

# A Consultation Strategy for Merton

Policy and Performance  
May 2003

# Consultation Strategy

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## **1. Background**

**1.1** The requirement to consult partners and communities stands at the heart of the modernisation of local government. Consultation forms a key strand of the Government's drive towards participatory democracy. It has become a fundamental feature of the processes used to evaluate and review service provision under Best Value. An effective consultation strategy is, therefore, essential to ensure that Merton provides efficient services and can demonstrate competence to external auditors and inspectors.

**1.2** Consultation and community engagement are not just an underlying feature of the modernisation agenda, but fundamental requirements of Best Value, the statutory framework to drive continuous service improvement in local government. The Best Value statutory framework places a duty on local authorities to secure year on year improvements in performance through a programme of fundamental service reviews. Each review is required to consider issues of economy, efficiency and effectiveness by challenging the need for the service, by making comparisons with the best and consulting the local people to determine the public interest. All these Best Value requirements - consulting, challenging, competing and comparing will be subject to external audit and inspection.

**1.3** Partly in response to the new government requirement to consult, but also moving with the grain of recent changes in local government and the private sector, Merton is seeking to engage local communities more systematically and strengthen the effectiveness of consultation within the Council by developing a corporate consultation strategy. This consultation strategy not only recognises and builds on what has been done within Merton, but also sets out a route to make consultation more systematic, more embedded and more effective. The strategy will develop an overview of all Merton's consultation activities and chart a process that will ensure greater corporate co-ordination of consultation across the council to clear standards. The consultation strategy will help consultation become a learning experience for both service users and providers.

**1.4** Merton has a strong record of consulting the public and devising mechanisms to involve local people in the decisions that will affect them. Like other councils across the UK, it has set up consultative forums to guide the development of a broad range of services and used a variety of consultation methods to enhance the Council's responsiveness to local partners and local people. Merton consults regularly on issues to with the local physical environment and urban planning issues. However, consultation has grown considerably across the council and now needs strategic guidelines to ensure effective co-ordination of the massive amount of resources being committed to engagement processes. Currently around a hundred thousand pounds are being spent on consultation every year across different departments. The consultation strategy aims to ensure that consultation is co-ordinated, rationalised, outcome orientated and therefore value for money for the taxpayer.

## **2. Benefits of Consultation**

There is a range of statutory consultation practices that have the process circumscribed by legislation. However, for those consultation processes open to council discretion there is a wealth of benefits to be accrued from consulting well.

There are numerous reasons for local government and organisations to consult. These reasons can be grouped into two broad categories:

- Organisations providing a public service need to consult service users, customers and clients to get feedback to improve or modify services according to demand and need.
- Organisations providing a public service consult to allow people to exercise their democratic rights as citizens with an interest in decisions taken on behalf.

The Local Government Act 1999 also places a duty on local authorities to consult:

- Tax /rate payers
- Local service users
- People who have an interest in the local area

Alongside the legal and statutory obligation to consult set out in the Local Government Act 1999, consultation can serve a variety of specific functions including:

- Anticipating problems before they occur.
- Planning services.
- Improving services.
- Testing ideas, proposals and policies before they are implemented.
- Allocating resources.
- Improving relationships between the council and members and its customers, service users and local residents.
- Testing user satisfaction with services.
- Measuring or monitoring performance.
- Exploring difficult situations and making difficult choices.

These uses of consultation can lead to more general benefits for both the Council and the public:

- People have a greater sense of “ownership” and regard for services or products about which they have been consulted.
- Service choices and decisions can have greater authority and legitimacy where the public have been effectively consulted about them.
- Consultation can develop social structures and processes in local communities.
- People who have been consulted can feel more engaged in their local area and the choices of their council.

### 3. Challenges of Consultation

There are several challenges associated with consulting and involving local people in local authority decision making. These challenges include:

- Differences in expectations, perceptions, views and interests between the public and the local authority.
- The difficulty of engaging people who might not have direct interest in the issue being consulted about.
- The public are often sceptical about local government motives and question the use of offering their views, particularly if there is a widespread belief that their opinions will not be considered or acted on.
- Within the Council there may be concerns about the amount of time/resources needed to consult and anxieties about ceding power and influence to organised interest groups.

The consultation strategy will help to overcome these challenges by:

- Promoting consultation that is clear, transparent and goal oriented.
- Ensuring inclusive consultation. Consultation that is inclusive, comprehensive and coordinated can help to overcome the power of vocal groups with narrow interests or widespread apathy.
- Where it is possible or practical, ensuring that the council states its position or preferred position as early as possible in the consultation process. It may be necessary to stress that a particular consultation exercise is not a referendum and the Council will need to consider additional factors before decisions are taken.
- Reporting back the results of consultation to establish accountability and offer local people the sense that local governance is a shared commitment in which their views matter.
- Making sure that consultation exercises are suited to available resources.

### 4. Building on what we have: Merton's Achievements

Merton is not starting from scratch in developing a consultation strategy. Much has been achieved already in creating a corporate and strategic approach to consultation. A **Best Value Framework** with corporate consultation guidelines has been produced alongside annual **Best Value Performance Plans** that contain the Council's **Consultation Statement** and the Council's strategic vision and priorities that have been developed through consultation with local partners. A **Consultation Database** linked to the Council's intraNet provides a record of consultation activity in the Council and offers an opportunity for cross-referencing and information gathering.

There is already widespread inclination on the part of departments and officers to consult and engage the local public. The Council has consulted extensively about the performance plan and has commissioned an **Annual Resident Survey** to sample local satisfaction rates with Council services. **Ward Surveys** have been conducted in every ward in Merton throughout the last year, and have proved to be a huge success. A major consultation campaign on emerging political structures for Merton is also underway. A

**Youth Forum** and a **Resident's Panel** have been established, increasing the participation of local people in decision-making processes. In addition, **Best Value Performance Indicator Surveys** and **Best Value Reviews** ensure wide-scale consultation with service users.

