

# RANZ CODE OF PRACTICE

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The Research Association of New Zealand Incorporated  
<https://researchassociation.org.nz>

# RANZ Code of Practice

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# RANZ Code of Practice

## Background

**Research Association New Zealand (RANZ)** is the New Zealand industry body dedicated to professional providers and users of research, data and insights. The Research Association New Zealand (RANZ) brand is a trust-mark for clients, employers, colleagues and other industries and indicates that the bearer is a member of an expert community, which upholds the highest ethical and professional standards.

The RANZ Code of Practice was last reviewed and updated in 2015 as part of the establishment of RANZ. It replaced previous versions of the Market Research Society of New Zealand (MRSNZ) Code and the Association of Market Research Organisations (AMRO) Code and was largely based on the ICC/ESOMAR Code of Market and Social Research.

In conducting the 2022 Code review the review committee considered the most up to date codes of other similar jurisdictions, including ESOMAR, and after an extensive comparison exercise elected to update the Code following the structure and direction of The Research Society (TRS) Australia. The TRS Code of Professional Behaviour is, in turn, based on the structure of MRS UK Code of Conduct as well as including all key elements of the latest ESOMAR Code. TRS has agreed to RANZ using their Code as a template.

## Introduction

The RANZ Code of Practice is designed as a framework for self-regulation. It sets minimum standards of ethical and professional conduct to be followed by all members and is to be applied against the background of applicable New Zealand and international law. The Code is intended to foster public confidence in research activities carried out by Members.

The 2022 Code review is designed to ensure the RANZ Code remains fit for purpose by:

- keeping up to date with the changing nature of research and the digital environment
- keeping up to date with the developments in data protection and privacy law
- taking into account the latest New Zealand legislation
- being clear and easy to understand for all Members

## Members' responsibilities

All RANZ Members must comply with the Code as a condition of Membership of RANZ.

It is the responsibility of Members to keep themselves updated on changes or amendments to this Code which may be published from time to time.

Company Members are required to ensure that all individuals employed or engaged by them comply with the Code. Comment: Company Membership is applicable only to those companies whose business engages in research-related activities and business revenues are derived from research or services to the research industry. This does not include client or government organisations.

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

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

The Code is to be applied in the spirit as well as to the letter.

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

The Code does not take precedence over applicable law.

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If in doubt about the interpretation of the Code, Members may seek guidance and advice on best practice. In the first instance queries should be addressed to the RANZ Executive Secretary who will direct them to the appropriate person (or people) for advice. A series of additional Guideline documents is also available to assist where queries and concerns most often arise.

### Complaint procedure

Under RANZ Constitution anyone can make a complaint against a Member if they believe the Member has breached the Code of Practice. The Complaints Procedure can be found on the association website:

<https://researchassociation.org.nz/Complaints-procedure>. If a complaint is made against a Member, the Member is required to cooperate with RANZ to assist in the resolution of the complaint. Possible penalties include reprimand, suspension or expulsion from the Association.

## Research Association New Zealand Code of Practice

### General rules of professional practice

1. Members' professional activities must be legal and conform to all relevant legislation, in particular the NZ Privacy Act 2020 and its 13 Privacy Principles.

Comment: The requirements to ensure compliance under the Privacy Act include being able to readily provide a privacy policy statement to participants from whom information is being collected.

2. Members must be honest and objective when conducting their professional activities and ensure that their activities are carried out in accordance with accepted research principles, methods and techniques.

3. Members' professional activities must be conducted with professional responsibility and conform to the accepted principles of fair competition as generally accepted in business.

4. Members must behave ethically and not act in any way that could bring discredit on the profession, Research Association New Zealand, or lead to a loss of public confidence in the profession.

5. Members must not make false or otherwise misleading statements about their skills, experience or activities, or about those of their organisation.

6. Members must not unjustifiably criticise other Members.

7. Members must not abuse the trust of participants or exploit their lack of experience or knowledge.

8. Members must take all reasonable precautions to ensure that participants are in no way harmed or adversely affected as a direct result of their participation in a project.

### Distinguishing research from other activities

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

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

10. Members must never undertake any activities, under the guise of research, that aim to manipulate, mislead or coerce individuals. This applies throughout the research process including proposal, recruitment, data collection, analysis and reporting. Examples of this activity include but are not confined to:

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

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### Disclosure of identifiable research information

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

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

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

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

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

12. Where a Member discloses identifiable research information to a client for the purpose of regulating frequency of research-related contact with the individual, they must ensure:

- a) only that part of the information considered necessary for the purpose is disclosed;
- b) if the purpose could be achieved using de-identified data, it is de-identified prior to disclosure;
- c) the client has agreed to use the individual's research status only for the purpose of regulating frequency of contact with the individual.

