



Code of Conduct
1999

Introduction

THE MARKET RESEARCH SOCIETY

With over 8,000 members in more than 50 countries, The Market Research Society (MRS) is the world's largest international membership organisation for professional researchers and others engaged in (or interested in) marketing, social or opinion research.

It has a diverse membership of individual researchers within agencies, independent consultancies, client-side organisations, and the academic community, and from all levels of seniority and job functions.

All members agree to comply with the MRS Code of Conduct, which is supported by the Codeline advisory service and a range of specialist guidelines on best practice.

MRS offers various qualifications and membership grades, as well as training and professional development resources to support these. It is the official awarding body in the UK for vocational qualifications in market research.

MRS is a major supplier of publications and information services, conferences and seminars and many other meeting and networking opportunities for researchers.

MRS is 'the voice of the profession' in its media relations and public affairs activities on behalf of professional research practitioners, and aims to achieve the most favourable climate of opinions and legislative environment for research.

THE PURPOSE OF THE 'CODE OF CONDUCT'

This edition of the Code of Conduct was agreed by the Market Research Society to be operative from July 1999. It is a fully revised version of a self-regulatory code which has been in existence since 1954. This Code is based upon and fully compatible with the ICC/ESOMAR International Code of Marketing and Social Research Practice. The Code of Conduct is designed to support all those engaged in marketing or social research in maintaining professional standards. It applies to all members of The Market Research Society, whether they are engaged in consumer, business to business, social, opinion or any other type of confidential survey research. It applies to all quantitative and qualitative methods for data gathering. Assurance that research is conducted in an ethical manner is needed to create confidence in, and to encourage co-operation among the business community, the general public, regulators and others.

The Code of Conduct does not take precedence over national law. Members responsible for international research shall take its provisions as a minimum requirement and fulfil any other responsibilities set down in law or by nationally agreed standards.

THE PURPOSE OF GUIDELINES

MRS Guidelines exist or are being developed in many of these areas in order to provide a more comprehensive framework of interpretation. These guidelines have been written in recognition of the increasingly diverse activities of the Society's members, some of which are not covered in detail by the Code of Conduct. A full list of guidelines appears on the Society's website, and is also available from the Society's Standards Manager.

One particular guideline covers the use of databases containing personal details of respondents or potential respondents, both for purposes associated with confidential survey research and in cases where respondent details are passed to a third party for marketing or other purposes. This guideline has been formally accepted by the Society, following extensive consultation with members and with the Data Protection Registrar/Commissioner.

RELATIONSHIP WITH DATA PROTECTION LEGISLATION

Adherence to the Code of Conduct and the database Guidelines will help to ensure that research is conducted in accordance with the principles of data protection legislation. In the UK this is encompassed by the Data Protection Act 1998.

Data Protection Definitions

Personal Data means data which relates to a living individual who can be identified

- from the data, or
- from the data and other information in the possession of, or 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.

Processing means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including

- organisation, adaptation or alteration
- retrieval, consultation or use
- disclosure by transmission, dissemination or otherwise making available
- alignment, combination, blocking, erasure or destruction.

It is a requirement of membership that researchers must ensure that their conduct follows the letter and spirit of the principles of Data Protection legislation from the Act. In the UK the eight data protection principles are:

The First Principle

Personal data shall be processed fairly and lawfully.¹

The Second Principle

Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.

The Third Principle

Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.

The Fourth Principle

Personal data shall be accurate and, where necessary, kept up to date.

The Fifth Principle

Personal data processed for any purpose or purposes shall not be kept longer than is necessary for that purpose or those purposes.

The Sixth Principle

Personal data shall be processed in accordance with the rights of data subjects under this Act.

The Seventh Principle

Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

The Eighth Principle

Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Exemption for Research Purposes

Where personal data processed for research, statistical or historical purposes are not processed to support decisions affecting particular individuals or in such a way as likely to cause substantial damage or distress to any data subject such processing will not breach the Second Principle and the data may be retained indefinitely despite the Fifth Principle.

As long as the results of the research are not published in a form, which identifies any data subject, there is no right of subject access to the data.

¹ In particular shall not be processed unless at least one of the conditions in Schedule 2 is met, and in the case of sensitive data, at least one of the conditions of Schedule 3 is also met. (These schedules provide that in determining whether personal data has been processed fairly, consideration must be given to the basis on which it was obtained).

