



# MRS Guidelines for Business-to-Business Research, Insight and other Data Processing Activities

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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 2019) and provide additional best practice guidance. Unless otherwise stated, Guidelines are not binding. Their aim is to promote professionalism in the conduct of research, insight and other data processing activities.

The general public and other interested parties are be entitled to complete assurance that every project is carried out in accordance with the MRS Code of Conduct and that their rights and privacy are respected.

Rules from the MRS Code of Conduct applicable in each section of this document are stated in bold. These rules are binding on MRS members and MRS Company Partners and breaches may result in disciplinary action. The guidance that follows the rules provides interpretation and additional best practice. Members and Company Partners 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 MRS Code, it is the responsibility of the members to keep abreast of any legislation which could affect their professional activities and to ensure that all those involved in projects 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

MRS Members shall:

1. Ensure that their professional activities can be understood in a transparent manner.
2. Be straightforward and honest in all professional and business relationships.
3. Be transparent as to the subject and purpose of data collection.
4. Ensure that their professional activities are not used to unfairly influence views and opinions of participants.
5. Respect the confidentiality of information collected in their professional activities.
6. Respect the rights and well-being of all individuals.
7. Ensure that individuals are not harmed or adversely affected by their professional activities.
8. Balance the needs of individuals, clients, and their professional activities.
9. Exercise independent professional judgement in the design, conduct and reporting of their professional activities.
10. Ensure that their professional activities are conducted by persons with appropriate training, qualifications and experience.
11. Protect the reputation and integrity of the profession.
12. Take responsibility for promoting and reinforcing the principles and rules of the MRS Code of Conduct

## Definitions

### **Business-to-Business Research, Insight and other Data Processing Activities:**

Business-to-business research Insight and other Data Processing are defined as activities that seeks to examine the behaviour of companies, business or corporate structures through using data gathered directly or indirectly from individuals within business organisations. It can involve the use of all established research, insight and data technologies and methodologies but amongst participants recruited by virtue of their role in an organisation rather than their status or category as an actual or potential consumer.

### Definitions from the MRS Code of Conduct

#### **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.

#### **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:**

Data is information collected in any nature or format.

#### **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, analytics tools, algorithms, interviews, as well as passive data collection.

#### **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.

*Note on Definition: For the purposes of applying this Code, an organisation that has signed the MRS Company Partner Service Quality Commitment that applies throughout the organisation/department/team shall be treated as a Member.*

#### **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. It uses techniques of the applied social, behavioural and data sciences, statistical principles and theory, to generate insights and support decision-making by providers of goods and services, governments, non-profit organisations and the general public.

## Definitions from the General Data Protection Regulation used in the MRS Code of Conduct

### **Consent:**

Consent means any freely given, specific, informed and unambiguous indication of a participant's wishes by a statement or by a clear affirmative action, which signifies agreement to the processing of their personal data.

### **Controller:**

Controller means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

### **Data subject:**

Data subjects are identified or identifiable living individuals to whom the personal data that is held relates.

### **Processor:**

Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

### **Personal Data Processing:**

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

### **Pseudonymisation:**

Pseudonymisation means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data is not attributed to an identified or identifiable natural person.

### **Special category data:**

Special category data means the processing reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union Membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

### **Third party:**

Third Party means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

# 1. Research Planning & Participant Anonymity

## The Rules

11. Members must take reasonable steps to design projects to the specification and/or quality standards agreed with the client.
14. Members must disclose the identity of clients where there is a legal obligation to do so.  
*Comment: Transparency is one of the fundamental principles underpinning data protection laws. In line with this an obligation to name a commissioning client may arise in three main scenarios:*
  - Client is controller or joint controller
  - Client is the source of the personal data
  - Client is receiving personal data from a research activity
15. Where files of identifiable individuals are used e.g., client databases, Members must ensure that the sources of the personal data is revealed at an appropriate point in the data collection.  
*Comment: The identity of the client must be revealed when data collection is undertaken if clients require personal data from a project.*
41. There are some situations where observers could adversely affect participants' interests and/or wellbeing, and in such instances, Members must:
  - ensure that participants are told at an appropriate stage the identity of any observer who might be present during an exercise.
  - where observers may know participants, ensure that participants are informed before the start of the data collection that they are to be observed, with a warning that the observers may include clients and/or other stakeholders who already know them and given a chance to withdraw.*Comment: The issue of anonymity and recognition is a particular problem in business to-business and employee projects where sample universes are smaller and as such greater care should be taken for such projects.*
43. Members must ensure that re-contact with a participant is carried out only if the participant's permission has been obtained during the initial 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.*
44. 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.