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

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

"Guideline on disclosure of identifiable research information" to be provided for more information.

### Proposals, commissioning, and design

13. Members must inform clients if the work to be carried out for them is to be combined or syndicated in the same project with work for other clients, without disclosing the identity of such clients without their consent.

14. Members must inform clients, prior to work commencing, when any part of the non-administrative work for them is to be subcontracted outside the Member's own organisation. On request, clients must be told the identity of any such subcontractors.

15. Members must ensure that projects are designed, carried out, reported and documented accurately, transparently and objectively.

16. Project proposals and cost quotations are the property of the organisation or individual who developed them unless otherwise agreed.

### Data collection and handling

17. Participants' co-operation in a project is entirely voluntary at all stages. Members must not mislead participants when asking for their co-operation.

18. Members must promptly identify themselves and unambiguously state the purpose of the project.

Comment: If there are methodological reasons not to identify the purpose at commencement (such as the need to get spontaneous responses) this should be done during or at the end of data collection.

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19. Participants must be able to check the identity and bona fides of the Member without difficulty.

Comment: These include making the name and contact details of the Member's organisation available to participants, without difficulty or expense, during data collection.

20. When collecting identifiable research information from participants Members must ensure that:

- a) participants are informed of the name and contact details of the Member;
- b) participants are informed of the Member's privacy policy and that the privacy policy contains information about:
  - i. how the participant may access their identifiable research information being collected and seek to have it de-identified or destroyed,
  - ii. the process of handling complaints of a breach of the Privacy Act 2020 and
  - iii. the extent to which the participant's identifiable research information may be disclosed overseas;
- c) participants are aware of the purpose of the collection; and
- d) participants are aware of any quality control activity involving re-contact.

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

21. Passive data collection of identifiable research information should be based on the consent of the data subject and where possible meet the conditions under 20.a) to d) above.

22. When using passive data collection methods where it is not possible to obtain consent, researchers must have legally permissible grounds to collect the data and must remove or obscure any identifying characteristics as soon as operationally possible.

23. Members must, on request, allow the client to arrange for checks on the quality of data collection and data preparation.

"Guideline on passive data collection via digital means" to be provided for more information.

### Children, young people, and other vulnerable groups

24. Members must take special care when collecting information from children and young people. The consent of a parent or responsible adult must first be obtained before collecting information from:

- a) children, defined as under 14 years of age, and
- b) young people, defined as 14 -16 years, when sensitive information is being collected.

25. Members must take special care when intentionally collecting information from people in vulnerable circumstances in the community. Intentional collection is where vulnerable people have specifically been asked to participate in a research project.

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

"Guideline on research with children, young people and vulnerable groups" to be provided for more information.

### Observation and recording

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

Comment: Rule 11 states that Members must obtain consent from participants to disclose their identifiable research information. This includes disclosure to observers of an interview or group discussion, as people's faces and voices are defined as identifiable research information. This applies to all observation techniques and recordings, whatever the medium: including, but not limited to, face to face, audio or internet-based.

27. If a Member has agreed with the client that observers are to be present, the Member must inform all observers about their legal and ethical responsibilities.

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28. Members must make clear to participants the capacity in which observers are present; any clients must be presented as such, even if they are also professional researchers and/or Members of RANZ.

"Guideline on observing, recording and handling images of participants" to be provided for more information.

### Re-contacting participants

29. Members may use identifiable research information to make further contact with participants for a research purpose provided that:

- a) If re-contact of an individual who initially declined to participate is involved, the Member and the client have genuine research concerns that warrant such recontact; and
- b) If re-contact of an individual who has participated in a project is involved:
  - i. the individual was informed of this likelihood at the time the information was collected, except where the Member and the client have reasonable grounds to decide that there are genuine research concerns that justify not so notifying; or
  - ii. any individual who, at the time of collection, indicated a wish not to be re-contacted for research purposes is excluded unless the Member and the client have reasonable grounds to decide that there are genuine research concerns that warrant the individual's inclusion.

### Data provision and reporting

30. When presenting findings or data analytics of a project conducted on an anonymous basis Members must, based on the information available, ensure that an individual's identity cannot be inferred via deductive disclosure (for example, through cross-analysis, small samples or combination with other data such as a client's records or secondary data in the public domain).