Code Definitions

Research Research is the collection and analysis of data from a sample of individuals or organisations relating to their characteristics, behaviour, attitudes, opinions or possessions. It includes all forms of marketing and social research such as consumer and industrial surveys, psychological investigations, observational and panel studies.

Respondent A respondent is any individual or organisation from whom any information is sought by the researcher for the purpose of a marketing or social research project. The term covers cases where information is to be obtained by verbal interviewing techniques, postal and other self-completion questionnaires, mechanical or electronic equipment, observation and any other method where the identity of the provider of the information may be recorded or otherwise traceable. This includes those approached for research purposes whether or not substantive information is obtained from them and includes those who decline to participate or withdraw at any stage from the research.

Interview An interview is any form of contact intended to provide information from a respondent.

Identity 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 any of the recipients of the information.

Children For the purpose of the Code, children and young people are defined as those aged under 18. The intention of the provisions regarding age is to protect potentially vulnerable members of society, whatever the source of their vulnerability, and to strengthen the principle of public trust. Consent of a parent or responsible adult should be obtained for interviews with children under 16.

Consent must be obtained under the following circumstances:

- In home/ at home (face-to-face and telephone interviewing)
- Group discussions/ depth interviews
- Where interviewer and child are alone together.

Interviews being conducted in public places, such as in-street/ in-store/ central locations, with 14 and 15 year olds may take place without consent if a parent or responsible adult is not accompanying the child. In these situations an explanatory thank you note must be given to the child.

Under special circumstances, a survey may waive parental consent but only with the prior approval of the Professional Standards Committee.

Records The term records includes anything containing information relating to a research project and covers all data collection and data processing documents, audio and visual recordings. Primary records are the most comprehensive record of information on which a project is based; they include not only the original data records themselves, but also anything needed to evaluate those records, such as quality control

documents. Secondary records are any other records about the Respondent.

Client Client includes any individual, organisation, department or division, including any belonging to the same organisation as the research agency which is responsible for commissioning a research project.

Agency Agency includes any individual, organisation, department or division, including any belonging to the same organisation as the client which is responsible for, or acts as, a supplier on all or part of a research project.

Professional body Professional body refers to The Market Research Society.

Public place A 'public place' is one to which the public has access (where admission has been gained with or without a charge) and where an individual could reasonably expect to be observed and/or overheard by other people, for example in a shop, in the street or in a place of entertainment.

Principles

Research is founded upon the willing co-operation of the public and of business organisations. It depends upon their confidence that it is conducted honestly, objectively, without unwelcome intrusion and without harm to respondents. Its purpose is to collect and analyse information, and not directly to create sales nor to influence the opinions of anyone participating in it. It is in this spirit that the Code of Conduct has been devised.

The general public and other interested parties shall be entitled to complete assurance that every research project is carried out strictly in accordance with this Code, and that their rights of privacy are respected. In particular, they must be assured that no information which could be used to identify them will be made available without their agreement to anyone outside the agency responsible for conducting the research. They must also be assured that the information they supply will not be used for any purposes other than research and that they will not be adversely affected or embarrassed as a direct result of their participation in a research project.

Wherever possible respondents must be informed as to the purpose of the research and the likely length of time necessary for the collection of the information. Finally, the research findings themselves must always be reported accurately and never used to mislead anyone, in any way.

Section A

Conditions of Membership and Professional Responsibilities

- A1 Membership of the professional body is granted to individuals who are believed, on the basis of the information they have given, to have such qualifications as are specified from time to time by the professional body and who have undertaken to accept this Code of Conduct. Membership may be withdrawn if this information is found to be inaccurate.

General Responsibilities

- A2 Members shall at all times act honestly in dealings with respondents, clients (actual or potential), employers, employees, sub-contractors and the general public.
- A3 Members shall at all times seek to avoid conflicts of interest with clients or employers and shall make prior voluntary and full disclosure to all parties concerned of all matters that might give rise to such conflict.
- A4 The use of letters after an individual's name to indicate membership of the Market Research Society is permitted in the case of Fellows (FMRS) and Full Members (MMRS). All members may point out, where relevant, that they belong to the appropriate category of the professional body.
- A5 Members shall not imply in any statement that they are speaking on behalf of the professional body unless they have the written authority of Council or of some duly delegated individual or committee.

