



The  
Research  
Society

# Code of Professional Behaviour



PROFESSIONAL  
STANDARDS &  
CREDIBILITY



RECOGNITION &  
ACCREDITATION



STAY  
INFORMED



ENHANCE  
PROFESSIONAL  
SKILLS



PROMOTE  
YOUR  
BUSINESS



POWERFUL  
ADVOCACY



CONNECT WITH  
OTHER THOUGHT  
LEADERS



MEMBER  
DISCOUNTS

[www.researchsociety.com.au](http://www.researchsociety.com.au)

# Contents

|  |           |
|--|-----------|
| <b>Introduction</b> .....  | <b>3</b>  |
| <b>Members' responsibilities</b> .....   | <b>3</b>  |
| <b>Advice and guidance</b> .....   | <b>3</b>  |
| <b>Complaint procedure</b> .....   | <b>3</b>  |
| <b>Definitions</b> .....   | <b>4</b>  |
| <b>The Research Society Code of Professional Behaviour</b> .....                         | <b>5</b>  |
| General rules of professional behaviour .....  | 5         |
| Distinguishing research from other activities .....                                      | 5         |
| Disclosure of identifiable research information .....                                    | 6         |
| Proposals, commissioning and design .....  | 6         |
| Data collection and handling .....   | 6         |
| Children, young people and other vulnerable groups .....                                 | 7         |
| Observation and recording .....  | 8         |
| Re-contacting participants .....   | 8         |
| Data provision and reporting .....   | 8         |
| Data storage and security .....  | 9         |
| Cross border disclosure of identifiable research information .....                       | 9         |
| Responsibility to carry out professional activities<br>in accordance with the Code ..... | 9         |
| Implementation of the Code .....   | 9         |
| <b>Appendix A</b> .....  | <b>10</b> |

## Introduction

The Research Society is the peak body in Australia for everyone engaged or interested in market, social and opinion research, whether you use it or provide it, and data analytics, customer experience and insight.

The Research Society Code of Professional Behaviour (the Code) was introduced in 1955 and has been reviewed regularly since then. This edition of the Code was agreed by The Research Society Board to be operative from 2 March 2020.

The Code is designed as a framework for self-regulation. Its aim is to foster public confidence in research and to demonstrate that activities carried out by Members are carried out in a professional and ethical manner.

All Research Society Members and Company and Client Partners must comply with the Code. It applies to the professional activities of Members and Partners.

Company and Client Partner organisations are required to ensure that all individuals employed or engaged by them (whether Research Society Members or not) comply with this Code as if they are Members.

It applies to all Members irrespective of the type of project and methodology used.

The Code does not take precedence over applicable law.

## Members' responsibilities

Compliance with this Code is a condition of Membership of The Research Society. It is the responsibility of Members to keep themselves updated on changes or amendments to this Code which may be published from time to time.

It is to be applied in the spirit as well as to the letter.

Members are encouraged to promote the rules of the Code to others in the course of their professional activities.

Throughout this document the word "must" is used to identify mandatory requirements, a principle or practice that Members are obliged to follow. The word "should" indicates a recommended practice. This usage recognises that Members may choose to implement a principle or practice in different ways depending on the design of their project.

## Advice and guidance

If in doubt about the interpretation of the Code, Members may consult The Research Society Ethics Line service (1300 661 951) which deals with Code enquiries and advises on best practice.

The Research Society Guidelines, which provide guidance on the application of the Code, are available on The Research Society website [www.researchsociety.com.au](http://www.researchsociety.com.au).

## Complaint procedure

Under The Research Society Regulations, anyone can make a complaint against a Member if they believe the Member has breached the Code, Constitution or Regulations. The Complaints Procedure for breaches against the Code can be found in the Regulations. If a complaint is made against a Member, the Member is required to cooperate with The Research Society to assist in the early resolution of the complaint. Possible penalties include reprimand, counselling, suspension or expulsion from the Society.