### **5. Aims of a Consultation strategy**

It is estimated that over £100,000 is currently spent on consultation and engagement processes every year by departments. The strategy is designed to ensure that, where possible, consultation is co-ordinated, outcome oriented and gives value for money. The consultation strategy aims to:

- Produce clear guidelines on what the Council intends to do to support and reflect the duty to consult.
- Promote an increased and broad awareness of the Council's approach to consultation.
- Develop an action plan to mainstream and embed consultation in Merton.
- Ensure a council-wide predisposition to consult that can be demonstrated to partners, local people and external inspectors.
- Develop a better and more responsive relationship with the public.
- Link public involvement processes across the council.
- Promote more joint consultation activity, less ad-hoc and expensive consultation, and greater sensitivity to "consultation fatigue" amongst the public.
- Deliver a better rationalised, more efficient and more cost effective approach to council-wide consultation.
- Ensure that council officers are more adept and experienced in consulting the public.
- Produce a strategy that will help to promote consultation expertise, communication, learning and co-ordination.
- Make full use of the expertise, knowledge and interests of Councillors.
- Develop a culture of sustained feedback to residents.

### **6. Principles of a Consultation strategy**

Central government guidance on consultation highlights a number of principles it expects councils to incorporate in their consultation arrangements. These principles have formed the central driving force of this Consultation Strategy.

- **Consultation must make a difference.** Consultation should not be regarded as a statutory function or as a promotional exercise. All consultation can add value to service delivery or inform policy decisions if it is adequately designed. It can also improve relationships with the public, by taking into account their opinions about difficult topics. Departments and sections are encouraged to report the results of consultation more systematically and demonstrate that these results have been considered carefully in decision-making processes within the authority. This will entail that each officer responsible for, or having an overview of any consultation activity, will record it in the consultation database. An

opportunity will be presented, on the consultation database and in the Research and Consultation Network meeting for the officer to discuss the findings of the consultation, how the findings will be used, any cross departmental implications of these findings and the “success” or otherwise of the whole consultation exercise.

- **Consultation must be linked to political processes and Councillors.** For consultation to be meaningful it must be capable of feeding into the policy and service provision decision-making structures. The Research and Community Engagement Team liaises with the Scrutiny section to support consultation requirements of Best Value and Policy Scrutiny panels. The provision of consultation support will complement and not usurp elected Councillors pre-eminent role as representatives of the local community. Members will be notified of all consultation activity and their views will be sought as community representatives.
- **Consultation must consider the voices and choices of all communities including those that are marginal or hard to reach.** Consultation must contribute to, and reflect, Merton’s equalities and social inclusion agenda by taking deliberate steps to ensure the voices and concerns of marginal or hard to reach groups are heard and acted upon where appropriate. Furthermore, the Council’s commitment to the Stephen Lawrence Action Plan and the Corporate Equalities Standard makes it imperative to include ethnic monitoring in each response form. Good practice should ensure that all factors involved in discrimination, for example disabilities, should be monitored. This information must be regularly assessed to ascertain the views of ethnic minority communities.
- **Consultation should become integrated into everyday management processes of the authority. There must be a strategic approach to consultation.** Merton has appointed a Research and Community Engagement Team within the Chief Executive’s Department to provide strategic guidance on consultation across the council. The team serves as a point of contact and a resource for all consultation activity. A Research and Consultation Network has been set up linking officers involved in consultation. The Network will provide a forum in which officers can share good practice, discuss the sequencing of consultation activity and offer support to various on-going consultative activities in the council. Furthermore, the Research and Community Engagement team will promote the use of consultative mechanisms already in place such as the Residents and other surveys. Consultative initiatives, such as the Residents Panel, will be publicised and made available for each department to use.
- **Consultation must be economic, efficient and effective.** Consultation is a major demand on council resources. Any consultation process that is not effective represents wasted funds. It is therefore necessary to ensure that appropriate consultation techniques are employed and that repeat consultations do not occur due to a lack of co-ordination between

departments. As part of the strategy to ensure that consultation is economic, efficient and effective it is imperative that all departments inform the Research and Community Engagement Team of any proposed consultation as soon as possible. The drive to co-ordinate consultation corporately will aim to make consultation more economic by using the Residents Panel. The Residents Panel can provide substantial savings in staff time and consultant costs. Training in consultation techniques will also help improve the effectiveness and efficiency of consultation in Merton.

- **All Consultation must be reported and fed back to people consulted**  
Residents who have been consulted should be reported back to. Feeding-back the results and consequences of consultation serves a number of purposes. First of all it demonstrates to people who are consulted that their views matter. It creates a sense that the views given are a matter of public record, which can help inspire confidence in the exercise and the Council as a whole. Finally the discipline of reporting back ensures that officers who consult consider and evaluate consultation findings more systematically. By making the Council more accountable in the eyes of the public it may also help draw in more ordinary people into consultation with the Council. Suitable venues and mechanisms will need to be identified and used to feedback to different groups. Officers will need to make full use of local papers, libraries, newsletters and special mediums like the local Talking Newspapers to feedback. Officers should consider how to report unpopular, unexpected or challenging views. However, a culture of regular feedback could help overcome apathy and contribute to a culture of sustained dialogue between the Council and residents of Merton.

## **7. Putting the Principles into Practice: An Action Plan**

There are a range of tools and practices in place that inform the Action Plan for the Consultation Strategy.

### **7.1 Research and Community Engagement Team**

Merton has appointed a Research and Consultation team to provide strategic guidance on consultation across the council. The team serves as the point of contact for all consultation activity, and chairs the Research and Consultation Network, which is made up of council officers involved in consultation. The team is responsible for all the following points in this action plan.

The research and consultation team will have a key role in promoting and co-ordinating consultation across the council. They will have an overview of a range of consultation tools including the Residents Panel, the Research and Consultation network, resident surveys/research and the consultation database. They will make the tools available to all departments, publicising consultation opportunities and consultation results.

The Research and Community Engagement Team will champion consultation and publicise innovative and good practice from other councils. Much of this promotional activity will occur in the Research and Consultation network,



which will provide a forum for discussion and information sharing on methodology, analysis and interpretation, and consultation findings within, and beyond, Merton. The team will provide advice on the use of specific consultation methods including: the design, administration and analysis of questionnaires; facilitation and analysis of focus groups and workshops; and the development of innovative methodologies where appropriate. The team will advise departments as to the necessity of consultation, the possibility to conduct joint consultation as cost-effective measures, and the appropriateness of external tenders.