Working practices

- A6 Members shall ensure that the people (including clients, colleagues and sub-contractors) with whom they work are sufficiently familiar with this Code of Conduct and that working arrangements are such that the Code is unlikely to be breached through ignorance of its provisions.

- A7 Members shall not knowingly take advantage, without permission, of the unpublished work of a fellow member which is the property of that member. Specifically, members shall not carry out or commission work based on proposals prepared by a member in another organisation unless permission has been obtained from that organisation.
- A8 All written or oral assurances made by anyone involved in commissioning or conducting projects must be factually correct and honoured.

Responsibilities to other members

- A9 Members shall not place other members in a position in which they might unwittingly breach any part of this Code of Conduct.

Responsibilities of Clients to Agencies

- A10 Clients should not normally invite more than four agencies to tender in writing for a project. If they do so, they should disclose how many invitations to tender they are seeking.
- A11 Unless paid for by the client, a specification for a project drawn up by one research agency is the property of that agency and may not be passed on to another agency without the permission of the originating research agency.

Confidential Survey Research and other activities (apply B15 and Notes to B15)

- A12 Members shall only use the term *confidential survey research* to describe research projects which are based upon respondent anonymity and do not involve the divulgence of identities or personal details of respondents to others except for research purposes.

A13 If any of the following activities are involved in, or form part of, a project then the project lies outside the scope of confidential survey research and must not be described or presented as such:

- a. enquiries whose objectives include obtaining personal information about private individuals per se, whether for legal, political, supervisory (e.g. job performance), private or other purposes;
- b. the acquisition of information for use by credit-rating or similar purposes;
- c. the compilation, updating or enhancement of lists, registers or databases which are not exclusively for research purposes (e.g. which will be used for direct or relationship marketing);
- d. industrial, commercial or any other form of espionage;
- e. sales or promotional approaches to individual respondents;
- f. the collection of debts;
- g. fund raising;
- h. direct or indirect attempts, including the framing of questions, to influence a respondent's opinions or attitudes on any issue other than for experimental purposes which are identified in any report or publication of the results.

A14 Where any such activities referred to in paragraph A13 are carried out by a member, the member must clearly differentiate such activities by:

- a. not describing them to anyone as confidential survey research
and
- b. making it clear to respondents at the start of any data collection exercise what the purposes of the activity are and that the activity is not confidential survey research.

Scope of Code

- A15 When undertaking confidential survey research based on respondent anonymity, members shall abide by the ICC/ESOMAR International Code of Conduct which constitutes Section B of this Code.
- A16 MRS Guidelines issued, other than those published as consultative drafts, are binding on members where they indicate that actions or procedures *shall* or *must* be adhered to by members. Breaches of these conditions will be treated as breaches of the Code and may be subject to disciplinary action.
- A17 Recommendations within such guidelines that members *should* behave in certain ways are advisory only.
- A18 It is the responsibility of members to keep themselves updated on changes or amendments to any part of this Code which are published from time to time and announced in publications and on the web pages of the Society. If in doubt about the interpretation of the Code, members may consult the Professional Standards Committee or its Codeline Service set up to deal with Code enquiries.

Disciplinary Action

- A19 Complaints regarding breaches of the Code of Conduct by those in membership of the MRS must be made to The Market Research Society.
- A20 Membership may be withdrawn, or other disciplinary action taken, if, on investigation of a complaint, it is found that in the opinion of the professional body, any part of the member's research work or behaviour breaches this Code of Conduct.

- A21 Members must make available the necessary information as and when requested by the Professional Standards Committee and Disciplinary Committee in the course of an enquiry.
- A22 Membership may be withdrawn, or other disciplinary action taken, if a member is deemed guilty of unprofessional conduct. This is defined as a member:
- a. being guilty of any act or conduct which in the opinion of a body appointed by Council might bring discredit on the profession, the professional body or its members;
 - b. being guilty of any breach of the Code of Conduct set out in this document;
 - c. knowingly being in breach of any other regulations laid down from time to time by the Council of the professional body;
 - d. failing without good reason to assist the professional body in the investigation of a complaint;
 - e. having a receiving order made against him/her or making any arrangement or composition with his/her creditors;
 - f. being found to be in breach of the Data Protection Act by the Data Protection Registrar.
- A23 No member will have his/her membership withdrawn, demoted or suspended under this Code, without an opportunity of a hearing before a tribunal, of which s/he will have at least one month's notice.
- A24 Normally, the MRS will publish the names of members who have their membership withdrawn, demoted or are suspended or have other disciplinary action taken with the reasons for the decision.
- A25 If a member subject to complaint resigns his/her membership of the Society whilst the case is unresolved, then such resignation shall be published and in the event of the re-admission to membership the member shall be required to co-operate in the completion of any outstanding disciplinary process.

