

GUIDELINES FOR QUALITATIVE RECRUITMENT AND RESEARCH

About these Guidelines

These Guidelines interpret and expand upon the Market and Social Research Privacy Principles (M&SRPPs) in the Privacy Code. They represent AMSRO's and AMSRS's recommendations for best practice in areas including, but not restricted to, participant privacy. They seek to promote professionalism in the conduct of research and provide the public with the assurances needed to encourage informed and willing participation in market and social research activities.

These Guidelines should be used as a guide only and do not constitute legal advice. While every effort has been made to ensure that they are comprehensive, action should not be taken solely on the basis of information provided in these Guidelines.

There are certain exemptions to the Privacy Act and these exemptions extend to the privacy principles developed by industries. For example, subcontractors to a political party or Member of Parliament are exempt from the Privacy Act, and thus if your research organisation is carrying out research as a subcontractor to a political party or Member of Parliament it will be exempt from the M&SRPPs. (This is regardless of any decision to opt into the M&SRPPs and out of the NPPs.) Therefore, it will not, among other things, be obliged to reveal the details of the organisation for which it is conducting the research. If research participants enquire as to the details of undertakings relating to privacy, they can be informed that the organisation for which your organisation is contracted is exempt from the Privacy Act.

These Guidelines cover qualitative recruitment and research, which, for the purposes of this exercise has been defined as marketing research conducted whereby:

- a) The basic methodology involves techniques that seek to reach understanding through dialogue and evocation (rather than measurement)
- b) Where the information collection process involves open-ended, non-directive techniques, and
- c) Where the information analysis output is descriptive.

These Guidelines are written primarily for research organisations but, with the use of viewing facilities, they are also relevant to client organisations.

Note: Action should not be taken solely on the information given in this document. Legal or professional advice should be sought to ensure no misinterpretation occurs. Please take the time to read the important disclaimer.

Research organisations should refer to the AMSRS document ‘Example introduction and termination scripts’ for assistance preparing scripts, as well as other relevant information, for recruitment.

These Guidelines are part of a series developed by the AMSRS in association with AMSRO. For more information about these Guidelines or the M&SRPPs, contact the AMSRO Secretariat by email to AMSRO@AMSRO.com.au or on (02) 9566 3131. For more information about the Code of Professional Behaviour, please contact the AMSRS office or email AMSRS@AMSRS.com.au.

Definitions

Children and young people: Children are defined as those aged under 14 years and young people as those aged 14 to 17 years.

Client organisation: An organisation that requests, commissions or subscribes to a given research project; the ultimate beneficiary of the research project.

Collection: Means gathering, acquiring or obtaining information from any source, by any means. Collection may be directly from an individual or indirectly from another person or organisation. In practical terms, collection in research is likely to include, but not be limited to, the recording of responses given in research (e.g. telephone surveys, central location surveys), the receipt of self-completion questionnaires (e.g. postal questionnaires, on-line questionnaires), the audio and/or video recording of group discussions or interviews, the recording of contact details of potential research participants (e.g. panels) and the receipt of customer information from client organisations.

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

Customer: For these purposes, the term “customer”, encompasses related meanings such as “client”, “passenger”, “member” and so on and also refers to individuals who have at some time been, or might reasonably be expected to become, customers.

De-identification: Requires the removal from identified information of any details that identify the participant, or from which the identity of the participant can reasonably be ascertained, without retaining a means by which the information could be re-identified. De-identification is thus a permanent and irreversible process.

Disclosure: Means allowing information to become known outside an organisation without physically or electronically releasing it (e.g. by telling, showing or displaying to another).

Express consent: To be valid, express consent must be informed, voluntary and given by a competent individual. A research organisation must give individuals enough information to enable them to make an informed decision, including what the research organisation wishes to do, the purpose for doing this and any other matters that may affect the handling of the individual’s identified information. The individual must be free to make a choice, without being misled, pressured or coerced. Express consent must be clearly and unmistakably stated orally or in writing. When given orally, the

research organisation should make a written record of the date of consent and exactly what was consented to.

Genuine research concerns: Means where the research organisation has valid reasons to expect that the purpose of the research exercise would otherwise be defeated, for example, where bias due to non-response (or research opt-outs) may materially affect the information obtained in the research exercise, where significant public interest lies in achieving high response rates, where the research is a genuine study of non-response or research opt-outs, where prior knowledge of the likelihood of being re-contacted may materially affect the information obtained, or where the validity of a longitudinal or ongoing research exercise may be compromised.