49. 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.

*Comment: This includes video footage of identifiable participants which is classed as personal data.*

50. Members must take reasonable action to ensure that anonymization is effective, with reference to developments in technology and to the data environment into which data is 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 should refer to ICO's Anonymisation: managing data protection risk code of practice for further detail.*

51. 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 projects);
- 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); and/or
- where data can be matched with other sources (such as transaction histories held by clients).

52. If participants request individual complaints or unresolved issues to be passed back to a client (for example in customer satisfaction projects), Members must comply with that request. The comments/issues to be passed back to clients must be agreed by Members with participants and must not be linked back to any other data or used for any other purpose without the explicit consent of participants.

*Comment: There may be cases where participants are requested to contact clients directly. This should be balanced with the needs and abilities of the participant.*

## Guidance

1. Clients should be made aware before projects have started what participant information will be detailed in any project report. It is permissible to reveal the list of participants by either organisation name or job title or job function unless to do so would risk identifying the participants.
2. When the range of participants to be interviewed is limited by job titles such that by identifying any organisations to clients the identity of the participant is disclosed or potentially disclosed, to ensure adherence to MRS Code rule 49 such information must not be revealed. For example if only Finance Directors have been interviewed, revealing an organisation name could identify participants because there is likely only one Finance Director in any named organisation, but if “Board Members” or unspecified “Directors” were interviewed then revealing an organisation name would not (of itself) automatically identify the actual participant within the organisation, depending on the number and range of individuals fulfilling such roles. Wherever there is a conflict of interest between a researcher’s duty and obligation to participants and/or to clients, the duty and obligation to participants is paramount.
3. At the planning stage it is critical to establish client requirements in certain areas which include:
  - whether the client wishes to have certain responses attributed
  - whether the client wishes to re-contact the participant at a later date
  - when and if the client’s identity is to be revealed
4. Due to the smaller size of the business to business population there is a higher possibility that participants will be contacted on a regular basis. Therefore, data collection activities should be clear, relevant and logical to avoid participant fatigue. All data collection activities should be piloted prior to use.

## 2. Participant Consent

### The Rules

9. Members must take all reasonable precautions to ensure that participants are not harmed or adversely affected by their professional activities and ensure that there are measures in place to guard against potential harm.

13. Members must ensure that the rights and responsibilities of themselves, clients, and subcontractors as controllers or processors are governed by a written contract.

*Comment: See [Data Protection & Research: MRS Guidance Note on Controllers and Processors](#).*

30. Members must ensure that participants give their permission to take part in a data collection exercise, before proceeding with the activity. Permission requires the following information to be provided to participants:

- a) the name of the organisation(s) or individual responsible for data collection;
- b) the general subject of the data collection;
- c) the purpose of the data collection;
- d) the type of data collected, particularly special category and/or criminal convictions data;
- e) the right to withdraw at any time
- f) whether the data collection is to be recorded and/or observed;
- g) who is likely to have access to live or recorded information;
- h) the likely length in minutes of the data collection;
- i) any costs likely to be incurred by a participant;
- j) an assurance that the activity is being conducted in accordance with the MRS Code of Conduct and the Data Protection Act 2018 and/or local data protection legislation for non-UK activities.

*Comment: This applies to all legal basis for processing data. Permission is defined in Definitions used in the MRS Code of Conduct.*

31. If consent is the legal basis for the data collection, Members must ensure that participants are provided with appropriate information to allow informed consent to be given, at the point that they agree to participate. Informed consent requires the following information to be provided:
- a) the name of the organisation(s) or individual responsible for data collection;
  - b) the general subject of the data collection;
  - c) the purpose of the data collection;
  - d) the type of data collected, particularly special category and/or criminal convictions data;
  - e) the right to withdraw at any time;
  - f) whether the data collection is to be recorded and/or observed;
  - g) who is likely to have access to live or recorded information;
  - h) the likely length in minutes of the data collection;
  - i) any costs likely to be incurred by a participant;
  - j) the use of automated decision making (if used);
  - k) transfer of data to a third country;
  - l) retention periods or criteria used to determine retention periods;
  - m) the right to complain;
  - n) an assurance that the activity is being conducted in accordance with the MRS Code of Conduct and the Data Protection Act 2018 and/or local data protection legislation for non-UK activities.