## **7.2 The Residents Panel**

A key step to improving the ease and efficiency of consultation in Merton has been the establishment a Citizens' panel. Citizens' panels are a representative sample of people recruited from the local population, for research and consultation purposes, who serve as a proxy of the wider local population and can be surveyed or polled by the council in place of the wider population. There is a cost effectiveness and value in having a Citizens' panel because it saves the Council the cost and resources required to consult each resident of the borough repeatedly. It also provides a readily available sample of local people who are more likely to respond to surveys and allows the council more flexibility in terms of the timing, sequencing and overall co-ordination of surveys and consultation. Citizens' panels can provide a facility to track opinion on specific issues over a period of time.

Merton's Residents Panel has been running for a number of years. It provides a tool to address the consultation component of Best Value programme of reviews and other occasional consultation in a co-ordinated, efficient and cost-effective fashion. A similar panel, the Youth Panel, has been set up by Youth Services as a consultation and capacity building tool for young people in the borough.

## **7.3 Consultation Charter and the Consultation Manual**

As part of the drive to ensure consultation is carried out to consistently high standards, a Consultation Charter has been produced which clarifies Merton's Consultation Principles. The Charter provides clear consultation guidelines and standards. The Charter is available through the Consultation Website.

A Consultation Manual is published to complement the training programme. The Manual is a step-by-step guide to when to consult; which groups to consult; and which methods to use. The Manual is available through the Consultation Website.

## **7.4 Consultation Database and Timetable**

All completed consultation is entered into a database assessable through the Consultation Website. The Consultation Database details all former consultation exercises conducted by Merton, the groups consulted, and the views of residents and service users found by the consultation exercise. This provides officers with a quick source of information about which groups have already been consulted and which issues the council already holds information on, thereby reducing the likelihood of repeat consultations.

The Consultation Timetable provides members and officers with a quick reference overview of all scheduled consultation. This should help to reduce repeat consultations and seek to address the issue of 'consultation fatigue' experienced by certain groups of residents.

Departments should inform the Research and Community Engagement Team of all future and completed consultations to allow the database and timetable to be kept up-to-date.

### **7.5 Consultation Audit**

The Research and Community Engagement Team will do an annual audit of the consultation activity recorded on the consultation database to establish amongst other things

- Overall costs and effectiveness of consultation in Merton
- Highlight key findings, and impact of main findings
- Identify residents views on Merton's consultation and ideas of improvement
- If there is a Council-wide predisposition to consult.

This audit will explore the methods in use in the Council, emerging standards and gaps in consultation. Residents' views on consultation and involvement will be tested during the year and fed into the audit. The findings of the consultation audit will be reported in an annual consultation position report that look at the impact of findings, the range of consultation and set targets for the year to come. The position report will feed into training, improved practice disseminated through the network and more effective co-ordination of consultation across the Council.

### **7.5 Consultation Website**

The Research and Community Engagement Team have created a series of consultation related web pages on the intranet. The pages allow officers instant access to a range of consultation tools including:

- The consultation database and timetable;
- Our consultation principles and approach;
- The Consultation Manual and methodology pages;
- Borough, ward and equalities profiles;
- A list of consultants and the tendering process.

The site will be constantly reviewed to ensure that it meets the requirements of council officers and departments.

### **7.6 'Effective Consultation' Training**

The Research and Consultation Officer will run an "Effective Consultation" course to inform council officers about the range of techniques, methods and practices available to consult the public for service reviews. This course will run regularly to allow Best Value review teams and other officers to take advantage of the training as they address the consultation component of

service reviews. Moreover, the individual training needs of departments will be assessed so that the research and consultation team can provide targeted training.

This investment in training will provide Merton with a bank of skilled officers, able to conduct specific forms of consultation. Moreover, in the long-term it could provide Merton with its own set of competent facilitators, producing a cost saving in the need to employ expensive group facilitators for workshops and focus groups.

### **7.7 An Inclusionary Consultation Strategy**

A wide range of strategies is already in place to ensure that all groups have an equal right to have their opinions heard. Merton has partnerships in place with a broad range of groups in the voluntary sector. These forums, which address issues from race to crime, help facilitate consultation with a wide range of communities in Merton. Merton's Translation Service can provide assistance in identifying and addressing the language and cultural barriers immigrant and other groups encounter to involve themselves in local decision making. Merton Racial Equality Partnership also provides, through its contacts and partnerships with ethnic communities, a tool for effective engagement and consultation with "hard to reach groups" ethnic minority groups. The youth forum allows young people, who are normally marginalised or ignored by decision-makers, a more equal say in service provision.

As part of Merton's commitment to the obtaining the Corporate Equalities Standard, other schemes are being put in place. This includes developing an inclusionary consultation strategy with black and minority ethnic groups, disability groups, and hard to reach groups. The aim is to install effective mechanisms for collating and listening to all groups' concerns. Presently many inclusionary schemes are happening outside the aegis of the Research and Community Engagement Team. It is a priority for the team to co-ordinate and integrate all schemes, to allow Merton to stay at the forefront of equal opportunities.

### **7.8 Community Information**

A principal building block for effective community engagement and consultation is developing a system for collecting and using accurate and reliable information about local communities. This information could cover a wide range of demographic data – resident population, ward population, age, ethnic groups etc - and data on deprivation, poverty, household and family structure, employment, housing tenure, gender and other variables.

A community profile is being compiled to provide an accurate and up-to-date picture of Merton's communities. Much of this information will be web supported and enabled. It will provide a readily available area snapshot that will be useful as a planning and knowledge dissemination tool for the whole Council, as well as for consultation. This will include information on marginal or hard-to reach communities, which will in turn improve the targeting of consultative exercises. The representation of marginal groups – disabled persons, ethnic minorities and young people – will be boosted in the

Residents Panel to reflect the profile of Merton and provide a source of reliable and regular feedback.

## **8. Other issues**

### **8.1 Best Value**

The consultation element of Best Value, the statutory framework to drive continuous improvement in service improvement, will present particular challenges for officers, and indeed the Council as a whole. The drive to achieve Best Value requires the Council to address public engagement and consultation issues more systematically. This includes developing a Council wide vision, objectives and priorities for the area through consultation with local partners and people to inform the Council's strategic objectives. Merton's rolling programme of reviews, which include service, area, customer-based or crosscutting reviews, will entail a sustained and co-ordinated programme of public engagement and consultation.