The Regulations also allow for a complaint to be made against a Company or Client Partner for an alleged breach of the Code or Quality Commitment. Details of the Complaint Procedure for Company and Client Partners can be found in the Regulations.



## Definitions

**Client** includes any individual or organisation, department or division, including any belonging to the same organisation as a Member, that is responsible for commissioning a project or applying the results from that project.

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

**Contact details** is a record of identifying information such as names, companies, position titles, addresses, phone numbers and email addresses, collected and retained in order to contact individuals in a sample.

**Data analytics** is the process of examining data sets to identify patterns, correlations, trends, preferences or other useful information for a research purpose. This also includes modelling, forecasting and aggregation of data.

**De-identification** is the process of ensuring that identifiable research information is rendered permanently non-identifiable: i.e. without retaining a means by which the information could reasonably be re-identified.

De-identification is intended to be a permanent and irreversible process. Other techniques, such as the removal of identifiers, may be used to make identification more difficult but if there remains a reasonable possibility of identification, information has not been 'de-identified'. Other than by aggregation of information, it may never be possible to guarantee de-identification, and whether any particular approach to de-identification meets the standard required in the context of the Privacy Act 1988 will be a matter to be decided on the facts.

**Disclosure of identifiable research information** is the process of passing on identifiable research information outside the Member's organisation, whether it is physically or electronically released or transferred.

**Genuine research concerns** are those where the Member has reason to expect that the purpose of the research exercise would otherwise be defeated.

Examples of genuine research concerns include:

- Where bias due to non-response (or research opt-outs) may materially affect the information obtained in the research project,
- Where significant public interest lies in achieving high response rates,
- Where the research is a genuine study of non-response or research opt-outs,
- Where prior knowledge of the likelihood of being re-contacted may materially affect the information obtained, or
- Where the validity of a longitudinal or ongoing research project may be compromised.

**Harm** means tangible and material harm (such as physical injury or financial loss), intangible or moral harm (such as damage to reputation or goodwill), or excessive intrusion into private life, including unsolicited personally-targeted marketing messages.

**Identifiable research information** means personal information about participants in a project. It includes any information or opinion (whether true or not) about a participant who is identified or could reasonably be identified, contact details, research status and research data. It may also include information that is not collected by means of direct questioning but by techniques such as observation or remote recording of customer behaviour. It does not include any unsolicited information.

**Member** is an individual who has been admitted to membership of The Research Society in one of the categories set out in the The Research Society Regulations.

**Participant** is any individual, whether representing themselves or an organisation, from whom information is collected for the purposes of a project or who is approached for interview. It includes those from whom passive data is collected.

**Passive data collection** is the collection of identifiable research information by observing, measuring or recording an individual's actions or behaviour.

**Profession** is the body of practitioners engaged in (or interested in) research, insight and data analytics and/or the application of its techniques.

**Reasonable steps** are those which a reasonable person, who is properly informed, would be expected to take in the circumstances.

**Research**, is the design, collection, use or analysis of information about individuals or organisations, intended to establish facts, acquire knowledge or reach conclusions. It uses the statistical and analytical methods and 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.

**Research data** is a record of the responses provided by participants at the time of data collection in order to obtain a representation of a population's or sub-population's behaviour, needs, attitudes, opinions and motivations at a given point in time.

**Research purpose** is the handling of information to carry out any function considered essential to a research project or communication of the results of a research project.

In practical terms, research purposes include handling information to conduct analysis, maintain its accuracy, draw a research sample, carry out quality control, note the willingness or unwillingness of an individual to be contacted in relation to future research, assist in the resolution of a problem that has come to light during a research activity or to conduct further research.

**Research status** is information about whether or not an individual has been contacted or has participated in a research project but does not include research data.

**Sensitive information** is identifiable information about an individual's racial or ethnic origin, health information, political opinions, membership of a political association, membership of a professional trade association or trade union, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal record, genetic information, biometric information that is to be used for certain purposes or biometric templates as defined by the Privacy Act 1988.