Identified information: Information or an opinion, whether true or not, and whether recorded in a material form or not, provided by, or held in relation to, an individual whose identity is apparent, or can reasonably be ascertained. Research generally involves two types of identified information: contact details and research data. In practical terms, identified information in research is likely to include, but not be limited to, interview records awaiting validation or for use in longitudinal research, audio or video recordings of research and lists of potential research participants (e.g. recruitment databases, panels, customer information).

Individual: Means any natural person about or from whom any information is sought, collected, retained, used, disclosed and/or transferred by a research organisation. This includes any case where the identity can reasonably be ascertained. In practical terms, the individual may be referred to as the participant, respondent or subject of the research, but also includes any person about whom a participant, respondent or subject is providing information.

Market and social research: Means investigation of the behaviour, needs, attitudes, opinions, motivations or other characteristics of a whole population or a particular part of a population, in order to provide accurate and timely information to clients (government, commercial and not-for-profit organisations) about issues relevant to their activities, to support their decision-making processes. The process of market and social research includes specifying the information required to achieve the specific research needs of the client, designing the method for collecting information, managing and implementing the data collection process, analysing the results, and communicating the findings and their implications to clients. Methods of collecting information in market and social research include postal or mail surveys, e-mail surveys, internet surveys, telephone surveys, door-to-door surveys, central location (e.g. shopping centre) surveys, observational techniques, desk research, and the recruitment and conduct of group discussions, in depth interviews and series of interviews with panels. Market and social research differs from other forms of information gathering in that the information is not used, disclosed nor transferred either to support

measures or decisions with respect to the particular individual, or in a manner that results in any serious consequence (including substantial damage or distress) for the particular individual. Any information gathering activity in which the names and contact details of the people contacted are to be used for sales, promotional or fundraising activities or other non-research purposes (e.g. debt collection, credit rating) directed at the particular individual can under no circumstances be regarded as market and social research. In addition, any activity that attempts to impart information to individuals rather than collect information from individuals (e.g. push polling) can under no circumstances be regarded as market and social research.

Participant: Any person from whom (or about whose household) any information is sought, collected, retained, used or transferred by a research organisation for the purposes of research. This includes any case where the identity can reasonably be ascertained.

Research data: A record of the responses provided by participating individuals at the time of collection in order to obtain a representation of a population's or sub-population's behaviour, needs, attitudes, opinions and motivations at a given point in time. Research data is identified information if it is associated with contact details of the participating individual or if the particular pattern of research data held in relation to an individual allows that individual's identity to reasonably be ascertained.

Research organisation: An organisation (or that part of an organisation) that is a member of AMSRO and that carries out, or acts as a consultant or subcontractor in relation to, market or social research, or offers their services or the services of others to do so.

Research purpose: The handling of information in order to carry out any function considered essential to the conduct or communication of the results of a market or social research project. In practical terms, research purposes include handling information in order 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 or assist in the resolution of a problem that has come to light during a research activity.

Research status: Means information in relation to whether or not an individual has been contacted or has participated in a research exercise, but does not include research data. This is likely to take the form of a list containing customers, whose contact details were originally forwarded from a client organisation to a research organisation for research sampling, that conveys or contains information regarding individuals who were contacted or who participated in research.

Responsible adult: Where the term adult is used in these Guidelines, it refers to someone aged 18 or over. A 'responsible adult' is an adult

responsible for the child or young person's safety and welfare at the time of the research.

In a protected environment, like a school, the responsible adult will be the person in authority or overseeing the location who has responsibility for the protection of the child or young person. In any other environment - like in public or in the home - a responsible adult will be a parent, guardian or other person on whom a parent or guardian has conferred responsibility for the child or young person (e.g. a relative, child-minder, au pair or neighbour).

Sensitive information: As defined by the Privacy Act, information or an opinion about an identified participant's racial or ethnic origin, political opinion, membership of a political association or religious beliefs, affiliations or philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or health information.

Transfer: The physical or electronic release of information outside a research organisation. This includes when a research organisation gives another organisation information under contract to carry out an activity.

Unreasonably intrusive: Any collection of information where the subject or manner is likely to cause unreasonable inconvenience, or to upset or offend an individual. This includes, but is not limited to, a research organisation's contacting individuals at unreasonably early or late times during the day, attempting to coerce an individual into participating in research, conducting unreasonably lengthy research interviews, collecting information where the level of detail is much greater than that required by the research objectives or collecting sensitive information, as defined in the *Privacy Act 1988 (Commonwealth)*, or other potentially sensitive information, where it is not essential to achieve the research objectives or where the subject matter might reasonably be expected to cause offence.