*Comment: Consent is one lawful basis for processing, but there are alternatives. Consent is defined in Definitions from the General Data Protection Regulation used in the MRS Code of Conduct. See also Data Protection and Research: Guidance for MRS Members and Company Partners*

32. Members must ensure that participants are not misled when being asked to participate in a project.
33. Members must exercise special care when the nature of a project is sensitive or the circumstances under which the data is collected might cause a participant to become upset or disturbed.
34. Members must ensure that a participant's right to withdraw from a project at any stage is respected.
35. 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 subcontractors).

36. Members must take reasonable action to ensure that data collection activities do not take place before 9am Monday to Saturday, 10am Sunday or after 9pm any day, unless by prior agreement. This includes:

- In person visits to private homes
- Calls to household landline numbers
- Calls to mobile telephone numbers
- Messages via SMS or other direct message facilities to mobile phones

*Comment: The only exception to this is where local rules and customs differ from UK practice.*

37. Members must ensure that participants (including employees in employee data collection projects) are not required or pressured to participate in any projects.

38. Members must ensure that any responses given by participants during data collection are deleted if requested by participants, where possible as the personal data is still being processed.

*Comment: Individuals' rights to erasure can be challenged if the processing is based on the public task legal basis. The rights of individuals to request erasure should be considered unless there are overriding legal considerations. In public task cases where erasure is denied, individuals still have a right to object to the processing via the data protection regulators, the ICO.*

52. If participants request individual complaints or unresolved issues to be passed back to a client (for example in customer satisfaction projects), Members must comply with that request. The comments/issues to be passed back to clients must be agreed by Members with participants and must not be linked back to any other data or used for any other purpose without the explicit consent of participants.

*Comment: There may be cases where participants are requested to contact clients directly. This should be balanced with the needs and abilities of the participant.*

## Guidance

1. To meet the requirements of MRS Code rules 30, 31 and 49, when obtaining permission or consent for identification details or attributed answers to be passed to a client, participants must be fully informed about what will be revealed and to whom. Participants should also be reassured that it will only be used for the purposes specified before any data collection takes place. However, under the following circumstances it may be appropriate to obtain consent at the end of a data collection process such as an interview:
  - a) In instances where participants would need to consider all the questions and responses before deciding whether comments are suitable to be attributed.
  - b) In cases where prior consent could affect responses given.
  - c) In some instances where clients do not want to be identified until the end of the data collection process.
2. On some occasions, for example during customer satisfaction research, participants may want requests or additional comments passed back to clients e.g. requests for clients to contact participants directly regarding separate issues. In accordance with MRS Code rule 52, the relevant comments must be agreed with participants and not linked back to any other data unless agreed.
3. A letter, email or website link explaining the nature of any project being undertaken should be available for participants who request it.
4. In accordance with MRS Code rules 32 – 38, where use of the information might have an adverse effect directly on a participant and/or their b2b organisation (e.g. when collecting data from a competitor or a potential competitor), the nature and/or sponsors of a project must be revealed before the relevant information is collected. In accordance with MRS Code rule 34, the participant must be given the opportunity to withdraw.
5. When applying with MRS Code rule 36, the time at which a business landline and mobile telephone number may be used to undertake projects could be outside of the times specified in this rule in agreement with the relevant b2b participants.
6. When recruiting participants for b2b activities members must check with participants whether their employment contracts and/or terms and conditions restrict participation in certain b2b activities such as research projects to meet MRS Code rule 9 to reduce the likelihood of harm.

