



MRS Guidelines for Online Research

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MRS is the world's largest association for people and organisations that provide or use market, social and opinion research, business intelligence and customer insight.



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Introduction

These Guidelines interpret the MRS Code of Conduct (revised 2014) 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 participants. Its purpose is to collect and analyse information and not to create sales or to influence the opinions of anyone participating.

Every participant 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 bold. 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:

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 participants 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.

Definitions

Online Research

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

- Completing research documentation (e.g. survey, diary, questionnaires etc) online via any internet connected device;
- 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;
- A measurement system which tracks web usage;
- Participating in an online message board;

Online research also includes:

- Collecting information from a social networking service;
- Any other collection of personal data in the online environment for the purpose of research.

Anonymisation:

Anonymisation is the process of removing, obscuring, aggregating or altering identifiers to prevent the likely identification using reasonable means of the individuals to whom the data originally related.

Child:

A child is a person under the age of 16.

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.

Data Collection Process:

A data collection process is any process used to obtain information from or about participants. It includes, but is not limited to, interviews, questionnaires, discussion guides, and stimulus materials, as well as passive data collection.

Identity:

The identity of a participant includes, as well as their name and/or address, any other information which offers a reasonable likelihood that they can be identified by any person or organisation who has access to the information.

Informed consent:

Informed consent is a process by which a participant voluntarily confirms his or her willingness to take part in a particular project, after having been informed of all aspects of the project that are relevant to their decision to participate.

Member:

A Member is an individual who has been admitted to membership of MRS in one of the categories set out the MRS Articles of Association.

For the purposes of applying this Code, an organisation with MRS members that has signed the MRS Company Partner Service Quality Commitment that applies throughout the organisation shall be treated as a Member.

Monitoring

Monitoring is the supervising of activities (such as data collection) to ensure that they meet required objectives and performance targets.

Participant:

A participant is any individual or organisation from or about whom data are collected.

Research:

Research is the collection, use, or analysis of information about individuals or organisations intended to establish facts, acquire knowledge or reach conclusions.

Responsible Adult:

A responsible adult is an individual who has personal accountability for the well-being of a child, for example a parent, guardian, teacher, nanny or grandparent.

Definitions from the Data Protection Act 1998 used in the MRS Code of Conduct

Personal Data

Data which relate to a living individual who can be identified-

(a) from those data, or

(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,

and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

Data Subject

An individual who is the subject of personal data.

Data Controller

A person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed.

Data Processor

Any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing

Obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including—

(a) organisation, adaptation or alteration of the information or data,

(b) retrieval, consultation or use of the information or data,

(c) disclosure of the information or data by transmission, dissemination or otherwise making available, or

(d) alignment, combination, blocking, erasure or destruction of the information or data.

Third party

Any person other than—

(a) the data subject,

(b) the data controller, or

(c) any data processor or other person authorised to process data for the data controller or processor.

Guidelines

1: Conducting the research

A: Co-operation is voluntary

The Rules

- 16. Members must ensure that participants give their informed consent where personal data are collected directly from them.**
- 17. Members must ensure that they have a fair and lawful basis for the collection and processing of personal data from sources other than the data subject themselves.**
- 40. Members must ensure that any responses given by participants are deleted if requested by participants, and if this is reasonable and practicable.**

Guidance

1. Researchers should avoid intruding on the privacy of online participants. Personal information (other than that which has already been made available for purposes including research) should not be sought from, or about, participants 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 participants to delete data collected via online research.

B. Participants must not be inconvenienced

The Rules

- 3. Members must act honestly in their professional activities.**

- 18. Members must ensure that participants are provided with sufficient information to allow informed consent to be given. This includes:**
 - a. the name of the organisation or individual responsible for data collection;**

 - b. the general subject of the data collection;**

 - c. the purpose of the data collection;**

 - d. whether the data collection is to be recorded and/or observed;**

 - e. who is likely to have access to live or recorded information;**

 - f. the likely length in minutes of the data collection, if asked;**

 - g. any costs likely to be incurred by the participant; and**

 - h. an assurance that the activity is being conducted in accordance with the MRS Code of Conduct.**

Comment: the organisation or individual responsible for data collection is the data controller as defined under the Data Protection Act 1998.

- 33. Members must take reasonable steps to ensure all of the following:**
 - a. that data collection processes are fit for purpose and clients have been advised accordingly;**

 - b. that the design and content of data collection processes are appropriate for the audience being researched;**

 - c. that participants 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;**

 - d. that participants are not led towards a particular point of view;**

e. that responses are capable of being interpreted in an unambiguous way; and

f. that personal data collected are relevant and not excessive.

34. Members must ensure that participants are informed about any recording, monitoring or observation at recruitment and at the beginning of a data collection process.

Comment: This does not include monitoring (listening to but not recording) telephone interviews for the purpose of quality control where interviewers have been informed that such monitoring takes place.