Section B

ICC/ESOMAR CODE OF MARKETING AND SOCIAL RESEARCH PRACTICE

General

- B1 Marketing research must always be carried out objectively and in accordance with established scientific principles.
- B2 Marketing research must always conform to the national and international legislation which applies in those countries involved in a given research project.

The Rights of Respondents

- B3 Respondents' co-operation in a marketing research project is entirely voluntary at all stages. They must not be misled when being asked for co-operation.
- B4 Respondents' anonymity must be strictly preserved. If the respondent on request from the Researcher has given permission for data to be passed on in a form which allows that respondent to be identified personally:
- a) the Respondent must first have been told to whom the information would be supplied and the purposes for which it will be used, and also
 - b) the Researcher must ensure that the information will not be used for any non-research purpose and that the recipient of the information has agreed to conform to the requirements of the Code.
- B5 The Researcher must take all reasonable precautions to ensure that Respondents are in no way directly harmed or adversely affected as a result of their participation in a marketing research project.
- B6 The Researcher must take special care when interviewing children and young people. The informed consent of the parent or responsible adult must first be obtained for interviews with children.
- B7 Respondents must be told (normally at the beginning of the interview) if observation techniques or recording equipment are used, except where these are used in a public place. If a respondent so wishes, the record or relevant section of it must be destroyed or deleted. Respondents' anonymity must not be infringed by the use of such methods.
- B8 Respondents must be enabled to check without difficulty the identity and

bona fides of the Researcher.

The Professional Responsibilities of Researchers

- B9 Researchers must not, whether knowingly or negligently, act in any way which could bring discredit on the marketing research profession or lead to a loss of public confidence in it.
- B10 Researchers must not make false claims about their skills and experience or about those of their organisation.
- B11 Researchers must not unjustifiably criticise or disparage other Researchers.
- B12 Researchers must always strive to design research which is cost-efficient and of adequate quality, and then to carry this out to the specification agreed with the Client.
- B13 Researchers must ensure the security of all research records in their possession.
- B14 Researchers must not knowingly allow the dissemination of conclusions from a marketing research project which are not adequately supported by the data. They must always be prepared to make available the technical information necessary to assess the validity of any published findings.
- B15 When acting in their capacity as Researchers the latter must not undertake any non-research activities, for example database marketing involving data about individuals which will be used for direct marketing and promotional activities. Any such non-research activities must always, in the way they are organised and carried out, be clearly differentiated from marketing research activities.

Mutual Rights and Responsibilities of Researchers and Clients

- B16 These rights and responsibilities will normally be governed by a written Contract between the Researcher and the Client. The parties may amend the provisions of rules B19- B23 below if they have agreed this in writing beforehand; but the other requirements of this Code may not be altered in this way. Marketing research must also always be conducted according to the principles of fair competition, as generally understood and accepted.
- B17 The Researcher must inform the Client if the work to be carried out for that Client is to be combined or syndicated in the same project with work for other Clients but must not disclose the identity of such clients without their permission.
- B18 The Researcher must inform the Client as soon as possible in advance when any part of the work for that Client is to be subcontracted outside the Researcher's own organisation (including the use of any outside consultants). On request the Client must be told the identity of any such subcontractor.
- B19 The Client does not have the right, without prior agreement between the parties involved, to exclusive use of the Researcher's services or those of his organisation, whether in whole or in part. In carrying out work for different clients, however, the Researcher must endeavour to avoid possible clashes of interest between the services provided to those clients.
- B20 The following Records remain the property of the Client and must not be disclosed by the Researcher to any third party without the Client's permission:
- a) marketing research briefs, specifications and other information provided by the Client;
 - b) the research data and findings from a marketing research project (except in the case of syndicated or multi-client projects or services where the same data are available to more than one client).