**Unsolicited information** is identifiable information that Members had not planned to capture or receive. Most identifiable research information handled in the context of research is solicited, in that it has been gathered systematically. However, at times Members may receive information that they have not asked to receive. This information may be offered voluntarily by participants or may be captured as a by-product of other activities, for example, electronic recordings or client provided lists that contain more information than is necessary to conduct the project.

# The Research Society Code of Professional Behaviour

## General rules of professional behaviour

1. Members' professional activities must be legal, and conform to all relevant legislation, including in particular the Privacy Act 1988 and the Australian Privacy Principles (APPs).

*Comment: The requirements to ensure compliance under the APPs include practices, procedures and systems and the need to have a privacy policy which is readily available to participants from whom information is being collected.*

2. Members must be honest and objective when conducting their professional activities and ensure that their professional activities are carried out in accordance with appropriate scientific research principles, methods and techniques.
3. Members' professional activities must be conducted with professional responsibility and conform to the generally accepted principles of fair competition as generally accepted in business.
4. Members must not act in any way that could bring discredit on the profession, The Research Society or its Members, or lead to a loss of public confidence in the profession.
5. Members must not make false or otherwise misleading statements about their skills, experience or activities, or about those of their organisation.
6. Members must not unjustifiably criticise other Members.
7. Members must not abuse the trust of participants or exploit their lack of experience or knowledge.
8. Members must take all reasonable precautions to ensure that participants are in no way harmed or adversely affected as a direct result of their participation in a project.

## Distinguishing research from other activities

9. Members must be mindful that the success of research relies on public confidence in the integrity of research and the confidential treatment of the information.

Research must be clearly distinguished and separated from any marketing activity directed at individual participants, such as sales promotion, direct marketing, direct selling and similar activities.

10. Members must never undertake any activities, under the guise of research, that aim to manipulate, mislead or coerce individuals. This applies throughout the research process including proposal, data collection, analysis and reporting.

Examples of this activity include, but are not confined to:

- a) Selling or marketing under the guise of research ('sugging')
- b) Fund raising under the guise of research ('frugging')
- c) Lobbying for political purposes under the guise of research ('plugging')
- d) Creating false media content and commentary, including social media, under the guise of research ('media-mugging').



## Disclosure of identifiable research information

11 Members must obtain consent if they intend to disclose participants' identifiable research information. They must inform participants to whom the information will be supplied and the purpose for which it will be used.

Members must inform participants at the beginning of the project whether the project is being conducted on an anonymous or identifiable basis and:

- a) if anonymous, participants' anonymity must be strictly preserved.
- b) If identifiable, participants must be informed at this stage of the purpose and the recipient of the identifiable research information, unless there are methodological reasons not to do so at this point. Members must inform participants of the purpose and recipient again at the end of the collection of information and ask them to reconfirm their consent for disclosure.

In some cases, Members may be asked to disclose part of participants' identifiable research information. In this case, participant consent can be obtained during or at the end of the project. The Member must take reasonable steps to ensure that the purpose could not be achieved with de-identified information and that they disclose only that part of the information considered necessary for the purpose.

*Comment: Members may disclose de-identified information freely, provided that there is no reasonable likelihood that the disclosed information could be used to identify one or more of the individuals who participated in the project, such as where the pattern of answers could reveal their identity.*

- 12 Where a Member discloses identifiable research information to a client for the purpose of regulating frequency of research-related contact with the individual, they must ensure:
- a) only that part of the information considered necessary for the purpose is disclosed;
  - b) if the purpose could be achieved using de-identified data, it is de-identified prior to disclosure;
  - c) the information being disclosed relates to the individual's research status and cannot be linked to any research data; and
  - d) the client has agreed to use the individual's research status only for the purpose of regulating frequency of contact with the individual.