Each review could achieve more effective and co-ordinated consultation if all officers responsible for this component of the reviews inform the Research and Community Engagement Team about details of the planned consultation. This will be put on the Consultation database and will be used to explore opportunities for joint consultation exercises. The Residents Panel could be used to facilitate this process. This will mean publicising, through the Research and Community Engagement Officer or the consultation database and timetable, the stakeholders, timescales and key issues of each review. This could help address the problem that "excessive" consultation with particular groups might present.

The "stakeholders" to consult with will be determined by issues to consult on. These issues will also have an impact on the choice of appropriate methods to consult with. Generally speaking, the public or stakeholders can be grouped in two broad categories:

- Customers, service users and consumers – consulted because of their use of services and products
- Citizens – consulted because they have a right to be listened to and to be involved in decisions taken on their behalf.

The Research and Community Engagement Team will advise on appropriate methods for consulting with stakeholder groups. The Team will highlight best practice and innovative examples of Best Value consultation from other authorities.

### **Statutory Consultation**

There is a considerable body of consultation undertaken by the authority that is guided by statutory regulations and procedures. This consultation is often required as part of the planning, transport, traffic planning and development control functions of local authorities. These issues are often high profile and

have critical importance to local groups. Though the guidance lays down rules and regulations that must be observed there is considerable scope for Merton to devise its own arrangements to ensure the public is consulted effectively about these issues. Guidelines to assist officers with statutory consultation will be drafted and published.

## **8.2 The Role of Members**

Members have a pre-eminent role in representing the public and are a useful point of reference for officers or reviews undertaking consultation. They will have, through regular contact with local residents and involvement in the electoral process, a clear view of the public's interest and a democratic mandate to defend and promote that interest. They have built up a fund of local intelligence and knowledge that could be an invaluable resource for officers about to embark on consultation. Indeed, this local expertise could be useful throughout the consultation process from identifying issues to consult about through to providing context and interpretation to local responses. Over and above this informal advisory role, members have a more formal scrutiny role and an overview of Best Value reviews through the Scrutiny Commission, Best Value panels and the new political process.

Councillors must be informed about major consultation exercises and brought into the planning and focusing of consultation exercises particularly where consultation is locality based (such as CPZs/Planning consultations). To assist this a list of planned local consultations will be publicised in authority and shared with local Councillors. Loosely based on the consultation database, this will be developed and made available to members to record their consultation activities and valuable insights arising from their engagement with the local public. The consultation database will be made available to Members to use.

## **8.3 Community Involvement and Consultation**

The consultation strategy is only a strand of the broader public involvement process that are already underway, linking the Council to local people and partners, through a variety of partnerships, consultative forums and joint working strategies as part of the move towards participatory democracy. These involvement processes cover a range of issues including crime and community safety, health policy, race and ethnic communities, young people, older people, tenants, housing and environmental issues. Many of these partnerships and consultative mechanisms embrace the voluntary sector, the Police, local health authority and community organisations.

This broad programme of public engagement and consultation reflects the Council's community leadership and its role in promoting the broad social and economic interest of the borough. They include Merton Voluntary Sector Council, Merton Race Equality Partnership, the Health Improvement Plan, Joint Consultative Committee with Ethnic Minority Communities, Tenant participation and numerous other engagement mechanisms. These partnerships, networks and strategies have been useful for consultation in the past and represent the potential for community engagement in the future.

Merton has developed a Community Plan in consultation with local communities that will underpin much of the community leadership and community involvement process. This plan will highlight broad local priorities and a vision that will inform all consultation. At the same time consultation is an acknowledged part of the process of community involvement and participatory democracy. The consultation strategy will help to ensure that consultation delivers its part in an innovative and inclusionary Merton.

#### **8.4 The Communications Strategy**

An additional point of initial reference for consultation will be the new communications policy and strategy that will state how the Council will provide information to the public.

#### **9. Auditing and Updating the Consultation Strategy**

The consultation strategy and its principles will be audited annually to establish:

- How effective the consultation strategy has been in the proceeding 12 months.
- What resident's views are about the consultation process in Merton.
- If Merton's consultation principles – in particular, regular feedback - are a feature of all Merton's consultation exercises.
- If the findings of consultation have been used to inform decisions or have had a positive impact on policy or service provision.
- What has been learnt from consultation within the authority.

## Appendix 1

### **Consultation Manual**

This consultation manual does not propose to teach how to consult but to present a number of ideas and tips that can make consultation more effective. The manual is written with an assumption that the issues under consult are service related. It should be recognised, however, that the consultation agenda in Merton is growing beyond an exclusive focus on feedback about services and embracing the importance of public engagement and consultation in setting the overall political direction and vision of the Council. This manual should be used with reference to Merton's Consultation guidance set out in **Merton's Best Value Framework**.

#### **WHY CONSULT**

- When there is a statutory duty to do so.
- Consultation can encourage greater understanding of and confidence in the Council and its services.
- It can improve decision making because people affected and with an interest in the outcome are involved in the process.
- It can make service or policy implementation easier because people are aware of the issues and have been consulted about them.
- Because of Merton's commitment to Equal Opportunities and the Council's desire to listen and be responsive to local people.
- Because it can enable the council to receive feedback useful for the development of quality services.

#### **WHEN DO WE CONSULT**

- When there is a statutory duty to consult.
- When there is a political commitment, particularly by members, to undertake consultation.
- When major changes, either driven by the Council or central government, are underway or about to occur.
- When new policy initiatives are being planned.
- When there is a Best Value review.
- When ideas and inputs are required from the public.
- When there is an opportunity for public opinions to influence the decision.

#### **WHO TO CONSULT**

##### **The Public**

All consultation starts with a considered view of who "the public" are. In Merton the public could be defined narrowly or broadly depending on the possible impact of issues up for consultation. The public could mean a small group people using or affected by a particular service, people within a particular geographical area such as a housing estate or town-centre or

residents of the borough. The public is not a single uniform mass of people but a collection of communities and individuals who may have different, even conflicting, experiences, interests and concerns where local government services or policy is concerned.

As there is such diversity within “the Public” it is always necessary, usually as a critical first step, to identify the public that is most relevant to the consultation exercise at hand. Identifying the relevant public may appear to be a straightforward and simple task however careful consideration of the public to consult is useful and pays off later in the consultation process. If, for instance, you wish to consult older persons you will need to define what you mean by older persons, what age range constitutes “older” and, possibly, the numbers of older people in Merton.