The Client has, however, no right to know the names or addresses of Respondents unless the latter's explicit permission for this has first been obtained by the Researcher (this particular requirement cannot be altered under Rule B16).

- B21 Unless it is specifically agreed to the contrary, the following Records remain the property of the Researcher:
- a) marketing research proposals and cost quotations (unless these have been paid for by the Client). They must not be disclosed by the Client to any third party, other than to a consultant working for the Client on that project (with the exception of any consultant working also for a competitor of the Researcher). In particular, they must not be used by the Client to influence research proposals or cost quotations from other Researchers.
 - b) the contents of a report in the case of syndicated research and/or multi-client projects or services where the same data are available to more than one client and where it is clearly understood that the resulting reports are available for general purchase or subscription. The Client may not disclose the findings of such research to any third party (other than his own consultants and advisors for use in connection with his business) without the permission of the Researcher.
 - c) all other research Records prepared by the Researcher (with the exception in the case of non-syndicated projects of the report to the Client, and also the research design and questionnaire where the costs of developing these are covered by the charges paid by the Client).
- B22 The Researcher must conform to current agreed professional practice relating to the keeping of such records for an appropriate period of time after the end of the project. On request the Researcher must supply the Client with duplicate copies of such records provided that such duplicates do not breach anonymity and confidentiality requirements (Rule B4); that the request is made within the agreed time limit for keeping the Records; and that the Client pays the reasonable costs of providing the duplicates.
- B23 The Researcher must not disclose the identity of the Client (provided there is no legal obligation to do so) or any confidential information about the latter's business, to any third party without the Client's permission.
- B24 The Researcher must, on request, allow the Client to arrange for checks on the quality of fieldwork and data preparation provided that the Client pays any additional costs involved in this. Any such checks must conform to the requirements of Rule B4.
- B25 The Researcher must provide the Client with all appropriate technical details of any research project carried out for that Client.

- B26 When reporting on the results of a marketing research project the Researcher must make a clear distinction between the findings as such, the Researcher's interpretation of these and any recommendations based on them.
- B27 Where any of the findings of a research project are published by the Client, the latter has a responsibility to ensure that these are not misleading. The Researcher must be consulted and agree in advance the form and content of publication, and must take action to correct any misleading statements about the research and its findings.
- B28 Researchers must not allow their names to be used in connection with any research project as an assurance that the latter has been carried out in conformity with this Code unless they are confident that the project has in all respects met the Code's requirements.
- B29 Researchers must ensure that Clients are aware of the existence of this Code and of the need to comply with its requirements.

Notes on How the ICC/ESOMAR International Code of Marketing and Social Research Practice should be Applied

These general notes published by ICC/ESOMAR apply to the interpretation of Section B of this Code in the absence of any specific interpretation which may be found in the MRS Definitions, in Part A of the MRS Code or in Guidelines published by the MRS. MRS members who are also members of ESOMAR will in addition be subject to requirements of the guidelines published by ESOMAR.

These Notes are intended to help users of the Code to interpret and apply it in practice.

The Notes, and the Guidelines referred to in them, will be reviewed and reissued from time to time. Any query or problem about how to apply the Code in a specific situation should be addressed to the Secretariat of the MRS.

The Rights of Respondents

All Respondents are entitled to be sure that when they agree to co-operate in any marketing research project they are fully protected by the provisions of this Code and that the Researcher will conform to its requirements. This applies equally to Respondents interviewed as private individuals and to those interviewed as representatives of organisations of different kinds.

Note on Rule B3 Researchers and those working on their behalf (e.g. interviewers) must not, in order to secure Respondents' co-operation, make statements or promises which are knowingly misleading or incorrect - for example, about the likely length of the interview or about the possibilities of being re-interviewed on a later occasion. Any such statements and assurances given to Respondents must be fully honoured.

Respondents are entitled to withdraw from an interview at any stage and to refuse to co-operate further in the research project. Any or all of the information collected from or about them must be destroyed without delay if Respondents so request.

Note on Rule B4 All indications of the identity of Respondents should be physically separated from the records of the information they have provided as soon as possible after the completion of any necessary fieldwork quality checks. The Researcher must ensure that any information which might identify Respondents is stored securely, and separately from the other information they have provided; and that access to such material is restricted to authorised research personnel within the Researcher's own Organisation for specific research purposes (e.g. field administration, data processing, panel or 'longitudinal' studies or other forms of research involving recall interviews).

