



# **Consultation on Revisions to MRS Code of Conduct**

**January 2019**



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## 1. About MRS

The Market Research Society (MRS) is the UK professional body for research, insight and analytics. We recognise 5,000 individual members and over 500 accredited Company Partners in over 50 countries who are committed to delivering outstanding insight. Our diverse membership covers researchers within agencies, independent consultancies, client-side organisations, the public sector and the academic community.

As the regulator, we promote the highest professional standards throughout the sector via the MRS Code of Conduct ("the Code"). MRS supports the sector with specialist training and qualifications, professional membership, company accreditation, conferences, awards and advice on best practice.

## 2. About the MRS Code of Conduct

MRS adopted its first self-regulatory Code in 1954 and the current version of the MRS Code of Conduct came into effect on 1 September 2014.<sup>1</sup>

The Code, the Regulations and the associated disciplinary procedures apply to all individual members, accredited Company Partners and those retained by them, supported by a suite of guidance documents. Historically, the Code was created to support all those engaged in research and insight in maintaining professional standards. It covered practitioners' activities from inception to design and from execution to use of data in research activities. In recognition of the expansion of activities by practitioners, beyond research, the Code was also expanded to cover all professional activities undertaken by members and Company Partners.

The Code is technology and methodology neutral. It sets out overarching ethical principles supported by rules of conduct. Drawn up by practitioners for practitioners, the Code helps to protect suppliers, clients and participants. It safeguards standards, promotes confidence and champions professionalism.

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<sup>1</sup> MRS Code of Conduct is available here: <https://www.mrs.org.uk/pdf/mrs%20code%20of%20conduct%202014.pdf>

### **3. Why are we consulting on the MRS Code of Conduct?**

MRS is committed to keeping the Code under regular review to ensure that it continues to be fit for purpose in setting high standards for best practice in the research sector.

We conduct a Code consultation with individual members, accredited Company Partners and other interested stakeholders on any major changes to the Code.

Revisions have been made to the current Code to reflect evolving ethical best practice and recent significant changes in the data protection framework. The changes also seek to ensure that the Code keeps pace with the accelerated speed and progress of technological development and data use.

### **4. What are the key changes to the MRS Code of Conduct?**

The content of the Code including the principles, definitions and rules have all been thoroughly reviewed and revised to reflect national and international developments in best practice in ethics and privacy including the revised data protection framework under the EU General Data Protection Regulation 2016 (GDPR) and the UK Data Protection Act 2018.

#### **Broader scope and coverage**

The scope of the Code has been broadened in order to better reflect and promote the rights of participants and individuals as well as protect the reputation of all professional activities conducted by members and Company Partners.

In reflecting the new data protection framework, developments in digital technology and respect for the rights of participants and individuals, the Code now specifically:

- covers all activities of members and Company Partners whether engaged in research, data analytics or other data collection activities;
- provides greater clarity on prohibited misleading activities such as selling, fundraising or political lobbying under the guise of research; and
- recognises a range of lawful processing grounds for the collection of primary data or the further use of personal data for secondary purposes.

## **Expanded principles**

The Code principles have been expanded from 10 principles to 12 principles to:

- include the new GDPR principle on privacy by design and default;
- reflect strengthened data subject rights such as transparency of information and processing;
- broaden the level of protection and the categories of persons covered by the Code by focusing more broadly on individuals rather than research participants; and
- incorporate strengthened accountability and documentation GDPR requirements.

## **Clarification and revision of definitions**

The definitions used in the Code have been clarified and revised including changes made to:

- mirror the definitions of data protection terms and concepts as used in the GDPR;
- reflect our understanding of new GDPR requirements, such as data accountability;
- broaden the categories of data collection covered under the Code; and
- clarify the category of individuals considered vulnerable under the Code.

## **Revision of substantive rules**

The substantive rules of the Code have been also revised and expanded. The Code is now divided into three main sections with sub-sections that follow a research cycle for data collection, analysis and reporting as set out below.

- General Rules of Professional Conduct:
  - Awareness and Adherence with Legislation
  - Business and Professional Ethics
- Commissioning and Design:
  - Client confidentiality
  - Children
  - Vulnerable People
  - Incentives
  - Data Collection
  - Consent
  - Observers
  - Use of Data for Secondary Purposes

- Re-contacting participants
- General Rules of Data Accountability:
  - Data Security
  - Participant anonymity
  - Reporting

### **Improved readability and usability**

It is important that practitioners can easily understand, access and use the Code and that the Code is also easily accessible to members of the public. In light of this, the revised Code has been designed to improve overall readability and usability. This includes improved accessibility with changes to style and presentation and clickable symbols which link through to specific MRS guidance on the main sections and sub-sections. These changes have been made to enhance the user experience and ease user navigation around the full suite of resources available on the MRS website.

## **5. How can you get involved in the consultation process?**

We are seeking views on the revised Code from MRS Company Partners and individual MRS Members. We also welcome views from other interested stakeholders especially those representing the interests of individuals, research participants or users of research.

This consultation will run for 12 weeks from 14 January 2019 to 8 April 2019. Responses should be submitted by post or email by no later than 5 pm (UK time) on 8 April 2019 and should be sent to:

MRS Code of Conduct Consultation

The Old Trading House

15<sup>th</sup> Northburgh Street

London

EC1V 0JR

Or email: [codeconsultation@mrs.org.uk](mailto:codeconsultation@mrs.org.uk)

It would be helpful if when commenting on the consultation, you are able to provide reasons and any supporting information or evidence.

## **6. What happens after the consultation is finished?**

We will acknowledge receipt of all responses received on the Code Consultation. Once the feedback received during the consultation period has been reviewed we will publish a consultation summary and final version of the MRS Code of Conduct. We will publish the final version of the Code on the MRS website during Summer 2019 and it is expected to take effect on 1 September 2019.

### ***Data Protection Statement***

*Any personal data you provide to us in responding to this consultation will be processed by MRS, as controller, in line with the General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018.*

*The MRS privacy policy is available here: [https://www.mrs.org.uk/privacy\\_policy](https://www.mrs.org.uk/privacy_policy)*