## 3. Data Collection

### The Rules

3. Members must ensure that all of their professional activities, whatever the purpose, are conducted in a transparent manner and that their activities promote compliance with privacy ethics and data protection rules.
6. Members must act honestly in their professional activities.
7. Members must take reasonable action to ensure that others do not breach or cause a breach of this Code.
8. Members must not act in a way which might bring discredit on the profession, MRS or its Members.
9. Members must take all reasonable precautions to ensure that participants are not harmed or adversely affected by their professional activities and ensure that there are measures in place to guard against potential harm.
30. Members must ensure that participants give their permission to take part in a data collection exercise, before proceeding with the activity. Permission requires the following information to be provided to participants:
  - a) the name of the organisation(s) or individual responsible for data collection;
  - b) the general subject of the data collection;
  - c) the purpose of the data collection;
  - d) the type of data collected, particularly special category and/or criminal convictions data;
  - e) the right to withdraw at any time
  - f) whether the data collection is to be recorded and/or observed;
  - g) who is likely to have access to live or recorded information;
  - h) the likely length in minutes of the data collection;
  - i) any costs likely to be incurred by a participant;
  - j) an assurance that the activity is being conducted in accordance with the MRS Code of Conduct and the Data Protection Act 2018 and/or local data protection legislation for non-UK activities.

*Comment: This applies to all legal basis for processing data. Permission is defined in Definitions used in the MRS Code of Conduct.*

31. If consent is the legal basis for the data collection, Members must ensure that participants are provided with appropriate information to allow informed consent to be given, at the point that they agree to participate. Informed consent requires the following information to be provided:

- a) the name of the organisation(s) or individual responsible for data collection;
- b) the general subject of the data collection;
- c) the purpose of the data collection;
- d) the type of data collected, particularly special category and/or criminal convictions data;
- e) the right to withdraw at any time;
- f) whether the data collection is to be recorded and/or observed;
- g) who is likely to have access to live or recorded information;
- h) the likely length in minutes of the data collection;
- i) any costs likely to be incurred by a participant;
- j) the use of automated decision making (if used);
- k) transfer of data to a third country;
- l) retention periods or criteria used to determine retention periods;
- m) the right to complain;
- n) an assurance that the activity is being conducted in accordance with the MRS Code of Conduct and the Data Protection Act 2018 and/or local data protection legislation for non-UK activities.

*Comment: Consent is one lawful basis for processing, but there are alternatives. Consent is defined in Definitions from the General Data Protection Regulation used in the MRS Code of Conduct. See also Data Protection and Research: Guidance for MRS Members and Company Partners*

49. 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.

*Comment: This includes video footage of identifiable participants which is classed as personal data.*

50. Members must take reasonable action to ensure that anonymization is effective, with reference to developments in technology and to the data environment into which data is 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 should refer to ICO's Anonymisation: managing data protection risk code of practice for further detail.*



## Guidance

1. Members should ensure that minimal costs are incurred by participants whilst taking part in projects and in accordance with MRS Code rule 30 any costs that will or may be incurred must be communicated to participants.
2. Members should take a 'business-like' manner when undertaking b2b data collection. In accordance with MRS Code rule 6 and 30 members must be honest about the length and content of any data collection.
3. In addition, members should:
  - a) Be courteous during any data collection e.g. during an interview.
  - b) Be properly informed of all the details relating to any project with a full briefing and briefing notes, and any other information such as the sample source and technical definitions.
  - c) Be careful to keep data collection appointments and cancel them if not required.
  - d) Not make any comments on any participant's answers (other than as specified in any instructions e.g. for probing whilst administering questionnaires)
  - e) Not offer any comments or opinions of their own when projects entail interviewer led data collection
  - f) Not comment on the wording or design of any data collection approach
4. In accordance with MRS Code rule 49 members must not reveal any of the detailed responses or identities of other business-to-business participants. This is of particular importance in business-to-business research where confidentiality and commercial sensitivity may be of concern for participants.
5. In some projects, the contact details of potential participants are obtained from other participants (e.g. participants are asked to suggest colleagues or peers who would be suitable for the given project). In such cases, the participant must be fully informed that the fact they provided the potential participant's details will be disclosed to that person when they are contacted.

## 4. Observation

### The Rules

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

*Comment: This includes surveillance activities, such as using CCTV and mystery shopping. The latter can only be recorded when undertaking own organisation mystery shopping and staff have been informed of this eventuality.*

30. Members must ensure that participants give their permission to take part in a data collection exercise, before proceeding with the activity. Permission requires the following information to be provided to participants:

- a) the name of the organisation(s) or individual responsible for data collection;
- b) the general subject of the data collection;
- c) the purpose of the data collection;
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*Comment: This applies to all legal basis for processing data. Permission is defined in Definitions used in the MRS Code of Conduct.*

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  - g) who is likely to have access to live or recorded information;
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  - k) transfer of data to a third country;
  - l) retention periods or criteria used to determine retention periods;
  - m) the right to complain;
  - n) an assurance that the activity is being conducted in accordance with the MRS Code of Conduct and the Data Protection Act 2018 and/or local data protection legislation for non-UK activities.