To preserve Respondents' anonymity not only their names and addresses but also any other information provided by or about them which could in practice identify them (e.g. their Company and job title) must be safeguarded.

These anonymity requirements may be relaxed only under the following safeguards:

(a) where the Respondent has given explicit permission for this under the conditions of 'informed consent' summarised in Rule 4 (a) and (b).

(b) where disclosure of names to a third party (e.g. a subcontractor) is essential for any research purpose such as data processing or further interview (e.g. an independent fieldwork quality check) or for further follow-up research. The original Researcher is responsible for ensuring that any such third party agrees to observe the requirements of this Code - in writing, if the third party has not already formally subscribed to the Code.

It must be noted that even these limited relaxations may not be permissible in certain countries. The definition of 'non-research activity', referred to in Rule 4(b), is dealt with in connection with Rule 15

Note on Rule B5 The Researcher must explicitly agree with the Client arrangements regarding the responsibilities for product safety and for dealing with any complaints or damage arising from faulty products or product misuse. Such responsibilities will normally rest with the Client, but the Researcher must ensure that products are correctly stored and handled while in the Researcher's charge and that Respondents are given appropriate instructions for their use. More generally, Researchers should avoid interviewing at inappropriate or inconvenient times. They should also avoid the use of unnecessarily long interviews; and the asking of personal questions which may worry or annoy Respondents, unless the information is essential to the purposes of the study and the reasons for needing it are explained to the Respondent.

Note on Rule B6 The definitions of 'children' and 'young people' may vary by country but if not otherwise specified locally should be taken as 'under 14 years' and '14-17 years' (under 16, and 16-17 respectively in the UK).

Note on Rule B7 The Respondent should be told at the beginning of the interview that recording techniques are to be used unless this knowledge might bias the Respondent's subsequent behaviour: in such cases the Respondent must be told about the recording at the end of the interview and be given the opportunity to see or hear the relevant section of the record and, if they so wish, to have this destroyed. A 'public place' is defined as one to which the public has free access and where an individual could reasonably expect to be observed and/or overheard by other people present, for example in a shop or in the street.

Note on Rule B8 The name and address/telephone number of the Researcher must normally be made available to the Respondent at the time of interview. In cases where an accommodation address or 'cover name' are used for data collection purposes arrangements must be made to enable Respondents subsequently to find without difficulty or avoidable expense the name and address of the Researcher. Wherever possible 'Freephone' or similar facilities should be provided so that Respondents can check the Researcher's bona fides without cost to themselves.

The Professional Responsibilities of Researchers

This Code is not intended to restrict the rights of Researchers to undertake any legitimate marketing research activity and to operate competitively in so doing.

However, it is essential that in pursuing these objectives the general public's confidence in the integrity of marketing research is not undermined in any way. This Section sets out the responsibilities which the Researcher has towards the public at large and towards the marketing research profession and other members of this.

Note on Rule B14 The kinds of technical information which should on request be made available include those listed in the Notes to Rule B25. The Researcher must not however disclose information which is confidential to the Client's business, nor need he/she disclose information relating to parts of the survey which were not published.

Note on Rule B15 The kinds of non-research activity which must not be associated in any way with the carrying out of marketing research include: enquiries whose objectives are to obtain personal information about private individuals *per se*, whether for legal, political, supervisory (e.g. job performance), private or other purposes; the acquisition of information for use for credit-rating or similar purposes; the compilation, updating or enhancement of lists, registers or databases which are not exclusively for research purposes (e.g. which will be used for direct marketing); industrial, commercial or any other form of espionage; sales or promotional approaches to individual Respondents; the collection of debts; fund-raising; direct or indirect attempts, including by the design of the questionnaire, to influence a Respondent's opinions, attitudes or behaviour on any issue.

Certain of these activities - in particular the collection of information for databases for subsequent use in direct marketing and similar operations - are legitimate marketing activities in their own right. Researchers (especially those working within a client company) may often be involved with such activities, either directly or indirectly. In such cases it is essential that a clear distinction is made between these activities and marketing research since by definition marketing research anonymity rules cannot be applied to them.

