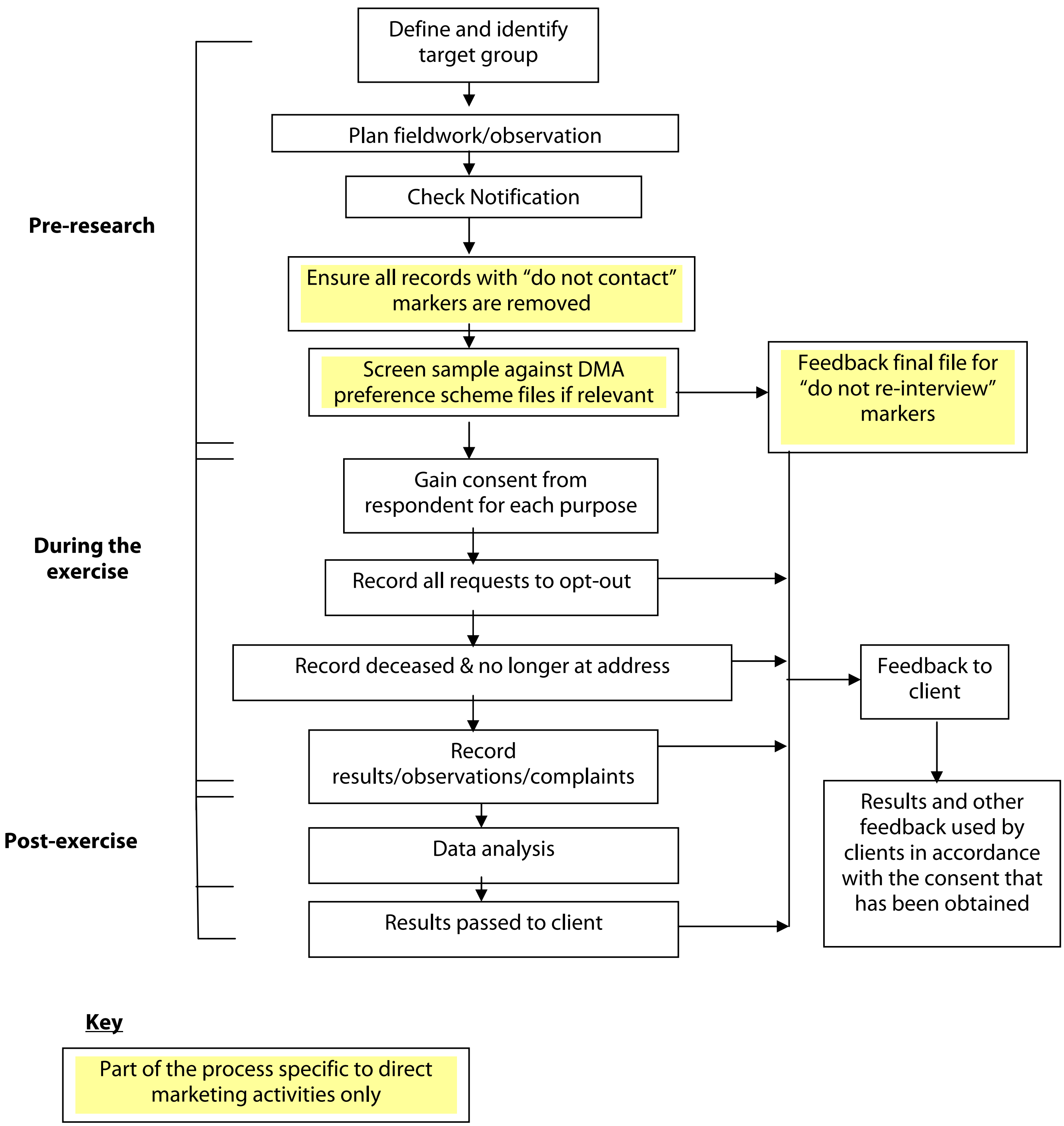
photographic or video equipment). This applies in all instances where employees cannot or have not been advised that they could be mystery shopped.

