



umanology

Being Humane is Humane Being

**Code of Ethics
on Market,
Opinion,
Social
Research and
Data Analytics**

CONTENT

Introduction	3
Purpose and scope	3
Interpretation	3
Definitions	4
Fundamental principles	6
Articles	4
Responsibilities to data subjects	4
Article 1 - Duty of care	4
Article 2 - Children, young people and other vulnerable individuals	4
Article 3 - Data minimisation	4
Article 4 - Primary data collection	4
Article 5 - Use of secondary data	8
Article 6 - Data protection and privacy	8
Responsibilities to clients	7
Article 7 - Transparency	7
Responsibilities to the general public	11
Article 8 - Publishing findings	11
Responsibilities to the research profession	11
Article 9 - Professional responsibility	11
Article 10 - Legal responsibility	11
Article 11 - Compliance	12
Article 12 - Implementation	12

Introduction

Humanology published the first Code of Ethics on Market, Opinion, Social Research and Data Analytics in 2018. Humanology research code of ethics follows the international standard such as ESOMAR and ICC so that the service provided reached international standard.

Purpose and Scope

This Code is designed to be a comprehensive framework for self-regulation for those engaged in the market, opinion and social research and data analytics. It sets essential standards of ethical and professional conduct designed to maintain public confidence in research, while also requiring strict adherence to any relevant regional, national and local laws or regulations, and industry/professional codes of conduct that may set a higher standard. It ensures that researchers and analysts working with both traditional and new sources of data continue to meet their ethical, professional and legal responsibilities to the individuals whose data they use in research and to the clients and organisations they serve.

This Code applies to all research of Humanology. Acceptance and observance of the Code are mandatory for Humanology members and the members of other research associations that have adopted it.

Interpretation

This Code is to be applied in the spirit in which it was written as well as to the letter. It should be read in conjunction with other relevant Humanology codes, guidelines, principles, and framework interpretations intended to apply the Code in the context of specific research methods and applications. These and other similar documents are available at www.hba.com.my.

Throughout this document, the word “must” is used to identify mandatory requirements, that is, a principle or practice that researchers are obliged to follow. The word “should” is used when describing the implementation and denotes a recommended practice.

Definitions

For this Code, the following terms have this specific meaning:

Children mean individuals for whom permission to participate in research must be obtained from a parent or responsible adult. Definitions of the age of a child vary substantially and are set by national laws and self-regulatory codes. In the absence of a national definition, a child is defined as being 12 and under and a “young person” as aged 13 to 17.

Client means any individual or organisation that requests, commissions or subscribes to all or any part of a research project.

Consent means freely given and informed indication of agreement by a person to the collection and processing of his/her personal data.

Data Analytics means the process of examining data sets to uncover hidden patterns, unknown correlations, trends, preferences and other useful information for research purposes.

Data subject means any individual whose personal data is used in research.

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.

Non-research activity means taking direct action toward an individual whose personal data was collected or analysed with the intent to change the attitudes, opinions or actions of that individual.

Passive data collection means the collection of personal data by observing, measuring or recording an individual’s actions or behaviour.

Personal data (sometimes referred to as personally identifiable information or PII) means any information relating to a natural living person that can be used to identify an individual, for example by reference to direct identifiers (such as a name, specific geographic location, telephone number, picture, sound or video recording) or indirectly by reference to an individual’s physical, physiological, mental, economic, cultural or social characteristics.

Primary data means data collected by a researcher from or about an individual for the purpose of research.

Privacy notice (sometimes referred to as privacy policy) means a published summary of an organisation’s privacy practices describing the ways an organisation gathers, uses, discloses and manages a data subject’s personal data.

Research which includes all forms of market, opinion and social research and data analytics, is the systematic gathering and interpretation of information about individuals and organisations. It uses the statistical and analytical methods and techniques of the applied social, behavioural and data sciences to generate insights and support decision-making by providers of goods and services, governments, non-profit organisations and the general public.

Researcher means any individual or organisation carrying out or acting as a consultant on research, including those working in client organisations and any subcontractors used.

Secondary data means data collected for another purpose and subsequently used in research.