SECTION ONE: COLLECTING INFORMATION FROM PARTICIPANTS

1. Individuals' participation in research is entirely voluntary at all stages. They must not be misled when being asked for their cooperation. Participants are entitled to withdraw from a research project at any stage and to refuse to cooperate further.
2. Where it is reasonable and practicable to do so, research organisations should collect identified information about an individual or household directly from that individual or household.
3. Research organisations may only collect identified information where it is necessary for the research organisation's function or activity. A research organisation must not collect identified information when de-identified information would be adequate for the relevant function or activity. If a research organisation receives identified information that is not necessary for one of its functions or activities, the research organisation should either destroy or de-identify that information as soon as practicable.
4. Research organisations may collect information only by lawful and fair means and not in an unreasonably intrusive way. Collection must not involve tricks, deception or undue pressure.
5. The participant should be adequately informed of the intended collection, use, disclosure and transfer of their identified information. The types of information that research organisations are required to provide participants are outlined in the paragraphs below. This information should be given to the participant no later than the end of the information collection, and earlier if so requested. If any of this information is not given before the identified information is collected and, when given the information, the participant wishes to have some or all of his or her information destroyed, deleted or de-identified, the research organisation should accommodate this as soon as practicable.
6. If a research organisation regularly collects the same kind of information from a participant (e.g. the participant is part of a panel) the participant does not need to be given these details each time. The research organisation would only need to reinform participants if it changes the way it collects, uses, discloses or transfers the identified information or on request.
7. The research organisation's name must be made available to the participant at the time of research. Participants must also be told, or be able to find without difficulty or avoidable expense, the contact details of the researcher. In addition, a telephone number (e.g. AMSRS Survey Line) must be provided so that participants can check the research organisation's bona fides without significant cost to themselves.

8. The participant must be assured that the information collected will only be used for research purposes and that no other use will be made of the information.
9. Participants should be notified during recruitment if the interview or group discussion is to be observed.
10. Participants should be notified during recruitment if the interview or group discussion is to be recorded on either audio or video tape. The only exception is where these are used in a public place, in which case participants need not be told about the use of recording equipment. A public place is defined as one to which the public has free access and where a participant could reasonably expect to be observed and/or overheard by other people present, for example in a shop or in the street.
11. If there is a reasonably foreseeable possibility that a participant may be identifiable, even without the use of name or address (e.g. because of the small size of the population or subpopulation being sampled), then the participant must be informed of this and given the option of not attending the group discussion or interview. This is a particular issue for business-to-business research where sample sizes in specialised areas may be very small to the point where participants themselves or their organisation could be identified.
12. Where name and contact details (e.g. address, telephone number) or any other information which identifies the participant, is collected for any purpose the reason should be explained to the participant to assure him or her of the principle of confidentiality within research. Name and contact details must not be collected unless the details of the identity of the participant are necessary for research purposes.
13. Re-contacting individuals or households to encourage participation in a given research exercise, once an individual has refused to participate, may be acceptable in the following circumstances:
 - (a) Where the reason for refusal to participate was temporary (e.g. too busy now, inconvenient time) and the individual has agreed in principle to be re-contacted; or
 - (b) Where the research and client organisations have reasonable grounds to decide that there are genuine research concerns that warrant such re-contact (e.g. where bias due to non-response may materially affect the information obtained in the research exercise). In these cases, re-contact must be undertaken in a way that is not unreasonably intrusive. (See definition of genuine research concern above.)
14. Where there is a reasonable likelihood that, having participated in a research exercise, participants will be re-contacted for research purposes

(e.g. validation, to participate in future research), they must be made aware of this possibility and given the opportunity to indicate that they do not wish to be re-contacted.

The exception to this general rule is where the research and client organisations have reasonable grounds to decide that there are genuine research concerns (e.g. where prior knowledge of the likelihood of being re-contacted may materially affect the information obtained).

15. Participants' contact details should not be included on a list of potential research participants if they have indicated that they do not wish to be re-contacted for research purposes. As above, if there are genuine research concerns (e.g. where bias due to research opt-outs may materially affect the information obtained in the research exercise) that warrant the individual's inclusion, re-contact must be undertaken in a way that is not unreasonably intrusive and respects the continuing right of the individual to refuse to participate.
16. It should be noted that agreement to be re-contacted to be invited to participate in future research must not be taken to indicate agreement to participate in any given research exercise. Research organisations should give participants the same rights and put in place the same safeguards afforded to other participants contacted for research purposes.
17. If identifying details are collected, participants should be informed of the fact that research information is routinely de-identified (if appropriate). The research organisation should inform participants of how long the information they provided will remain identified and/or how long their name and contact details will be retained in order to re-contact them for research purposes.
18. If identifying details are collected, the participant must be informed that, while the information remains identifiable (if it does), he or she is able to gain access to the information he or she provided and/or have all or part of the information destroyed, deleted or de-identified.
19. Research organisations may disclose and/or transfer identified information to another research organisation (e.g. subcontractor or related body corporate), where it is essential for any research purpose, such as data processing, validation or follow-up research, provided that participants have been informed of the fact that their information would only be used for research purposes. Unless it is essential for a research purpose that the information be identified, the information should be disclosed or transferred in de-identified form.