35. Members must ensure that participants are not misled when being asked to take part in a project.

36. Members must ensure that a participant's right to withdraw from a project at any stage is respected.

37. Members must ensure that participants 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).

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 26, participants 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 rule 18, for online research the likely length of the data collection and thus the likely time commitment from participants must be clearly explained. Participants must not be deliberately misled regarding the likely time commitment.
3. For non-pop-up online research it should be made clear that participants can complete the research at a time convenient to them, within the schedule dictated by the time frame of the project.

4. Participants 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 participants have refused email contact.

C: Participants must give their informed consent

The Rules

- 1. Members must ensure that research conforms 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.**
- 3. Members must act honestly in their professional activities.**
- 16. Members must ensure that participants give their informed consent where personal data are collected directly from them.**
- 17. Members must ensure that they have a fair and lawful basis for the collection and processing of personal data from sources other than the data subject themselves.**
- 18. Members must ensure that participants are provided with sufficient information to allow informed consent to be given. This includes:**
 - a. the name of the organisation or individual responsible for data collection;**
 - b. the general subject of the data collection;**
 - c. the purpose of the data collection;**
 - d. whether the data collection is to be recorded and/or observed;**
 - e. who is likely to have access to live or recorded information;**
 - f. the likely length in minutes of the data collection, if asked;**
 - g. any costs likely to be incurred by the participant; and**
 - h. an assurance that the activity is being conducted in accordance with the MRS Code of Conduct.**

Comment: the organisation or individual responsible for data collection is the data controller as defined under the Data Protection Act 1998.

19. Members must ensure that all of the following are undertaken during remote data collection in spaces accessible by the public:

- a. Clear and prominent notices or statements must be displayed or presented in spaces where the data collection is taking place.**
- b. Notices and statements must include the individual/organisation responsible for the data collection, including contact information and the purpose(s) of the data collection.**
- c. Data collection must be limited to the spaces intended to be included in the project.**

Comment: this rule applies to remote data collection in physical spaces, such as shopping centres, and online spaces, such as forums and social networking pages.

31. Members must ensure that follow-up contact with a participant is carried out only if the participant's permission has been obtained at the previous point of data collection. The only exception to this is re-contact for quality control purposes.

Comment: Any re-contact question should be agreed at the design stage with the client to cover any planned or possible consequential projects.

32. Members must ensure that any re-contact matches the assurances given to participants at the time that permission was gained e.g. when re-contact was to occur, the purpose and by whom.

Guidance

1. All the information listed in 18 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 participants fail to complete the research for any reason, they will have been aware of their rights.
2. Further to 18, participants 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 participants at the beginning of the interview. In accordance with 3, the researcher must avoid deceptive statements (that would be harmful or create a nuisance to the participant), for example about the likely length of the interview or about the possibilities of being re-interviewed on a later occasion.
4. Further to 3 and 16, 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 31 and a statement concerning data protection and storage of address data should be displayed on the participant's screen by the end of the first interview. Participants should be given the opportunity to print out this statement. The participants 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, a short "how we will use your information" statement linked to the privacy policy that follows the best practice guidance set out in the ICO Privacy Notices Code of Practice must be clearly displayed on the data collection page. This must expressly state their personal information will be stored and used to send them invitations to take part in further research, that their data will be stored securely and how they can request their information be removed from the panel. Provided that this has been done, further permission for follow-up interviews is not specifically required.
7. On sign up to a panel a potential panellist must be provided with the following information:
 1. The purposes for which the panel data may be used;
 2. The range of subject matter that projects conducted using the panel may cover;
 3. The identity of the data controller, and whether the panel may be transferred to another panel manager in the future.

8. 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.

2: Treatment of data

A. Participants anonymity must be safeguarded

The Rules

26. Members must ensure that the anonymity of participants is preserved unless participants have given their informed consent for their details to be revealed or for attributable comments to be passed on.

27. Members must take reasonable steps ensure that anonymisation is effective, with reference to developments in technology and to the data environment into which data are released.

Comment: This rule applies to anonymisation undertaken by members and to anonymisation of data sets undertaken by clients prior to analysis by members. Members are referred to the ICO's Anonymisation Code of Practice.

Comment: Members should be particularly careful that they do not inadvertently identify participants. For example this may arise:

- where sample sizes are very small (such as business and employee research);***
- where data contains sufficient contextual information to permit identification (such as attributes or descriptions of participants);***
- where data can be matched with publicly available information (such as social media profiles); or***
- where data can be matched with other sources (such as transaction histories held by clients).***

28. If participants have given consent for data to be passed on in a form which allows them to be personally identified, members must:

- a. demonstrate that they have taken all reasonable steps to ensure that the data will only be used for the purpose for which the data were collected**

- b. and inform participants 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 participants. If consent is not given, the participant should be reassured that confidentiality will be strictly maintained.
2. A participant'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

- 1. Members must ensure that research conforms 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.**

- 58. Members must take reasonable steps to ensure that all hard copy and electronic files containing personal data are held, transferred and processed securely in accordance with the relevant data retention policies and/or contractual obligations.**

- 59. Members must take reasonable steps to ensure that all parties involved in the project are aware of their obligations regarding security of data.**

- 60. 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 participants adequate security in the transmission of sensitive data, in accordance with 58. Online research should be protected by proper encryption of the online questionnaire connection and data traffic. 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 1, researchers must inform themselves of their obligations under the Data Protection Act 1998, or equivalent national legislation, in this regard. Researchers must ensure that written data processor agreements are in place where required before any transfer takes place.