To define and target the relevant public it is often necessary to break them down into segments to capture the key points of difference in any population group. The categories that are used to target and capture the variety of a local population usually include the following information -

- Gender
- Age
- Ethnicity
- Employment status
- Social class
- Household income
- Location of residence
- Household composition
- Disabilities

This information will help you to draw a fairly detailed profile of the “the public” you are interested in and should be used to shape and inform the consultation process. This information will also help you analyse any data collected from surveys. The sample of people you are in contact with will need to reflect the evidence provided by census data on the borough. Most of this community profile information can be obtained from within the Council. Census data and projections are a useful source of much of this sort of information. Council departments and officers are also useful repositories of service use related information.

In addition to the presence within the public of different cultural, age and socio-economic groups and communities, there are also “communities of interest”. Members of the public have an interest in local services as customers, consumers, and citizens. These terms point to the interest the public have in making their views known as users of local services and people with formal rights to have a say in making local decisions.

#### **Customers**

- Service users
- Non-users of services



- People who have made complaints about the services

### **Potential Customers**

- People who would like to use the service but are not allowed/do not qualify or are on waiting lists
- People who are unable to access the service because they have not heard of it or cannot use it for a variety of reasons

### **Stakeholders**

- Citizens interested in the local area
- Staff/Internal customers of a Council service/Councillors
- Trade Unions
- Tax payers
- Local businesses
- Voluntary groups
- Parents, guardians and Carers
- Representative groups

### **Selecting the public for Consultation: Sampling**

Sampling is the process of selecting a few from a larger or total population group with a view to making a judgement about the larger group by the information you find out from the few. The process of selecting a few (the sample) is calculated with a systematic approach to include key characteristics and components of the larger group in the few selected. It is possible to have a sample of any item – people, geographical areas or potatoes. It is useful because it saves time and resources of including the bigger group in research or consultation. Samples could be taken of all stakeholder groups listed above. Council service databases/Electoral register/the Residents Panel can provide samples of local residents to consult.

### **Selecting the public for Consultation: Barriers to Involvement**

There are also communities in Merton that share a common experience of disadvantage or discrimination and have additional needs that spring from this. Special arrangements are sometimes necessary to engage and involve these groups in decision-making. These groups could include -

- Women
- Disabled People
- Unemployed or Unwaged people
- People on low incomes
- People with no fixed address
- Older people. Young people and Children
- People from ethnic minority communities

### **BARRIERS TO CONSULTING**

- Age (very young/older persons)
- Gender
- Cultural issues

- Not speaking English well
- Being geographically isolated
- Being unemployed
- Disability or illness
- Not having a permanent address
- Venues for consultation may not be accessible.
- Not having confidence in the organisation consulting you
- Not having much spare time due to work or family commitments
- Not having an interest in the issues for consultation
- Being a new arrival to the borough or Country

### **METHODS FOR OVERCOMING BARRIERS TO CONSULTING**

- Choose venues and locations isolated groups, young people or disabled people find accessible and where they agree to be consulted.
- Be aware that “accessibility” is not only about physical access but culture, language, interests, information, income and resources.
- Be aware that the interests and concerns of women may be differ from men in some communities and the importance of creating safe spaces specifically for women, young people or marginal groups to relay their views.
- Work with Councillors, particularly on consultation that may be local area or ward specific. Local Councillors often have considerable knowledge and appreciation of the key local issues, which could assist and focus consultation efforts.
- Use a variety of methods of consultation to reach as many interest groups as possible. Using qualitative methods such as focus groups or in-depth interviews to consult groups whose views may not be known to the Council.
- Identify community organisations and groups representing “hard to reach” or vulnerable groups and develop consultation techniques with them.
- While it is important to work with contacts and organisations in marginal communities, remember consultation must reach beyond individuals and small organised groups to ordinary people in communities of interest.
- Liaise with Merton’s Translations Service to identify and overcome difficulties people might have with the English language. User speakers of ethnic minority language speakers for face-to-face surveys.
- Explain the purpose of consultation, the information required, timescales, the reporting process and possible outcomes of the consultation process to the public.
- Use clear and concise English.
- Use audio-visual/large print/braille aids where necessary or possible.
- Contact cultural and religious communities directly through local events and meetings. Be mindful of the religious and cultural calendar of ethnic minority groups.

## WHAT TO CONSULT ABOUT - SERVICE ISSUES

<b>Standard or level of service</b> – Does the level of service meet user requirements?
<b>Frequency of service</b> – Is the service available when people require it?
<b>Reliability</b> – Can users depend on the service? Is the service provided as agreed/publicised?
<b>Speed of service delivery</b> – Is there a long wait between making a service request/having an assessment and receiving the service?
<b>Service improvements</b> – How can the service be improved to meet user needs more effectively?
<b>The quality of the service environment</b> – Is there a safe or convenient environment within which a service can be received?
<b>The range of goods, services and facilities available</b> – Which services are used and how often? Are there services and goods that meet the full range of user need and demand?
<b>Customer choice</b> - Are customers aware of what services are available/provided. Do they have a choice or alternatives in services they receive? Are their views taken seriously?
<b>Quality and Equality of Access</b> – Can all groups access and use the service when they want to? Can they ring or contact the service delivery points easily? Does the service meet the needs or requirements of all groups who could use/need the service? Is there a system for feedback of customer views?
<b>Service information available and accessible to users</b> – Is the information about service accurate, easy to understand and available to both users and potential users?
<b>Quality of contact between staff and public</b> – Are staff punctual, courteous and helpful?
<b>Costs</b> – Is the public/service users prepared to pay the prices service providers charge or intend to charge. Are there potential users who cannot use the service because of the cost?

## CUSTOMER INFORMATION: RESPONSES TO TARGET

- **Needs** – what is needed or required
- **Experiences** – use or non-use of service
- **Attitudes** – Satisfaction or dissatisfaction with service
- **Personal circumstance** – Age, ethnicity, income, socio-economic circumstance, gender etc.