Situations may arise where a Researcher wishes, quite legitimately, to become involved with marketing database work for direct marketing (as distinct from marketing research) purposes: such work must not be carried out under the name of marketing research or of a marketing research Organisation as such

The Mutual Rights and Responsibilities of Researchers and Clients

This Code is not intended to regulate the details of business relationships between Researchers and Clients except in so far as these may involve principles of general interest and concern. Most such matters should be regulated by the individual business Contracts. It is clearly vital that such Contracts are based on an adequate understanding and consideration of the issues involved.

Note on Rule B18 Although it is usually known in advance what subcontractors will be used, occasions do arise during the course of a project where subcontractors need to be brought in, or changed, at very short notice. In such cases, rather than cause delays to the project in order to inform the Client it will usually be sensible and acceptable to let the Client know as quickly as possible after the decision has been taken.

Note on Rule B22 The period of time for which research Records should be kept by the Researcher will vary with the nature of the project (e.g. ad hoc, panel, repetitive) and the possible requirements for follow-up research or further analysis. It will normally be longer for the stored research data resulting from a survey (tabulations, discs, tapes etc.) than for primary field records (the original completed questionnaires and similar basic records). The period must be disclosed to, and agreed by, the Client in advance. In default of any agreement to the contrary, in the case of *ad hoc* surveys the normal period for which the primary field records should be retained is one year after completion of the fieldwork while the research data should be stored for possible further analysis for at least two years. The Researcher should take suitable precautions to guard against any accidental loss of the information, whether stored physically or electronically, during the agreed storage period.

Note on Rule B24 On request the client, or his mutually acceptable representative, may observe a limited number of interviews for this purpose. In certain cases, such as panels or in situations where a Respondent might be known to (or be in subsequent contact with) the Client, this may require the previous agreement of the Respondent. Any such observer must agree to be bound by the provisions of this Code, especially Rule B4.

The Researcher is entitled to be recompensed for any delays and increased fieldwork costs which may result from such a request. The Client must be informed if the observation of interviews may mean that the results of such interviews will need to be excluded from the overall survey analysis because they are no longer methodologically comparable.

In the case of multi-client studies the Researcher may require that any such observer is independent of any of the Clients.

Where an independent check on the quality of fieldwork is to be carried out by a different research agency the latter must conform in all respects to the requirements of this Code. In particular, the anonymity of the original Respondents must be fully safeguarded and their names and addresses used exclusively for the purposes of back-checks, not being disclosed to the Client. Similar considerations apply where the Client wishes to carry out checks on the quality of data preparation work.

Note on Rule B25 The Client is entitled to the following information about any marketing research project to which he has subscribed:

- (1) Background
 - for whom the study was conducted
 - the purpose of the study
 - names of subcontractors and consultants performing any substantial part of the work

- (2) Sample
- a description of the intended and actual universe covered
 - the size, nature and geographical distribution of the sample (both planned and achieved); and where relevant, the extent to which any of the data collected were obtained from only part of the sample
 - details of the sampling method and any weighting methods used
 - where technically relevant, a statement of response rates and a discussion of any possible bias due to non-response
- (3) Data collection
- a description of the method by which the information was collected
 - a description of the field staff, briefing and field quality control methods used
 - the method of recruiting Respondents; and the general nature of any incentives offered to secure their co-operation
 - when the fieldwork was carried out
 - (in the case of 'desk research') a clear statement of the sources of the information and their likely reliability
- (4) Presentation of results
- the relevant factual findings obtained
 - bases of percentages (both weighted and unweighted)
 - general indications of the probable statistical margins of error to be attached to the main findings, and of the levels of statistical significance of differences between key figures
 - the questionnaire and other relevant documents and materials used (or, in the case of a shared project, that portion relating to the matter reported on).

The Report on a project should normally cover the above points or provide a reference to a readily available separate document which contains the information.

Note on Rule B27 If the Client does not consult and agree in advance the form of publication with the Researcher the latter is entitled to:

- (a) refuse permission for his name to be used in connection with the published findings and
- (b) publish the appropriate technical details of the project (as listed in the Notes to B 25).

Note on Rule B29 It is recommended that Researchers specify in their research proposals that they follow the requirements of this Code and that they make a copy available to the Client if the latter does not already have one.