20. Where disclosure and/or transfer of identified information to other research organisations is essential for research purposes, research organisations must take reasonable steps (e.g. via the inclusion of appropriate provisions in contracts) to ensure that it will be retained, used, disclosed or transferred by the recipient of the information in a manner that is consistent with these Guidelines. (Research organisations should refer to the AMSRS's document 'Guidelines for the Contracting out of Research Activities'.)

21. Research organisations may disclose and/or transfer identified information to the client provided that the express consent of all participants who could be identified from the information has been obtained and that the information is used only for research purposes.

The exception is where the identified information being disclosed and/or transferred to the client organisation concerns individuals' research status. In this case, the research organisation must take reasonable steps to ensure that the identified information concerning individuals' research status can not be linked (or potentially linkable) to individuals' research data. In addition, the research organisation must obtain the client organisation's agreement to restrict use of the identified information concerning individuals' research status to the specific purpose of regulating the frequency of contacts of individuals in the client organisations' subsequent research.

22. Research organisations may disclose and/or transfer de-identified information freely, provided that there is no reasonable likelihood that the pattern of answers could be used to identify one or more of the individuals who participate in the research.

23. Participants should be informed of the subject(s) of the research at the beginning of the research. The exception to this general rule is where there is a reasonable belief that prior knowledge of the subject may materially affect the information obtained. For multi-topic surveys such as omnibus type surveys the variety of subject areas should be explained in general terms at the beginning of the research. This is particularly important when the research involves any subjects or circumstances that might reasonably be judged to be sensitive, whether or not the information sought is sensitive information, as defined by the Privacy Act. Research organisations should consider the likelihood of the research's being particularly sensitive to different cultural or age groups.

24. Where the information to be collected is (or includes) sensitive information, as defined by the Privacy Act, the research organisation must clearly explain the participant's right to withhold information at any time. A research organisation may only collect sensitive information from a third party if the express consent of the all the individuals whose

- identities could reasonably be ascertained from the information has been obtained.
25. The likely duration of the research (or the likely range of durations) should be accurately stated at the beginning of the interview or group discussion. Assurances as to the length of the group discussion or interview should be honoured, or in the event of running over time, participants should be informed that they have the opportunity to leave the group discussion or discontinue the interview.
 26. The likely duration (or likely range of durations) of an interview should be stated as accurately as possible at the beginning of the interview. Upper limits for durations of interviews using different methodologies are stated in the sections below. Longer durations may sometimes be appropriate where a substantial incentive or prize is provided, where the interests of the participant or of society in general are clearly served by participating, in certain executive interview situations, in self-completion questionnaires or where the inherent interest or variety of topics can sustain longer durations.
 27. In general, the research should be structured to maintain interest and avoid repetitious or burdensome questioning, regardless of the duration or method of administration. Further, all interviews should be as short as possible, given the requirements of the study in question.
 28. The client's identity (or, in the case of syndicated or omnibus studies, the fact that there are a number of different clients) should be revealed to participants, no later than the end of the collection of information. The exception to this rule is where the research and client organisations have reasonable grounds to decide that there are genuine research concerns or where there is another compelling reason not to do so (e.g. it may expose one of the parties to legal action). Protocols for revealing the client's identity should be agreed in advance and made clear in the interviewer instructions. This should include when the client's identity may be revealed and procedures for dealing with participants' requests for the client's identity when it would be unacceptable to reveal it (i.e. that participants have the right to de-identification, deletion or destruction of the information collected as soon as practicable).
 29. The source of the research sample (e.g. customer information, information collected by research organisations, publicly available lists such as a telephone directory or electoral roll, random digit dialing, door knocking) should be revealed to participants, no later than the end of the collection of information. The exception to this rule is where the research and client organisations have reasonable grounds to decide that there are genuine research concerns or where there is another compelling reason not to do so (e.g. it may expose one of the parties to legal action). Protocols for revealing the source of the sample should be agreed in