3. Due to the public way in which the results are to be used Members/Company Partners must ensure that contractually they have the right to sign off any journalistic text which uses the results of the mystery shopping exercise and/or the brand of the Members/Company Partners that conducted the exercise. Members/Company Partners should be prepared to address any questions which may arise as a consequence of the publishing of the information gathered using mystery shopping techniques e.g. the techniques used and the robustness of the results, etc.

## Section D

### The Process

The full process for a typical non-research project is very similar to that for a research process; primarily because the way the data is obtained using the same techniques. The following flowchart summarises the process. It should be noted that for some types of project, such as mystery shopping exercises, not all of these stages will be followed.



## The Regulations

The following regulations are additional to the MRS Code of Conduct rules. The Regulations are binding on MRS Members and MRS Company Partners where actions or procedures are stated as "**must**". Breaches of these conditions will be treated as breaches of the MRS Code of Conduct and may be subject to disciplinary action.

Recommendations within the regulations that members **"should"** behave in certain ways are advisory only.

### 1. Pre-Exercise

**The Code Rules**

The MRS Code of Conduct states:

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.

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.

1.1 Members **must** take reasonable steps to ensure that they consider the additional data protection issues which arise from conducting non-research exercises:

- the researcher/research organisation's notification includes all the purposes of their data collection i.e. research and all the other purposes for which data is collected.
- their client's data protection notification includes all the purposes of their data collection.
- samples are screened against client-specific 'do not contact' lists (if applicable to the purpose e.g. direct marketing opt-outs/ins if for direct marketing purposes).

- samples are screened against relevant external 'do not contact' registers (if applicable to the purpose e.g. Telephone/Fax Preference Service for direct marketing by telephone/fax).
- contracts explicitly include data protection provisions.
- where the client is the data controller, ensure a data processor agreement has been received.

## 2. During the Exercise

Whilst conducting non-research all the rules in Section B of the MRS Code of Conduct must be adhered to. Where the MRS Code of Conduct rules state 'research', in the context of these regulations these rules must also apply to non-research exercises. In the following section some of the Code rules have been extracted as there are either additional requirements under these rules or specific issues are reiterated in the context of non-research exercises.

**The Code Rules**

The MRS Code of Conduct states:

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

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.

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 reflect the views 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.

B17: Respondents must not be misled when being asked for cooperation to participate in a research project.

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).

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.

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 B21and:

- 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.

2.1 Similar to rule A3, B14 and B17, Members and MRS Company Partner employees **must** be honest with and not mislead Respondents when they are being asked to participate in a non-research project. This is particularly important when methodologies closely associated with research are being used. It is common for example for the technique to be used to describe the purpose of the project. It is therefore imperative that the technique and purpose be clearly differentiated in any description of a non-research project ("This questionnaire will gather information to be used for sales and marketing"). The Members/Company Partners should pay particular attention to the following:

- Research preambles (e.g. questionnaire introductions) clearly state all purposes for which the data is to be used.
- When familiar research brands are being used that the material reinforces that the exercise is not a research exercise.
- Any resulting outputs from the exercise (e.g. press releases) clearly define results as non-research.
- Opt out requirements.

2.2 Respondents' rights are the same for research and non-research exercises. Members and Company Partners **must** ensure that all the MRS Code of Conduct requirements are met. All of the requirements of B21 and B34 must be met in the same way as for research projects. In addition, the following information must be supplied:

- Members and Company Partners must provide sufficient information to enable the respondent to check without difficulty the identity and bona fides of any individual and/or their employer conducting a non-research project. Members may use the MRS IID cards and Freephone service for such purposes.
- For face-to-face research, a "Thank You" leaflet **must** be supplied which clearly states the purpose(s) of the data collection exercise, the identity of the data controller (i.e. the client, the researcher or both) and any other relevant

information that may affect the respondent’s decision to participate e.g. transfer of data to third parties.