*Comment: Participant consent is not required as the Member is disclosing the identified information for a research purpose related to the initial reason for data collection.*

*Comment: The Member may only disclose this information to the client after the project is completed, as its use is only for the regulation of contact with the individual for a future research purpose.*

## Proposals, commissioning and design

- 13 Members must inform clients if the work to be carried out for them is to be combined or syndicated in the same project with work for other clients, without disclosing the identity of such clients without their consent.
- 14 Members must inform clients, prior to work commencing, when any part of the work for them is to be subcontracted outside the Member's own organisation (including the use of any outside consultants). On request, clients must be told the identity of any such subcontractors.
- 15 Members must ensure that projects are designed, carried out, reported and documented accurately, transparently and objectively.
- 16 Project proposals and cost quotations are the property of the organisation or individual who developed them unless otherwise agreed.

## Data collection and handling

- 17 Participants' co-operation in a project is entirely voluntary at all stages. Members must not mislead participants when asking for their co-operation.
- 18 Members must promptly identify themselves and unambiguously state the purpose of the project.
- 19 Participants must be able to check the identity and bona fides of the Member without difficulty.  
*Comment: These include making the name and contact details of the Member's organisation available to participants, without difficulty or expense, during data collection.*
- 20 When collecting identifiable research information from participants, including passive data, Members must ensure that:
  - a) participants are informed of the name and contact details of the Member;



- b) participants are informed of the Member's privacy policy and that the privacy policy contains information about;
  - i. how the participant may access their identifiable research information being collected and seek to have it de-identified or destroyed,
  - ii. the process of handling complaints of a breach of the Australian Privacy Principles (APPs) and
  - iii. the extent to which the participant's identifiable research information may be disclosed overseas;
- c) participants are aware of the purpose of the collection; and
- d) participants are aware of any quality control activity involving re-contact.

*Comment: If it is reasonable and practicable to do so, Members should collect identifiable research information directly from the participant concerned, rather than from third parties (such as another member of the household). Where a Member is relying on such an exception to depart from this general rule, they should make a written record of the reasoning behind this decision.*

- 21 Members must only collect sensitive information (whether from the participant or from a third party) where the participant has given consent, and the information is reasonably necessary for a research purpose.
- 22 Members must disclose the source of the research sample to participants no later than the end of the collection of information, except where the Member and the client have reasonable grounds to decide there are genuine research concerns or another compelling reason not to do so (e.g. it may expose one of the parties to legal action).

*Comment: Where a Member is relying on such an exception to depart from the general rule, they should make a written record of the reasoning behind this decision.*

*Protocols for revealing the source of the research sample should be agreed in advance and made clear in the instructions to interviewers or recruiters. These should include: whether the source of the sample may be revealed; if so, at what point during the project it would be acceptable to reveal it and procedures for dealing with participants' requests for such detail when it has been decided not to reveal it.*

- 23 Members must disclose the identity of the client unprompted, no later than the end of the collection of information, except where the Member and the client

have reasonable grounds to decide that there are genuine research concerns or another compelling reason not to do so (e.g. it may expose one of the parties to legal action).

*Comment: Where a Member is relying on such an exception to depart from the general rule, they should make a written record of the reasoning behind this decision.*

*Protocols for revealing the client's identity should be agreed in advance and made clear in the instructions to interviewers or recruiters. These should include: whether the client's identity may be revealed; if so, at what point during the project it would be acceptable to reveal it and procedures for dealing with participants' requests for such detail when it has been decided not to reveal it.*

- 24 Members must, on request, allow the client to arrange for checks on the quality of data collection and data preparation.
- 25 Identifiable research information collected and held in accordance with this Code must be:
  - a) collected for specified permitted purposes and not used in any manner incompatible with these purposes;
  - b) reasonably necessary for the purpose of the project for which it is collected and/or further processed.

*Comment: Members may receive unsolicited information during a project. For example, a client may provide a sample for a project and mistakenly provide additional information that was not requested. A Member may receive photos that identify people other than the participant. Note the requirement in the APPs to destroy, as soon as practicable, any unsolicited information or to ensure that the information is de-identified.*

## Children, young people and other vulnerable groups

- 26 Members must take special care when collecting information from children and young people. The consent of a parent or responsible adult must first be obtained before collecting information from:
  - a) children, defined as under 14 years, and
  - b) young people, defined as 14-17 years, when sensitive information is being collected.
- 27 Members must take special care when collecting information from people in vulnerable circumstances in the community.