## HOW TO FIND OUT FROM THE PUBLIC – Quantitative and Qualitative Methods

There are two general approaches to researching and consulting the public- Quantitative and qualitative research methods. Quantitative methods investigate number and quantity while qualitative explores experiences, attitudes, knowledge and feelings. Qualitative methods tend to explore issues through discussions. There is considerable overlap between both methods and they are often used to complement each other in the research and

consultation process. Because qualitative methods are ideal for exploring people's experiences and attitudes they are useful for unearthing or clarifying complex concerns and issues about which the Council may know little. Qualitative methods are useful for identifying quality issues. Quantitative techniques, on the other hand, are useful where the issues may be well known but there is a need to establish the number or quantity of people who respond in a particular way or have particular attitudes and experiences of services. They enable more quantifiable results.

<b>QUANTITATIVE</b>	<b>QUALITATIVE</b>
Postal and Face to face surveys Citizens Panels surveys Telephone interviews	Citizen's Juries Focus Groups Mystery shoppers

Merton has built up a fund of experience in consultation and developed a number of useful consultation tools that can make consultation easier.

<b>External tools</b>	<b>Internal tools</b>
Consultants Good practice papers London Research Centre (Census Figures) Improvement and Development Agency	The Consultation website Merton Residents Panel Research and Consultation network The Consultation Database Annual Residents Survey Research and Community Engagement team Best Value team Corporate Equalities Officer Merton Translation Service

## **CHECKLIST FOR BETTER QUESTIONNAIRE DESIGN**

Questionnaires are the most frequently used method of consulting the local public in Merton. When structured and administered carefully they can deliver valid and reliable customer views but they do not always offer a robust opportunity for dialogue that is an essential feature of consultation. This notwithstanding, the use of questionnaires within a judicious mix of qualitative and quantitative consultation methods can be a cost effective and valuable tool for consultation.

### **Think about what you want**

- Are the questions aligned to the objectives you have in mind?
- Do you know how the responses to the questions will be analysed to find out the information you want?

## Think about what your respondent needs to give a useful answer

- Will they **understand** the question? Is the question clear? Do respondents understand what information is required?
- Will they be **able** to answer the question? Is the question specific? Do respondents have the information you need?
- Will they be **willing** to answer the question? Is the questionnaire asked with sensitivity? Will respondents be willing to give this information?

- Beware of asking hypothetical questions
- Beware of having too many alternatives in possible responses offered for each question
- Beware of asking leading questions
- Keep questions as brief and concise as possible.
- Try to pilot your questions with a trial group before going public with them

- Avoid long questions / jargon
- Avoid double negatives
- Avoid asking more than one question in one sentence or question
- Avoid vague or imprecise questions
- Avoid questions with technical or unfamiliar words
- Avoid making sweeping assumptions about knowledge of respondent when framing questions

## ANALYSIS

You have identified your stakeholders, designed your questionnaires or run your focus groups and then you are suddenly faced with making sense of the masses of data in front of you. Analysing consultation data can be the most time consuming and trying phase in consultation and the urge to have quick results can produce inaccurate or poor data that compromises the whole consultation process. Because of the time needed to analyse, it is imperative that you plan ahead and build a considerable amount of time dedicated to analysis into the overall consultation plan. To plan your analysis you will first have to determine the data collection methods to use. Often, qualitative methods of data collection will often require qualitative methods of analysis while quantitative collection will require quantitative methods, however, the methods of analysis ultimately depend on the kind of information you seek.

If you are looking for “quantified “ or measured results – **The How many? Question** - You use quantitative methods.

If, on the other hand, you wish to report more personalised feedback and attitudes, which might be new or of particular interest – **The Why? Question** - you could use qualitative analysis techniques. In the everyday consultation practice, however, these techniques tend to be used together.

Quantitative Analysis	Qualitative Analysis
Microsoft Excel Microsoft Access/SPSS	Content analysis – coding or discourse analysis

## **REPORTING/FEEDBACK**

Reporting the results of consultation can demonstrate to people consulted that consultation is taken seriously in Merton and that there are tangible outcomes that flow from their involvement in decision-making. Reporting the results of consultation to stakeholders, be they staff, external partners Councillors or residents can help promote a willingness to participate in future consultation. Residents have suggested that what is most prized in all communication and consultation with the Council is feedback. Planning the reporting or feedback stage in the consultation process can help consultation teams to evaluate and make a dispassionate assessment of the value of the exercise. There are a number of mechanisms in Merton that can be used for reporting the results of consultation. They include –

### **External Reporting**

Council Newspaper and Magazines  
Council website  
Intranet  
Letters  
Local Newspaper  
Leaflets  
Roadshows  
Voluntary sector magazines/newspapers  
Local Statutory organisations publications

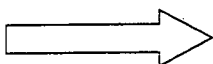
### **Internal Reporting**

Council newspaper Magazine  
Consultation database  
  
Service plans/Documents  
Departmental publications

### **Targeted Reporting**

Member/Ethnic communities  
Community organisations/Community venues/Local Media  
Business/Tourist leaflets  
Talking Newspaper

## BEFORE YOU START



## A CHECKLIST

- Why are we undertaking the consultation?
- What consultation has already taken place in this service or policy area? Have we referred to the Research and Community Engagement Team to identify similar consultations about to take place?
- What useful information about this issue is available within the Council and beyond it? Have we contacted Councillors to identify key issues if the consultation is ward or local area based?
- What is the key purpose of the consultation?
- Who is going to be involved in the planning and implementation of the consultation process?
- How much time will be required to plan and implement the consultation?
- What existing consultation tools, within my department and the Council as a whole, are available for use?
- If the consultation is local has the local Councillor been informed? Has the local Councillor seen the consultation proposal and had an opportunity to comment or provide information.
- How can all the relevant stakeholders be targeted and reached with our chosen methods?
- Do we need qualitative, quantitative or both consultation methods to ensure we reach as many groups as possible, and to find answer to the questions we are interested in?
- Are we going to use consultants? Will they be best placed to carry out our consultation? Are there resources to buy in consultants?
- Will our budgets support contracting consultants for particular areas of work? What resources do we have to undertake consultation?
- How can the consultation be incorporated into the decision making process?
- How will results be reported?