Vulnerable people means individuals who may have limited capacity to make voluntary and informed decisions, including those with cognitive impairments or communication disabilities.



Fundamental Principles

This Code is based upon three fundamental principles that have characterised the market, opinion and social research throughout its history. They provide an interpretative background for the application of the substantive articles of the Code:

1. When collecting personal data from data subjects for the purpose of research, researchers must be transparent about the information they plan to collect, the purpose for which it will be collected, with whom it might be shared and in what form.
2. Researchers must ensure that personal data used in research is thoroughly protected from unauthorised access and not disclosed without the consent of the data subject.
3. Researchers must always behave ethically and not do anything that might harm a data subject or damage the reputation of market, opinion and social research.



Article

Responsibilities to Data Subjects

Article 1 Duty of Care

- (a) Researchers must ensure that data subjects are not harmed as a direct result of their personal data being used for research.
- (b) Researchers must exercise special care when the nature of the research is sensitive, or the circumstances under which the data was collected might cause a data subject to become upset or disturbed.
- (c) Researchers must remain mindful that research relies on public confidence in the integrity of research and the confidential treatment of the information provided for its success, and therefore must remain diligent in maintaining the distinction between research and non-research activities.
- (d) If researchers engage in non-research activities, for example, promotional or commercial activities directed at individual data subjects, they must clearly distinguish and separate those activities from research.

Article 2 Children, young people and other vulnerable individuals

- (a) Researchers must obtain the consent of the parent or responsible adult when collecting personal data from children or anyone for whom a legal guardian has been appointed.
- (b) Researchers must take special care when considering whether to involve children and young people in research. The questions asked must take into account their age and level of maturity.
- (c) When working with other vulnerable individuals, researchers must ensure that such individuals are capable of making informed decisions and are not unduly pressured to cooperate with a research request.

Article 3 Data Dissemination

- (a) Researchers must limit the collection and/or processing of personal data to those items that are relevant to the research.

Article 4 Primary Data Collection

- (a) When collecting personal data directly from a data subject for the purpose of research:
 - i. Researchers must identify themselves promptly, and data subjects must be able to verify the identity and bona fides of the researcher without difficulty.

- ii. Researchers must clearly state the general purpose of the research as soon as methodologically possible.
 - iii. Researchers must ensure that participation is voluntary and based on information about the general purpose and nature of the research that is adequate and not misleading.
 - iv. Researchers must inform data subjects if there is any activity that will involve re-contact and data subjects must agree to be re-contacted. The only exception to this is re-contact for quality control purposes.
 - v. Researchers must respect the right of data subjects to refuse requests to participate in research.
- (b) Researchers must allow data subjects to withdraw from the research at any time and access or rectify personal data held about them.
 - (c) Passive data collection should be based on the consent of the data subject and meet all conditions in Article 4(a).
 - (d) 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 they must remove or obscure any identifying characteristics as soon as operationally possible.

Article 5 Use of Secondary Data

When using secondary data that includes personal data, researchers must ensure that:

The intended use is compatible with the purpose for which the data was originally collected.

- (a) The intended use was not specifically excluded in the privacy notice provided at the time of the original collection.
- (b) The data was not collected in violation of restrictions imposed by law, through deception, or in ways that were not apparent to or reasonably discernible and anticipated by the data subject.
- (c) Any requests from individual data subjects that their data not be used for other purposes are honoured.
- (d) Use of the data will not result in harm to data subjects, and there are measures in place to guard against such harm.

Article 6 Data Protection and Privacy

- (a) If researchers plan to collect personal data for research that may also be used for a non-research purpose, this must be made clear to data subjects before data collection and their consent for the non-research use obtained.