31. When reporting on a project, Members must make a clear distinction between the findings, the Member's interpretation of those findings and any conclusions drawn or recommendations made.

32. Members must provide their clients with appropriate methodological details of any project carried out for the clients to enable them to assess the validity of the results and any conclusions drawn.

Comment: Clients are entitled to detailed information about the project, including, if applicable, background, sample, data collection, analysis and reporting.

33. Members must take reasonable steps to ensure that findings from a project, published by themselves or in their company name, are not incorrectly or misleadingly presented.

34. Members must take reasonable steps to check and where necessary amend any client prepared materials prior to publication to ensure that the published findings will not be incorrectly or misleadingly reported.

Comment: This includes all research findings to be published through any media channel.

35. Members must take reasonable steps to ensure that their name and/or company name are not associated with the dissemination of findings from a project unless they are adequately supported by the data.

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

### Data storage and security

36. Members must ensure the security of all information relating to a project.

Comment: Members should set a data retention policy for all project information and allow for variation of it on a project-by-project basis based on client requirements. In default of any client agreement to the contrary, for ad hoc projects primary field records (such as completed questionnaires, data files, group recordings) should be retained for 12 months after completion of the fieldwork and the research data (excluding personal identifiers) should be retained for possible further analysis for 24 months.

37. Identifiable research information collected and held in accordance with this Code must be kept no longer than is required for the purpose for which the information was collected or further processed.

38. Members must take reasonable steps to protect identifiable research information:

- a) from misuse, interference and loss; and
- b) from unauthorised access, modification or disclosure.

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39. Members must take reasonable steps to destroy identifiable research information or to ensure that the information is de-identified when it is no longer needed.

40. Members must take reasonable steps to ensure that the identifiable research information that they collect, store, use or disclose is accurate and complete.

Comment: It is a requirement of the Privacy Act 2020 that individuals may access identifiable research information held on them and correct it if they wish. However, where this cannot be done without the identity of others being disclosed (for example group discussion recordings), or where a point in time record was made that will be affected by change, a member may refuse the request. They should make a written record of the reasons for refusal. These requirements do not apply to de-identified research information. It is good practice to de-identify information as soon as practically possible.

41. Members must take reasonable steps to ensure that any identifiable research information that they disclose to another person or organisation:

- a) will only be retained, used or disclosed by the recipient of the information in a manner that is consistent with the Privacy Principles of the Privacy Act 2020; and
- b) will be protected by the recipient from misuse, interference and loss and from unauthorised access, modification, use and disclosure; and
- c) will only be used or disclosed by the recipient for the specified permitted purpose and will be destroyed or de-identified once this purpose has been achieved.

### Cross border disclosure of identifiable research information

42. Particular care must be taken to maintain the protection of individuals' identifiable research information under the Privacy Act when identifiable research information is disclosed to an overseas recipient.

Comment: When data processing is conducted in another country all reasonable steps must be taken to ensure that security measures are observed and that the principles of this Code are applied.

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

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

### Implementation of the Code

44. If a RANZ Member (either a company or individual member) contravenes the Code and subsequently takes corrective action, this does not excuse the original contravention of the Code.

45. Any apparent infringement of the Code by a Member should in the first place be reported immediately to the Executive Secretary of Research Association NZ in the form of a complaint. RANZ Professional Conduct Officer (PCO) and Professional Standards Group (PSG) as appropriate, will then investigate the complaint and take such further action as may be called for. This action may include reprimand, suspension or withdrawal of membership of RANZ.

46. Failure by a Research Association member to co-operate with a disciplinary investigation by RANZ into a possible breach of this Code will be considered a breach of this Code. Details on making a complaint against a RANZ member are available on the RANZ website: <https://researchassociation.org.nz/Complaints-procedure>



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## Definitions

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

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

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

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

**Genuine research concerns** are those where the Member has reason to expect that the purpose of the research would otherwise be defeated. For example: where significant public interest lies in achieving high response rates.

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

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

**Member** is an individual who has been admitted to membership of Research Association New Zealand (RANZ) in one of the categories set out in RANZ Constitution.

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

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

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

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

**Research** is the design, collection, use or analysis of information about individuals or organisations, intended to establish facts, acquire knowledge or reach conclusions. It uses the statistical and analytical methods and techniques of the applied social, behavioural and data sciences, statistical principles and theory, to generate insights and support decision making by providers of goods and services, governments, non-profit organisations and the general public.

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

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