*Comment: Such people include, but are not limited to, people with disability, those experiencing homelessness or other disadvantage, people with serious medical conditions and people from culturally and linguistically diverse backgrounds. Vulnerable circumstances may be permanent or temporary.*

- ii. any individual who, at the time of collection, indicated a wish not to be re-contacted for research purposes is excluded unless the Member and the client have reasonable grounds to decide that there are genuine research concerns that warrant the individual's inclusion.

## Observation and recording

28 Participants must be informed before observation techniques or recording equipment are used for a project, except where these are openly used in a public place and no identifiable research information is collected.

*Comment: Rule 11 states that Members must obtain consent from participants to disclose their identifiable research information. This includes disclosure to observers of an interview or group discussion, as people's faces and voices are defined as identifiable research information.*

*This applies to all observation techniques and recordings, whatever the medium: including, but not limited to, face to face, audio or internet-based.*

- 29 If a Member has agreed with the client that observers are to be present, the Member must inform all observers about their legal and ethical responsibilities.
- 30 Members must make clear to participants the capacity in which observers are present; any clients must be presented as such, even if they are also professional researchers and/or Members of The Research Society.

## Re-contacting participants

- 31. Members may use identifiable research information to make further contact with participants for a research purpose provided that:
  - a) If re-contact of an individual who initially declined to participate is involved, the Member and the client have genuine research concerns that warrant such recontact; and
  - b) If re-contact of an individual who has participated in a project is involved:
    - i. the individual was informed of this likelihood at the time the information was collected, except where the Member and the client have reasonable grounds to decide that there are genuine research concerns that justify not so notifying; or

## Data provision and reporting

- 32 When presenting findings or data analytics of a research project conducted on an anonymous basis, Members must ensure that an individual's identity cannot be inferred via deductive disclosure (for example, through cross-analysis, small samples or combination with other data such as a client's records or secondary data in the public domain).
- 33 Members must ensure that findings and any interpretation of them are clearly and adequately supported by the data.
- 34 When reporting on a project, Members must make a clear distinction between the findings, the Member's interpretation of those findings and any conclusions drawn or recommendations made.
- 35 Members must provide their clients with appropriate methodological details of any project carried out for the clients to enable them to assess the validity of the results and any conclusions drawn.
 

*Comment: Clients are entitled to detailed information about the project, including, if applicable, background, sample, data collection, analysis and reporting.*
- 36 Members must take reasonable steps to ensure that findings from a project, published by themselves or in their company name, are not incorrectly or misleadingly presented.
- 37 Members must take reasonable steps to check and where necessary amend any client prepared materials prior to publication to ensure that the published findings will not be incorrectly or misleadingly reported.
- 38 Members must take reasonable steps to ensure that their name and/or company name are not associated with the dissemination of findings from a project unless they are adequately supported by the data.
 

*Comment: In most instances this would involve taking corrective action to address instances of incorrect or misleadingly presented findings or conclusions, if the Member becomes aware of this.*