- For research conducted in other environments the Members/Company Partners/interviewer **must** clearly state the purpose of the data collection exercise.

2.3 Members **must** ensure that all of the requirements per rule B9 are met when Members/Company Partners are passing on identifiable Respondent details.

2.4 As per rule B10, in cases where respondents ask for specific action to be undertaken by a Member/Company Partner e.g. record a ‘do not contact’ request, pass back a complaint, etc. this request **must** be honoured.

## 3. Post-Exercise

**The Code Rules**

The MRS Code of Conduct states:

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.

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.

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.

3.1 Where data has been collected and the results of the exercise are to be released into the public domain, Members must take reasonable to steps to ensure that the requirements as detailed in B55, B56, B57 and B59 in the Code of Conduct are met. It is particularly important that when results are released sufficient explanation is provided to ensure that the results are not presented as research results.  Any limitations on the validity of the results should also be provided.

3.2 Where data has been collected for more than one purpose Members must take reasonable steps to ensure that data is only used for the purposes for which it was collected; and that data is stored and destroyed in line with relevant data policies.

# Appendix A

**Other Codes and Guidelines**

There are a number of other Codes and guidelines that Members/Company Partners may find useful when conducting non-research exercises. The following table list some of the documents in existence. This list is not exhaustive.

| Purpose | Codes/ Guidelines | Website reference |
|---|---|---|
| **Advertising** | • International Chamber of Commerce (ICC) Code of Advertising<br><br>• Advertising Standards Authority (ASA) CAP Code (non-broadcast advertising)<br><br>• ASA Radio Advertising Standards Code<br><br>• ASA TV Advertising Standards Code<br><br>• ASA Advertising Standards Code for Text Services | www.iccwbo.org<br><br>www.asa.org.uk<br><br>www.asa.org.uk<br><br>www.asa.org.uk<br><br>www.asa.org.uk |
| **Direct marketing** | • Direct Marketing Association (DMA) Code of Practice<br><br>• DMA Email Marketing Best Practice Guidelines<br><br>• Federation of Direct Marketing Associations (FEDMA) Code of Conduct for e-Commerce and Interactive Marketing | www.dma.org.uk<br><br>www.dma.org.uk<br><br>www.fedma.org |

| | | |
|---|---|---|
| | • FEDMA Code of Practice for List Broking<br><br>• FEDMA Code of Practice for the Use of Personal Data in Direct Marketing.<br><br>• ICC Code of Direct Marketing | www.fedma.org<br><br>www.fedma.org<br><br>www.iccwbo.org |
| **Direct selling** | • Direct Selling Association (DSA) Consumer Code<br><br>• DSA Business Code<br><br>• ICC Code of Direct Selling | www.dsa.org.uk<br><br>www.iccwbo.org<br><br>www.iccwbo.org |
| **Marketing** | • CIM Code of Conduct<br><br>• Consolidated ICC Code: Advertising & Marketing Communication Practice | www.cim.co.uk<br><br>www.iccwbo.org |
| **Sales Promotion** | • ICC Code of Sales Promotion<br><br>• ASA CAP Code<br><br>• ASA Help Note on Promotions with Prizes<br><br>• Institute of Sales Promotion best practice guidelines | www.iccwbo.org<br><br>www.asa.org.uk<br><br>www.asa.org.uk<br><br>www.isp.org.uk |
| **Public Relations** | • Chartered Institute of Public Relations Code of Conduct | www.cipr.org.uk |

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| **Staff training** | • Chartered Institute of Professional Development Code of Professional Conduct | www.cipd.co.uk |
| **Consultations** | • Cabinet Office Code of Practice on Consultation<br><br>• Good Practice Guidance Consultation with Equalities Groups | http://www.cabinetoffice.gov.uk<br><br>http://www.scotland.gov.uk |