## Appendix 2

### Consultation Charter

**Implicit standards for consultation in Merton are set out in Merton's consultation framework and Merton's Consultation Statement. This charter states how these principles can be observed and put into every day consultation practice in Merton. It suggests monitoring questions that can be asked to determine the achievement of quality standards for consultation.**

1. Consultation must be meaningful and should be only undertaken to influence and inform a decision.

**Has the purpose of consultation and areas where decisions can be influenced by consultation been explained?**

**Are relevant managers and members aware of the results of the consultation process?**

**Is the consultation being undertaken before key service decisions are taken?**

**Is the Council prepared to respond effectively to a broad range of possible consultation responses?**

2. When consulting all views expressed will be listened to, respected and considered carefully.

**Have the views of key groups in the consultation process been reported and acknowledged in setting out future proposals?**

3. Consultation will seek to involve all those potentially affected by decisions taken. Where possible we will involve all sections of the community and make special provision to include people neglected by traditional forms of consultation.

**Has there been a stakeholder analysis or identification of all potential stakeholders to a service or service related decision? If the consultation issue has an impact on all residents in Merton is it important and cost effective to consult all sections of the community? Has the wider community being consulted on issues where they might have an interest? Are "hard to reach" or marginal groups in Merton included in the consultation process? What steps have been taken to overcome the barriers that stop disabled or ethnic minority communities from participating in the consultation exercise? Have organisations representing marginal groups or communities who face discrimination being contacted?**

4. Wherever practical, we will respond fully to the views expressed to us. We will try to explain the reasons why particular decisions have been taken.

**Are the mechanisms in place to report fully on our reasons for taking particular decisions after consultation? Have we informed the public when we will respond and what forum we will use to make these responses? Are there representative groups we can report to?**

5. Consultation will take a variety of forms and utilise a range of methods. We will use methods that are most appropriate for the issues under consideration, ensuring the best use of resources.

**Has “fitness for purpose” (i.e. is this the most appropriate consultation method for the issues and people concerned) being established in each consultation exercise? Have fresh and innovative methods of consultation been identified and reviewed for use? Have other local authorities done the consultation differently and used more effective methods?**

6. Where it is possible and appropriate we will work in partnership with other public, private and voluntary sector organisations to undertake joint consultation.

**Are there any opportunities for joint consultation exercises to be undertaken with the local Health Authority and local bodies? Is similar consultation with the same stakeholders being planned in Merton?**

7. We will always explain the purpose of the consultation and ensure that sufficient time is given to allow for consultation and be clear about our timetable.

**Has the purpose of consultation being explained clearly to people being consulted with information given about timescales for reporting and decision implementation?**

8. We will build on existing best practice in consultation in Merton and elsewhere. We will move beyond traditional methods and develop innovative and effective ways of consulting the public where this is possible.

**Has the review team undertaking consultation identified similar consultation being done in Merton and elsewhere? Are there recognised models of best practice that could be used in Merton? Have the review team looked at fresh and effective ways of engaging the public?**

## Appendix 3

### STEP-BY-STEP GUIDE TO CONSULTATION

Steps	Issues to consider	How to address this
<b>1 Clarity of aims and purposes</b>	What issue is up for consultation? Do we have a clear idea of how the issue is to be presented to the public/Which groups are to be consulted?	Draw up a consultation plan/use existing research and policy information to find out what has been done and what is possible/Refer to statutory regulations and guidance where applicable.
<b>2 Timing/timescales</b>	How will it feed into the decision making process? What plan or process do we wish to feed into? Are there events or other consultation we could participate in?	Identify where and when results are to be reported or used/Note publicity/press timescales and useful events to reach audiences/Decide when consultation should start and finish
<b>3 Councillors</b>	Member information and guidance on consultation exercise	Notify relevant Councillors as early as possible particularly if the consultation is locality based/Councillors can help focus the consultation and elucidate difficult issues
<b>4 Internal resources</b>	Have the Research & Community Engagement team been informed?	Inform Research and Community Engagement team/Publicise consultation on the council consultation database
<b>5 Stakeholders</b>	Have we identified all key stakeholders (including staff, Councillors and local partners)?	Do stakeholder analysis/Brainstorm to identify all groups that have a role in the issue/put in place methods to reach marginal groups.
<b>6 Hard-to-Reach groups</b>	Have we identified and put in place methods to reach hard to reach groups	Ask service providers about difficult to reach groups/contact Equalities team and translation services.
<b>7 External and Internal Resources</b>	What skills and resources do we have in-house to run the Consultation exercise? What external expertise can be tapped into	Cost exercise and determine who has what skills
<b>8 Consultation Methods</b>	What consultation techniques and methods to use.	Do we have the internal resources to undertake the consultation/ is it appropriate in terms of time, resources, audience or statutory guidance? Can hard to reach groups be reached this way/What has been done in other consultation/authorities

Steps	Issues	How to address issues
<b>8 Consultation Methods</b>	Consultation Methods and Techniques	Determine if you want to reach every person in the group of interest or only a representative number of persons. Decide What information you want to ask consultees about.
<b>9 Findings</b>	Findings How are responses to be evaluated and analysed/	Analyse and evaluate responses. Is the response rate broadly reflective of the group being consulted/How are results going to be presented
<b>10 Feedback</b>	Results/Feedback	Identify stakeholders to report to/Choose venues and means to report that are appropriate for stakeholder group including service users/residents/hard to reach groups/Use Talking Pages/Local Guardian/Libraries/
<b>11 Evaluation/Feedback/publicity</b>	Evaluation/Feedback	Evaluate consultation exercise and publicise on consultation database and elsewhere

## Appendix 4

### **Good Practice: A Bibliography to help identify and use practice**

#### **1. Connecting with Users and Citizens (Audit Commission 2003). Can be viewed or downloaded at Audit Commission website.**

In January 2003 the Audit Commission published an evaluation of a number of consultation case studies. The consultation events study cover the last 18 months and span a spectrum of mechanisms and target audiences. The evaluation seeks to determine problem areas in consultation and to provide examples and insights that may help to organisations to learn more effective consultation.

The problem areas for effective consultation in the study include

- **Getting people interested**
- **Involving the right people**
- **Making use of technology**
- **Shifting awareness within the organisation.**

The report then goes on to provide recent examples of consultation where these issues were addressed in an innovative and effective way.