## Data storage and security

- 39 Members must ensure the security of all information relating to a project.
- Comment: Members should set a data retention policy for all information and allow for variation of it on a project by project basis according to client requirements. In default of any agreement to the contrary, in the case of ad hoc projects primary field records should be retained for one year after completion of the fieldwork and the research data should be retained for possible further analysis for at least two years.*
- 40 Members must take reasonable steps to protect identifiable research information:
- from misuse, interference and loss; and
  - from unauthorised access, modification or disclosure.
- 41 Identifiable research information collected and held in accordance with this Code must be kept no longer than is required for the purpose for which the information was collected or further processed.
- 42 Members must take reasonable steps to destroy identifiable research information or to ensure that the information is de-identified when it is no longer needed.
- 43 Members must take reasonable steps to ensure that the identifiable research information that they collect, store, use or disclose is accurate, up-to-date and complete.
- Comment: It is a requirement of the APPs that individuals may access identifiable research information held on them and correct it if they wish. However, where this cannot be done without the identity of others being disclosed (for example group discussion recordings), or where a point in time record was made that will be affected by change, a Member may refuse the request. They should make a written record of the reasons for refusal.*
- These requirements do not apply to de-identified research information. It is good practice to de-identify information as soon as practically possible.*
- 44 Members must take reasonable steps to ensure that any identifiable research information that they disclose to another person or organisation:
- will only be retained, used or disclosed by the recipient of the information in a manner that is consistent with the APPs; and
  - will be protected by the recipient from misuse, interference and loss and from unauthorised access, modification, use and disclosure; and

- will only be used or disclosed by the recipient for the specified permitted purpose and will be destroyed or de-identified once this purpose has been achieved.

## Cross border disclosure of identifiable research information

45. Particular care must be taken to maintain the protection of individuals' identifiable research information under the APPs when identifiable research information is disclosed to an overseas recipient.
- Comment: Rule 45 applies only to individuals' identifiable information as covered by the Privacy Act.*

## Responsibility to carry out professional activities in accordance with the Code

- 46 Members have overall responsibility for seeking to ensure that professional activities they undertake are carried out in accordance with this Code, and for recommending that clients and other parties to these activities agree to comply with its requirements.

## Implementation of the Code

- 47 If a Research Society Member, Company Partner or Client Partner contravenes the Code and subsequently takes corrective action, this does not excuse the original contravention of the Code.
- 48 Any apparent infringement of the Code by a Member, Company Partner or Client Partner should in the first place be reported immediately to the Chief Executive Officer of The Research Society in the form of a complaint. The Research Society, as appropriate, will then investigate the complaint and take such further action as may be called for. This action can include suspension or withdrawal of membership of The Research Society. The Complaints Regulation is available from the Research Society office.
49. Failure by a Research Society Member, Company Partner or Client Partner to co-operate with a disciplinary investigation by The Research Society into a possible breach of this Code will be considered a breach of this Code.

## Appendix A

These codes are based on common principles and heritage, but reflect legal and cultural differences between countries.

### United Kingdom

MRS UK Code of Conduct  
[www.mrs.org.uk](http://www.mrs.org.uk)

### Germany

Declaration for the Territory of the Federal Republic of Germany concerning the ICC/ESOMAR International Code on Market and Social Research  
[www.adm-ev.de](http://www.adm-ev.de)

### Japan

JMRA Code of Marketing Research  
[www.jmra-net.or.jp](http://www.jmra-net.or.jp)

### United States

Insights Association Code of Standards  
[www.insightsassociation.org](http://www.insightsassociation.org)

### Global Research Business Network

Codes of Conduct  
[www.grbn.org](http://www.grbn.org)

### ICC and ESOMAR

ICC/ESOMAR International Code on Market and Social Research  
[www.esomar.org](http://www.esomar.org)  
[www.iccwbo.org](http://www.iccwbo.org)



## The Research Society

Level 1, 3 Queen Street, Glebe NSW 2037  
Ph: + 61 2 9566 3100 Fax: + 61 2 9571 5944  
Email: [info@researchsociety.com.au](mailto:info@researchsociety.com.au)



**Society Website:**  
[www.researchsociety.com.au](http://www.researchsociety.com.au)



**Follow us on Twitter:**  
[@researchoz](https://twitter.com/researchoz)



**Linked in:**  
[theresearchsocietyau](https://www.linkedin.com/company/researchsociety)



**Facebook:**  
[facebook.com/researchoz](https://www.facebook.com/researchoz)



**Instagram:**  
[@theresearchsociety](https://www.instagram.com/researchsociety)

[www.researchsociety.com.au](http://www.researchsociety.com.au)