- advance and made clear in the interviewer instructions. This should include when the source of the sample may be revealed and procedures for dealing with participants' requests for the source of the sample when it would be unacceptable to reveal it (i.e. that participants have the right to deletion or destruction of the information collected as soon as practicable). (See Section 2 for more details on the use of customer information for sampling purposes.)
30. Research organisations must always respect the participant's right not to participate, to withdraw or to withhold information.
 31. While as much of the information outlined below as is practicable should be given to participants verbally, such information in a written format (see the AMSRS document 'Producing Your Organisation's Privacy Leaflet' for more information) should also be made available to participants on request:
 - (a) The identity of the research organisation and how to contact it (e.g. via the AMSRS Survey Line).
 - (b) The purposes for which information is collected. The information should state that the information collected will only be used for research purposes and that no other use will be made of the information, either during the interview or afterward. Where name and contact details (e.g. address, telephone number) or any other information which identifies the participant, is collected for any purpose, the reason should be stated to the participant to assure him or her of the principle of confidentiality within research.
 - (c) The fact that information collected for research is routinely de-identified (if appropriate). The information should include an indication of how long the information they provided is likely to remain identified and/or how long their name and contact details will be kept in order to contact them for future research purposes.
 - (d) The fact that the participant is able to gain access to the information he or she provided and/or have part or all of the information destroyed, deleted or de-identified while the information remains identifiable (if it does).
 32. Research organisations must give participants participating in research conducted over the internet the same rights as, and put in place the same safeguards afforded to, participants participating in research conducted by traditional means. It must be remembered that a participant's e-mail address is an identifier and must be treated as such.

SECTION TWO: RECRUITMENT USING CUSTOMER INFORMATION

1. Where research organisations wish to conduct research with customers from client lists, they should take reasonable steps to ascertain from the client organisation whether at least one of the following applies:
 - (a) The purpose for which the information was originally collected is related to the market or social research to be conducted and the individual would reasonably expect to be contacted to be invited to participate in such research. (Where customer information is collected and retained for the primary purpose of contacting customers of an organisation in relation to products and/or services of that organisation, the secondary purpose of contacting those customers to invite them to participate in research on those or related products and/or services is considered both related to the primary purpose and reasonably expected by individuals.)
 - (b) All individuals who could be identified from the information have consented to their identified information being released, either specifically for research purposes or generally for a range of purposes within which research purposes are included. (There is evidence to suggest that many customers who do not wish to be contacted for direct marketing purposes may be willing to be contacted for genuine confidential market research. Therefore, it is recommended that requests for consent to be contacted for research purposes be made separate from those for direct marketing.)

If neither of these applies, a readily accessible means by which customers can withdraw consent to being included on the provided list must be provided, and this fact must be made known to customers, at the time of contact.

2. Research organisations should also take reasonable steps to ascertain from the client organisation whether customers on any client list have already been made aware by the client organisation that their identified information may be disclosed and/or transferred to research organisations to be used for research purposes. If they have not, they should be made aware that this has occurred at the time of any research contact.
3. Identified information about customers who have indicated that they do not wish to be contacted for research purposes should not be included in any customer information to be used for sampling purposes.
4. It is good practice that, before agreeing to the receipt of the customer information, the research organisation:
 - (a) Agrees with the client the definitions of customers to be included in the information;

- (b) Checks whether the customer information includes ex-directory phone numbers and determines what measures are to be taken in respect of these numbers;
 - (c) Determines when the information was last updated;
 - (d) Determines what (if any) problems are known to exist with the information;
 - (e) Advises the client not to provide any personal customer information that is not relevant to the survey, and
 - (f) Reaches agreement with the client on whether the customer information should be returned to the client or destroyed/deleted once it has been used for the agreed purpose.
5. Customers should be given a reasonable opportunity to decline to participate in any given research exercise each time they are contacted to ask for such participation.
6. If any customer contacted requests that they have access to, or correction, destruction, deletion or de-identification of, any information held on them, or that it be noted in the information that they do not wish to be contacted for research purposes in the future, or if they make any request for the owner of the customer information to contact them, the research organisation handling the customer information should notify the owner of the customer information as soon as practicable. This process should be explained to the customer, in writing if necessary.
7. The research organisation must not pass a listed individual's new contact details on to the owner of the customer information without the customer's permission. The only exception where consent is not required before information collected in the course of research can be passed to the owner of the customer information is where the research organisation discovers that the listed individual has died or is no longer contactable via the given contact details. In this case, the owner of the customer information should be informed as soon as practicable. These circumstances are the only ones in which updates to the customer information, which are gathered in the course of confidential research and are not initiated by the participant themselves, may be passed back to the owner of the customer information.
8. Customer information should only be used for the specific research purposes agreed to by the research organisation and client. Customer information must not be returned to its owner with additional information appended without the express consent of participants, and then only for research purposes. The exception regards information relating to research status (see paragraph 20 of Section 1). The research organisation must ensure that the client to whom any such information is returned with additional information appended is familiar with and has agreed to abide by the AMSRS Code of Professional Behaviour and

these Guidelines, in particular the requirement that the information only be used for research purposes.

