



Insights and Sound Bites

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"Research is formalized curiosity. It is poking and prying with a purpose." – Zora Neale Hurston

Shhh... can you keep a secret?

Upon a recent review of the guidelines and principles set forth by our professional organizations, **MRA** (Marketing Research Association), **PMRG** (Pharmaceutical Marketing Research Group), **QRCA** (Qualitative Research Consultants Association), **CMOR** (merged with the MRA), **ESOMAR** (European Society for Opinion and Marketing Research) and **CASRO** (Council of American Survey Research Organizations), Ladd Research Group implemented a formal privacy compliance policy to ensure the protection of our research integrity. While the following three areas are not exhaustive, they served as the basis for our actions.

RESPONSIBILITY TO INFORM

Offer access to privacy policies. ESOMAR's *International Code on Market and Social Research* states that researchers should have a privacy policy which is readily accessible by mail, fax or e-mail, as well as a website posting. Contact information should be provided for privacy inquiries following research conclusion.

Provide verbal and written confidentiality statements. CMOR's *Compliance Guide* and ESOMAR's Code direct researchers to provide a confidentiality statement clearly stating his/her identity and employer when communicating that respondent information will be kept confidential. Disclosure of audio taping, videotaping, and/or video streaming to an offsite location is also required.

Present the opportunity to opt out of study participation. MRA's *Code of Marketing Research Standards* states that respondents must be given the opportunity to refuse to participate if there's a possibility of identification without name or address.

Gain consent for re-contact. MRA's Code directs that study participants should not be contacted after the research has concluded (for example, should a client want to ask additional follow-up questions) unless respondents have been informed of this possibility at the time of the original research, and have given their consent to be re-contacted.

RESPONSIBILITY TO PROTECT

Information should not be used as a means of identification. MRA promotes the protection of respondents' identities from the end-client. For example, copies of focus group schedules should only contain participant's first names. Clients should only be aware of a respondent's identity if s/he has given express, written permission. Client observers should agree that if they know any of the participants, they must stop observing and notify the researcher per ESOMAR's *World Research Codes and Guidelines*.

Contact information may not be used for sales or direct marketing effort. As a client, the temptation to pass new

information to the Field Sales team will always exist. The MRA's *Code of Marketing Research Standards* states that "any information collected during any study will not be used for any sales, solicitation or push polling." Requesting client agreement via a signed document is a direct way to encourage compliance.

Secure client and respondent documents. ICC/ESOMAR's *International Code* directs that paper and electronic data should be preserved no longer than required for the purpose for which the information was collected. Upon research completion, paper files should be shredded and electronic documents permanently deleted.

Client identity should remain blinded. MRA's Code suggests that researchers not reveal any information that could be used to identify clients without written permission. Additionally, subcontractors (videographers, transcriptionists, etc.) should sign non-disclosures.

Know a research facility's privacy policies. The MRA Code indicates that market researchers "will follow all use restrictions imposed by the facility in order to ensure confidentiality for all parties". If necessary, request the facility to follow your policies if they are more stringent than their own.

RESPONSIBILITY TO EDUCATE

International projects may warrant additional privacy compliance. ESOMAR's *World Research Code & Guidelines* makes general provisions for conducting research across the globe, but each country may have further stipulations governing the process in that country. Before accepting an assignment outside the U.S., make a full-faith effort to learn of other legal requirements.

Instate a privacy officer. Per ESOMAR's *World Research Code & Guidelines*, someone must be responsible for privacy and for keeping the privacy policy up to date, ensuring that all staff, including temporary staff, are aware of its requirements and able to handle queries relating to it.

Evaluate & update privacy policies yearly. The healthcare landscape is constantly changing, which means guidelines may change as well. The pending 2010 Physician Payment Sunshine Act, for example, threatens to compromise privacy between physician participants and pharmaceutical/medical device clients, proposing that manufacturers disclose any payment made to doctors in an amount over \$100. The MRA's website has state-by-state updates indicating proposed and pending legislation at www.mra.org.

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Insights and strategies for healthcare marketing