- 
- (b) Researchers must not share a data subject's personal data with a client unless the data subject has given consent to do so and has agreed to the specific purpose for which it will be used.
 - (c) Researchers must have a privacy notice that is readily accessible by data subjects and is easily understood.
 - (d) Researchers must ensure that personal data cannot be traced nor an individual's identity 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).
 - (e) Researchers must take all reasonable precautions to ensure that personal data is held securely. It must be protected against risks such as loss, unauthorised access, destruction, misuse, manipulation or disclosure.
 - (f) Personal data is to be held no longer than is necessary for the purpose for which it was collected or used.
 - (g) If personal data is to be transferred to subcontractors or other service providers, researchers must ensure that the recipients employ at least an equivalent level of security measures.
 - (h) Researchers must take particular care to maintain the data protection rights of data subjects whose personal data is transferred from one jurisdiction to another. Such transfers must not be made without the consent of the data subject or other legally permissible grounds. In addition, researchers must take all reasonable steps to ensure that adequate security measures are observed and that the data protection principles of this Code are complied with.
 - (i) In the event of a data breach containing personal data, researchers have a duty of care for the data subjects involved and must follow all applicable data breach notification laws.

Article

Responsibilities to Clients

Article 7 Transparency

- (a) Researchers must design research to the specification and quality agreed with the client and in accordance with Article 9(a).
- (b) Researchers must ensure that findings and any interpretation of them are clearly and adequately supported by data.
- (c) Researchers must on request allow clients to arrange for independent checks on the quality of data collection and data preparation.
- (d) Researchers must provide clients with sufficient technical information about the research to enable them to assess the validity of the results and any conclusions drawn.
- (e) When reporting on the results of research, researchers must make a clear distinction between the findings, the researchers' interpretation of those findings and any conclusions drawn or recommendations made.



Article

Responsibilities to Public

Article 8 Publishing Findings

- (a) When publishing research findings, researchers must ensure that the public has access to sufficient basic information to assess the quality of the data used and the validity of the conclusions.
- (b) Researchers must make available upon request the additional technical information necessary to assess the validity of any published findings unless contractually prohibited.
- (c) When the client plans to publish the findings of a research project, researchers should ensure that they are consulted as to the form and content of the publication. Both the client and the researcher have a responsibility to ensure that published results are not misleading.
- (d) Researchers must not allow their name or that of their organisation to be associated with the dissemination of conclusions from a research project unless those conclusions are adequately supported by the data.

Article

Responsibilities to Research Profession

Article 9 Professional Responsibility

- (a) Researchers must be honest, truthful and objectives and ensure that their research is carried out in accordance with appropriate scientific research principles, methods and techniques.
- (b) Researchers must always behave ethically and must not do anything that might unjustifiably damage the reputation of research or lead to a loss of public confidence in it.
- (c) Researchers must be straightforward and honest in all of their professional and business dealings.
- (d) Researchers must not unjustifiably criticise other researchers.
- (e) Researchers must not make false or otherwise misleading statements about their skills, experience or activities, or about those of their organisation.
- (f) Researchers must conform to the generally accepted principles of fair competition.

Article 10 Legal Responsibility

- (a) Researchers must conform to all applicable international and national laws, and local codes of conduct and professional standards or rules.

Article 11 Compliance

- (a) Researchers must ensure that research is carried out in accordance with this Code, that clients and other parties to the research agree to comply with its requirements, and that the Code is applied, where appropriate, by all organisations, companies and individuals at all stages of the research.
- (b) Correction of a breach of this Code by a researcher, while desirable, does not excuse the breach.
- (c) Failure by an Humanology member to co-operate with a disciplinary investigation by Humanology into a possible breach of this Code will be considered a breach of this Code. This also applies to members of other self-regulatory bodies implementing this Code.

Article 12 Implementation

- (a) Researchers must ensure that research is carried out in accordance with this Code, that clients and other parties to the research agree to comply with its requirements, and that the Code is applied, where appropriate, by all organisations, companies and individuals at all stages of the research.
- (b) Correction of a breach of this Code by a researcher, while desirable, does not excuse the breach.
- (c) Failure by an Humanology member to co-operate with a disciplinary investigation by Humanology into a possible breach of this Code, will be considered a breach of this Code. This also applies to members of other self-regulatory bodies implementing this Code.



Humanology Sdn Bhd (1224424-D)

73-3 Amber Business Plaza,
Jalan Jelawat 1, Cheras, 56000 Kuala Lumpur.



+603 - 2856 8651
+6018 - 213 6755



info@hba.com.my



www.hba.com.my



www.fb.com/HumanologySB/