9. The research organisation is responsible for safeguarding any customer information in their possession until the agreed purpose has been achieved, at which time it should be either destroyed/deleted or returned to the client, as agreed, in advance, with the client.
10. Where disclosure and/or transfer of customer information is essential for research purposes, research organisations must take reasonable steps (e.g. via the inclusion of appropriate provisions in contracts) to ensure that it will be retained, used, disclosed and/or transferred by the recipient of the information in a manner that is consistent with these Guidelines. (Research organisations should refer to the document 'Guidelines for the Contracting out of Research Activities'.)

SECTION THREE: OBSERVATION OF INTERVIEWS AND GROUP DISCUSSIONS

1. It is the responsibility of the research organisation to take reasonable steps to ensure that observers do not include people who are likely to know, or have any direct dealings with, any participants. The research organisation should communicate to the observer that, if they recognise a participant (whether in the same room or through the one way mirror), they should immediately leave the observation session. The research organisation must ensure that any client wishing to observe interviews or group discussions is familiar with and has agreed to abide by the AMSRS Code of Professional Behaviour and these Guidelines.
2. It should be recognised that observation of individual or paired depth interviews can be particularly intrusive. As such, this should only be regarded as acceptable in exceptional circumstances.
3. Extra consideration about observers should be given when the gender or age of participants, or subject matter, could be considered sensitive. In these circumstances, observers should respect the advice of research organisations and the wishes of participants to exclude them from observation.
4. When the observer is in the same room as participants, it is good practice that there only be one observer per group discussion or interview, excluding the need for two research organisations or assistants.
5. The research organisation should advise observers in the same room as participants, prior to attending, of how best to ensure participants' well

being and minimise the observer effect. Consideration should be given to aspects such as: style of clothes, promptness, where the observer sits, whether the observer has a role in the group discussion or interview, paying attention to all comments equally, note-taking and when questions may be asked.

6. When the observer is viewing via a specialised facility, the research organisation and client should consider the merit of introducing participants and observers before or after the group discussion or interview.

SECTION FOUR: INTRODUCING THE OBSERVER

1. The research organisation must inform participants about the nature of any observation (e.g. presence of camera and mirror) on attendance at the venue, giving the participant the option of leaving the group discussion or interview. However, it is preferable that participants be told about the nature of any observation at recruitment, giving the participant the option of not attending the group discussion or interview.
2. The research organisation should explain who the observers are before the session, in at least general terms (e.g. first names, that they are members of the overall project team, that they work for one of the companies involved in the project), or more specifically explain that they are from the organisation that has commissioned the research.
3. The moderator must not try to “pass off” client observers as colleagues.
4. It is good practice for the research organisation to give a general explanation of why the observer is present (e.g. interested in participants’ views).
5. The research organisation should reassure participants about the confidentiality of their responses and their personal details, unless this cannot be guaranteed (as in some business and employee research), in which case participants should be informed of this and given the opportunity to withdraw from the research.
6. Research organisations should pass on the guarantee that if an observer recognises a participant (whether in the same room or through the one way mirror) they will immediately leave the observation session.
7. It is good practice for research organisations to recommend that there be no observers on a particular project if there is strong concern that introducing the observer openly and honestly will materially affect the

information obtained, or if it is believed that the observer would unreasonably compromise the right of participants to confidentiality.

SECTION FIVE: AUDIO AND VISUAL RECORDING OF INTERVIEWS AND GROUP DISCUSSIONS

1. The research organisation must inform participants about the nature of any recording (e.g. tape recording, video recording) on attendance at the venue, giving the participant the option of leaving the group discussion or interview. However, it is preferable that participants be told about the nature of any recording at recruitment, giving the participant the option of not attending the group discussion or interview.
2. The only exception is where these are used in a public place, in which case participants need not be told about the use of recording equipment. A public place is defined as one to which the public has free access and where a participant could reasonably expect to be observed and/or overheard by other people present, for example in a shop or in the street.
3. Where a recording involves more than one participant (e.g. group discussion, paired interview), participants will not have the right to access the recording or have it destroyed or deleted. Where a recording involves only one participant, participants will have the right to access the recording, and should they wish, have the tape destroyed or deleted.
4. Research organisations should inform participants:
 - (a) Of the purpose for which the research is being recorded
 - (b) That recordings will not be transferred to anyone outside the research organisation unless participants' explicit consent has been obtained
 - (c) That the recording will be destroyed or deleted after a given period of time, and make clear what that period will be
 - (d) Where the recording involves more than one participant, that participants will not have the right to access the recording, as that would have an unreasonable impact upon the privacy of other individuals, or to have the tape destroyed or deleted, as that would involve the destruction, deletion or de-identification of information relating to other individuals, and
 - (e) Where the recording involves only one participant, that participants will have the right to access the recording, and should they wish, have the tape destroyed or deleted.
5. Recordings must not be made where any participant objects. It is recommended that research organisations include all the information

mentioned above on a form that is to be signed by all participants involved before the research may be recorded.