3. Further to 58 and 59, 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.
4. In accordance with the Data Protection Act 1998 and 58, researchers must have adequate safeguards in place to ensure that when emails are sent in batches the email addresses of the participants are not revealed to other participants. As a minimum measure, emails should be blind copied (BCC) to participants.
5. 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

- 10. 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.**
- 11. Where files of identifiable individuals are used, e.g. client databases, members must ensure that the source of the personal data is revealed at an appropriate point, if requested by participants. This overrides the right to client anonymity.**
- 26. Members must ensure that the anonymity of participants is preserved unless participants have given their informed consent for their details to be revealed or for attributable comments to be passed on.**

Guidance

1. In accordance with 11, where lists of named individuals are used for sample-selection, the source of the list made available to the participant upon request. Where these are derived from website registration databases, researchers should check that registration was voluntary and that the data is accurate and up to date.
2. Clients should be made aware before the project has started that participant details cannot be revealed without the informed consent of the participants.

3: Special considerations

A: Research with children and young people

The Rules

- 6. Members must take all reasonable precautions to ensure that participants are not harmed or adversely affected by the member's professional activities.**
- 21. Where the permission of a responsible adult is required, members must ensure that the responsible adult is given sufficient information about the project to enable them to make an informed decision.**
- 23. Where it is known (or ought reasonably to be known) that participants may include children, members must ensure participants are asked to confirm 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 permission from a responsible adult has been obtained and verified.**
- 25. Members must ensure that information about other individuals is not collected from a child unless for the purposes of gaining permission from a responsible adult.**

Guidance

1. Recognising the particular difficulties of ensuring consent in online research, further to 23 consent must be obtained in a form that is verifiable. Email communications on their own are considered insecure and must not be accepted as a verifiable form of consent in isolation and so must be supplemented by a second form of consent, for example a telephone call or a letter. Where researchers have a pre-existing relationship with parents (e.g. they are current panel members) it may be possible to verify consent electronically through the use of passwords, exchange of tokens, etc.
2. Further to rule 6, 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 rule 21, 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. Prior parental consent will not be required to:
 1. Collect a child or parent/responsible adult's address or email address solely to provide notice of data collection and request consent.
 2. Collect a child's age for screening and exclusion purposes.
5. 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.
6. Where a researcher joins 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.
7. Where researchers are responsible for the design and administration of sites or forums used by child participants, 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.

8. 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 participants 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

- 1. Members must ensure that research conforms 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.**

Guidance

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.

Researchers should put in place a layered approach to privacy policy statements that adheres to the best practice guidance set out in the ICO Privacy policy code of practice.

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 participants and their answers will be treated as confidential and will be used only for research purposes unless the participant expressly requests or permits disclosure to a third party for other purposes.
- A statement offering assurance the researcher will not mislead the participant.
- 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 participants without their prior knowledge and agreement.

- Withdrawal – The participant 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:
 - a. Is provided with clear and comprehensive information about the purposes of the storage of, or access to, that information; and
 - b. has given his or her consent.

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. See MRS Guidelines on the Privacy and Electronic Communications Regulations 2003¹ for further information on this issue.

- 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.

¹ http://www.mrs.org.uk/standards/downloads/revised/active/2011-06-14_PECR_Guidance.pdf

C. Social Media and passive data collection

The Rules

- 1. Members must ensure that research conforms 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.**
- 16. Members must ensure that participants give their informed consent where personal data are collected directly from them.**
- 17. Members must ensure that they have a fair and lawful basis for the collection and processing of personal data from sources other than the data subject themselves.**

Guidance

1. In accordance with the principle of voluntary informed participation, information identifying participants (personal data) must not be collected from without their consent.
2. Researchers who use techniques to uniquely identify participants such as cookies, unique IP addresses, digital fingerprinting or browser profiling, must provide clear and comprehensive information to participants at the time of collection about the data collected, who will have access to it and the purposes for which it will be used.
3. 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 non-researcher, to lurk on a network or forum, or to passively collect personal data without prior consent.
4. Researchers conducting social media monitoring, text analytics or sentiment analysis should take steps to avoid collecting personal data. Researcher must ensure that any personal data is not further processed without consent.
5. Researchers purchasing or otherwise accessing datasets or sample containing personal data for analysis must ensure that that the data was fairly and lawfully obtained by the supplier.

4: Other guidance and legislation to be considered whilst conducting online research

Information Commissioner's Office

Personal Information Online Code of Practice

http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/personal_information_online_cop.pdf

Guidance on the rules on use of cookies and similar technologies

http://www.ico.gov.uk/news/blog/2011/~media/documents/library/Privacy_and_electronic/Practical_application/guidance_on_the_new_cookies_regulations.ashx



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