*Comment: Consent is one lawful basis for processing, but there are alternatives. Consent is defined in Definitions from the General Data Protection Regulation used in the MRS Code of Conduct. See also [Data Protection and Research: Guidance for MRS Members and Company Partners](#).*

32. If Members have agreed with clients that observers are to be present, (either in person or remotely) during a data collection exercise with participants, Members must inform all observers about their legal and ethical responsibilities.

*Comment: [See MRS Guide to Observers – Legal & Ethical Responsibilities](#)*

33. Members must clarify with participants the capacity in which observers are present; clients must be presented as such, even if they are also practitioners and/or Members of MRS.

34. There are some situations where observers could adversely affect participants' interests and/or wellbeing, and in such instances, Members must:

- a) ensure that participants are told at an appropriate stage the identity of any observer who might be present during an exercise.
- b) where observers may know participants, ensure that participants are informed before the start of the data collection that they are to be observed, with a warning that the observers may include clients and/or other stakeholders who already know them and given a chance to withdraw.

*Comment: The issue of anonymity and recognition is a particular problem in business-to-business and employee projects where sample universes are smaller and as such greater care should be taken for such projects.*

49. 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.

*Comment: This includes video footage of identifiable participants which is classed as personal data.*

50. Members must take reasonable action to ensure that anonymization is effective, with reference to developments in technology and to the data environment into which data is 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 should refer to ICO's Anonymisation: managing data protection risk code of practice for further detail.*

## Guidance

1. In accordance with MRS Code rules 49 and 51, where there is a conflict between a client's wish to observe/monitor and a participant's right to anonymity, members must respect the participant's wishes.
2. In accordance with 29, 30 and 31, any recordings must not be released by members unless explicit permission has previously been obtained from any participants involved. Where such permission is to be obtained, the members must ensure that participants are given as much relevant information as possible about the future use of the data, in particular:
  - To whom they are to be given
  - To whom they are likely to be shown
  - For what purposes they are likely to be used

## 5. Incentives

### The Rules

2. Members must ensure that when undertaking direct marketing activities, they adhere to all relevant specific legal and ethical requirements which apply to direct marketing practice.

*Comment: The following practices fall within the scope of direct marketing:*

- a) The offering of client goods or services, or vouchers to purchase client goods or services as an incentive, reward or expression of thanks;
- b) The use of promotional language in describing clients in invitations or introductions to projects;
- c) The offering of materials to participants which promote clients or their products and services. This includes referring participants to a client website at the conclusion of a project.

Members may provide information about a client's products or services where it is necessary to avoid adversely affecting a participant. For example, where a sensitive subject has been discussed, Members may provide information on relevant help lines operated by a client.

See also [Information Commissioner's Office \(ICO\) Direct Marketing Guidance](#) and [Direct Marketing Association \(DMA\) Code](#).

25. Members must ensure that client goods or services, or vouchers to purchase client goods or services, are not used as incentives for projects conducted for research purposes. Members undertaking projects for other purposes, such as direct marketing, may use client goods or services as incentives.

26. Where incentives are offered, for whatever purpose, Members must ensure that Participants are clearly informed:

- a. who will administer the incentive;
- b. what the incentive will be;
- c. when the participant will receive the incentive; and
- d. whether any conditions are attached e.g. completion of a specific task or
- e. passing of quality control checks.

*Comment: Incentives that require participants to spend money to be redeemed, e.g. money-off vouchers, are not permitted.*

For further information, Members should consult the separate [MRS Regulations Administering Incentives and Free Prize Draws](#) and [MRS Use of Incentives in Market Research and Non-research Projects](#).

## Guidance

1. Incentives are any gift, payment or consideration offered to participants to encourage participation in projects. There are some circumstances e.g. interviewing doctors, attendance at groups, where the use of incentives is expected and necessary to help secure cooperation. Monetary incentives, when used, should be kept to a reasonable level and should be appropriate for the nature of the research project and the type of participant. In B2B projects offering to share results from a project is an appropriate form of incentive which can be offered. In accordance with MRS Code rule 26 where incentives are offered, the distribution must be administered by members or sub-contractors, unless participants have agreed for their details to be passed to clients for the administration of incentives.



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