6. It is the responsibility of the research organisation to take reasonable steps to ensure that viewers of recordings do not include people who are likely to know, or have any direct dealings with, any participants. The research organisation should communicate to viewers that if they recognise a participant (whether on audio or videotape) they should immediately leave the viewing session. The research organisation must ensure that any client wishing to view recordings of interviews or group discussions is familiar with and has agreed to abide by the AMSRS Code of Professional Behaviour and these Guidelines.

SECTION SIX: CLIENTS' RIGHT TO PARTICIPANT INFORMATION

1. On request, the research organisation must supply the client with de-identified copies of information, provided that the request is made within the agreed time limit for keeping the records.
2. Identified information must not be disclosed or transferred to a client unless the express consent of all participants who could be identified from the information has been obtained. The exception regards information relating to research status (see paragraph 20 of Section 1).
3. If, at some time after the collection of identified information, the research organisation wishes to disclose and/or transfer that identified information to the client, the research organisation must re-contact every participant and obtain his or her express consent before the information is disclosed or transferred.
4. In cases in which clients request identified verbatim comments, permission must be sought from the participant for any identifiable comments to be passed on. The detail of these comments must also be agreed by the participant. However, comments should not then be linked back to the rest of the information the participant provided during the course of the research.
5. Where any information is to be disclosed and/or transferred, the research organisation must ensure that the client is familiar with and has agreed to abide by the AMSRS Code of Professional Behaviour and these Guidelines, in particular the requirement that the information only be used for research purposes.
6. A research organisation and the client involved in the disclosure or transfer of identified information for research purposes must make

appropriate agreements regarding the destruction or de-identification of this information, once the purpose of the disclosure or transfer has been achieved. The client is responsible for safeguarding any identified information until that time.

7. Research organisations should include appropriate provisions in contracts to cover the proper handling of information by clients, where transfer is essential for research purposes.
8. When information is released in conformity with these recommendations, it should be labelled with the appropriate restrictions on the purposes for which they may be used.
9. The research organisation responsible for the information will be entitled to seek recompense from the client for any reasonable costs arising from a request to obtain permission from participants for release of information.

SECTION SEVEN: RETENTION OF IDENTIFIED INFORMATION AND PARTICIPANTS' RIGHTS

1. A research organisation may retain information in an identified form only while the details of the identity of the participant continue to be necessary for research purposes. Once the information is no longer necessary for research purposes it should be destroyed, deleted or de-identified. Secure methods of destruction should be used such as shredding or other certified methods. Information stored in electronic form must be deleted from all systems including any back up files.
2. If identified information exists in a physical form that makes de-identification impracticable (e.g. on paper), the physical records should be destroyed once the information is transferred to another medium. Ideally, research records should be designed in a manner that makes de-identification practicable.
3. A research organisation must take reasonable steps to protect the identified information it holds from misuse and loss and from unauthorised access, modification, disclosure and transfer. This will consist of taking reasonable steps to maintain physical security, computer and network security and the security of communications.
4. Research organisations need to ensure that management and staff have an adequate understanding of their responsibilities for protecting the identified information held by the research organisation from misuse, loss, corruption, disclosure or transfer, whether deliberate or accidental.

Adequate training of management and staff may be necessary to ensure that security procedures are incorporated in to the day-to-day practices of research organisations.

5. Where it is necessary for a research organisation to retain identified information, identifying details must, if practicable, be stored separately from other information, with the linkage maintained by the use of an intervening variable (e.g. a case number).
6. Where it is necessary for a research organisation to retain identified information, it must provide the participant with the rights to have the research organisation provide access to that information, have the information corrected, and have part or all of that information destroyed, deleted or de-identified. All of these rights must be availed to participants and research organisation must conform to the participant's chosen option. Participants must have been informed of the rights to access, destroy, delete and de-identify at the time of collection.
7. Participants do not have to give a reason when requesting access to or correction, deletion, destruction or de-identification of their identified information.
8. A research organisation should not necessarily ask a participant to make a request for access in writing. However, in some circumstances it may be appropriate to do so. It will more likely be appropriate where:
 - (a) Establishing the identity of the individual making the request is difficult, for example, where the research organisation does not have a personal relationship with the individual making the request;
 - (b) The research organisation cannot respond to a request on the spot, or
 - (c) There is a need to keep a record of requests for access.
9. Research organisations should have procedures to establish (with as much certainty as is possible, given the information held) that the individual asking for the information is who they say they are. In the case of requests from individuals on behalf of a participant whose information it is, the research organisation will also need to establish the identity of that individual and ensure that he or she has the appropriate authority from the participant.
10. If a research organisation charges for providing access to identified information, those charges must not be excessive (not more than it costs the organisation to give access) and must not apply to lodging a request for access. Research organisations should not attempt to use charges to discourage individuals from requesting access.