#### **2. IdeA (1998) Involving the Local Public (Copy with Research and Community Engagement Officer)**

A comprehensive guide to current practices in public involvement and consultation. This details a range of both traditional and innovative and offers tips and insights on how to make the use of these methods more effective. It also describes and explains the differences between consultation, public involvement and participation. It contains extensive and 'how to' notes with detailed descriptions and case studies.

#### **3. Best Value Framework: Chapter 2 and 3/Appendices 3: Guide to good practice (Copy with Research and Community Engagement Officer)**

Merton's own framework is the Council's official guide to Best Value consultation. It not only shows consultation place within Best Value but also contains suggestions and methods to make consultation more effective irrespective of rationale – whether within Best Value or for more general consultation. Contains descriptions and applications for a variety of standard consultation methods.

#### **4. Public participation in Local Government. A survey of consultation practices in Local Authorities. (Copy with Research and Projects Officer)** Contains an audit of methods used in local authorities. Useful for checking up on the methods in use in most authorities.

5. **Cabinet Office (2003) Viewfinder: A Policy Maker's guide to public involvement (Copy with the Research and Projects Officer)**  
Sets out the role of consultation within the larger public involvement agenda. A recent manual published by the Cabinet Office (2003) with practical how to do consultation advice and case studies including current thinking on e-consultation.
6. **DETR (2000) Local Plans and Unitary Development Plans: A Guide to Procedures (Planning or Research and Community Engagement team)**  
Contains guidelines for consultation on Local and Unitary Development Plans. This contains guidelines for involving the local public in the preparation of Local plans and UDPs. The guide contains a code of practice on preparing plans for deposit
7. **Bedford, T and Burgess, J (2001) 'The Focus Group Experience' in Dwyer, C and Lim, M (eds) 'Qualitative Methodologies in Human Geography' London (Tracey Bedford, Research and Projects Officer)**
8. **Jacqui Barker, Maxine Bullen, Jenny De Ville. (January 1997) Reference Manual for Public Involvement (Copy with Research and Community Engagement Officer)**  
The manual is a very simple and clear introduction to consultation and public involvement methods. Has a slant towards the NHS and health services. Has a list of 10 standard consultation and involvement methods with simple explanations of what they are and how they can be used (pros and cons).

#### **Consultation Resources:**

1. **The Ippr/Guardian Public Involvement awards**  
Recognises and rewards public bodies that have used innovative and effective methods to involve the public in decision-making.
2. **Audit Commission/Office of the Deputy Prime Minister (ODPM) Website**

#### **Training on consultation and market research**

1. University of Surrey – run day courses and degrees on research methods used in consultation
2. MORI – Well Known market research company which does practical seminars on market research and consultation
3. Market Research Society – day long courses on consultation and market research
4. LARIA – local authority network of research and information officers has forum to share information about consultation, research and data collection.

5. Local Authorities publish large amounts of consultation guidance. The Research and Community Engagement Team keep documents from many neighbouring documents – LAMBETH/KINGSTON/SUTTON/CROYDON.
6. Rod Liard – runs useful courses on consultation methods and research management





## Appendix 5

### Profile of Merton

Total number of People: 187,908  
Total number at last Census: 168,484

Males: 91514 (49%)  
Females: 96394 (51%)

Change in total population since mid1991: 9.9%  
Change since Census 1991: 11.5%

Single People (39.3%)  
Married or Remarried (44.8%)

People aged 0-15 (36574) 19%  
People aged 16-74(139476) 74%  
Aged 75 and over (11858) .06%

Households with residents: Total number:78,884  
One Person Households (32.1%)  
Married couple households (32.4%)  
Lone parent households with non-dependent households (6%)  
Lone parent with dependent children households (3.3%)

Employed (65.8%)  
Unemployed (3.3%)  
Economically Active full time students (2.6%)  
Retired (9.9%)  
Economically inactive students (5.2%)  
Looking after home/family (6.7%)  
Permanently sick or disabled (3.1%)  
Other economically inactive (3.4%)

Christian 63.3%  
Buddhist 0.8%  
Hindu 4.6%  
Jewish 0.5%  
Muslim 5.8%  
Sikh 0.3%  
Other 0.3%  
No Religion 16.6%  
Religion not stated 7.9%



## Appendix 6

### Equalities Monitoring Profiles

Total Population: 187906

Gender Profile:

Males: 49%  
Females: 51%

Age Profile:

Under 16: 19%  
16 – 59: 64%  
60+: 17%

Disabilities Profile:

Permanently sick or disabled: 3.1%  
(receiving disability allowance): (1.8%)  
(receiving attendance allowance): (1.2%)

Health Profile:

Limiting long-term illness: 13.8%  
General Health 'not good': 7.1%  
People providing unpaid care: 8.1%

Ethnic profile:

White: 64.8%  
White Irish: 2.9%  
White other: 8%  
White/black Caribbean (mixed): 0.9%  
White/black African (mixed): 0.4%  
White/Asian (mixed): 1%  
Other (mixed): 0.8%  
Asian or Asian British: Indian: 4.3%  
Asian or Asian British: Pakistani: 2.4%  
Asian or Asian British: Bangladeshi: 0.9%  
Asian or Asian British: other Asian: 3.5%  
Black or black British: Caribbean: 3.7%  
Black or black British: African: 3.4%  
Black or black British: other black : 0.6%  
Chinese: 1.3%  
Other ethnic group: 1.7%



## Appendix 7

### Equalities Monitoring Pro Forma

Please help us to improve our services by telling us a little about yourself. *You do not have to give us this information if you don't want to.*

**Are you?**

Male

Female

**What age group are you in?**

Under 16

16-24

25-34

35-44

45-54

55-64

65-74

75+

**Do you consider yourself to have a disability?**

Yes

No

**Which of these groups do you consider you belong to (tick one box only)?**

#### White

White-British

White-Irish

White-Other

(Please specify).....

#### Mixed Ethnicity

White and Black Caribbean

White and Black African

White and Asian

Any other Mixed background

(Please specify).....

#### Asian or Asian British

Indian

Pakistani

Bangladeshi

Tamil

Any other Asian background

(Please specify).....

#### Black or Black British

Caribbean

African

Any other Black background

(Please specify).....

Chinese

**Any other**  
(Please specify).....

**Appendix 8**

**The Market Research Society  
CODE OF CONDUCT**

## **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.<sup>1</sup>

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<sup>1</sup> 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).

### **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.

## **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.