11. A research organisation should respond to a request for access, correction, destruction, deletion or de-identification as soon as practicable.
12. A research organisation may refuse to provide access or to destroy, delete or de-identify information if doing so would have an unreasonable impact upon the privacy of other participants. A research organisation may refuse to destruct, delete or de-identify if doing so would involve the destruction, deletion or de-identification of information relating to other participants. A research organisation cannot refuse access to or destruction, deletion or de-identification of a participant's identified information just because it is costly, inconvenient, irritating or difficult. A research organisation must provide reasons for denial of access or a refusal to destroy, delete or de-identify identified information.
13. If a research organisation provides a participant with access to or destruction, deletion or de-identification of his or her identified information, this must apply to all identified information the research organisation holds about the participant, unless the participant only wishes for it to apply to a part of the identified information.
14. A research organisation could provide a participant with access to his or her identified information by allowing the participant to:
 - (a) Inspect all identified information the research organisation holds about the participant
 - (b) Ask for a copy of the information
 - (c) Take notes on the contents of a record
 - (d) Receive a printout of the information if it is in electronic form
 - (e) View the information and have its contents explained by a suitably qualified person, if appropriate
 - (f) If the participant agrees, be given a summary of the information
 - (g) Use any other appropriate method to get access to the information or take copies of this information away.
15. If a research organisation provides a participant with access to his or her identified information, the participant should be provided an appropriate area where identified information can be inspected or have their information explained to them with some measure of privacy and convenience.
16. Having received a request from a participant to correct his or her identified information, a research organisation should do so. If, however, the research organisation disagrees about whether research data is accurate, complete and up-to-date or requires a record of previous contact details for research purposes, it should give the participant the options of having the corrected information appended thereto or having part or all of that information destroyed, deleted or de-identified. In the

case of research data, it should be explained to individuals that the information retained must be an accurate and complete record of the *information supplied at the time of collection*.

17. Research organisations must take reasonable steps to ensure that the information collected is accurate and complete at the time of collection.
18. While information is retained in identified form, when using, disclosing or transferring that information, research organisations must either take reasonable steps to ensure that the information remains accurate and complete or warrant that the information is an accurate and complete record of the information supplied at the time of collection.
19. If there is a long term or on-going relationship between the participant and the research organisation, then participants may be asked at the time of collection to let the research organisation know if any contact information changes.
20. When disclosing or transferring information, whether or not in identified form, a research organisation must advise the recipient of the information's likely level of accuracy and completeness.

SECTION EIGHT: OPENNESS ABOUT INFORMATION HANDLING PRACTICES

1. A research organisation must be prepared to give information about its identified information handling practices to any one who asks for it.
2. A research organisation should have a document, which is available to anyone who asks, that sets out clearly expressed policies on the management of information. Such a document is essentially a summary of an organisation's information handling procedures. It should be a short, clearly expressed statement about how the research organisation manages identified information, which should be available in a convenient format. The document does not have to be long but should clearly outline the following:
 - (a) Whether the research organisation is bound by the NPPs or the Market and Social Research Privacy Principles, approved by the Commissioner;
 - (b) The kind of identified information the research organisation holds and a description of routine de-identification procedures (if applicable);
 - (c) That the information is only used for research purposes;

- (d) Contact details of the research organisation: the name, actual and postal addresses, the main telephone and fax numbers and e-mail address.
- 3. A research organisation should have detailed general information available to respond to specific inquiries by individuals on its information handling practices. Such information is likely to be in response to matters such as:
 - (a) **The sort of identified information held by the research organisation:** A research organisation should tell the individual the sort of identified information it holds, which may include the types of information that are collected (e.g. contact information: name, address; demographic info: date of birth, occupation, gender, education; survey information and a description of routine de-identification procedures, if applicable) and whether any of the information held is regarded as sensitive information under the Privacy Act.
 - (b) **The purposes for holding identified information (if applicable):** A research organisation should state that identified information held is only used for research purposes. They should also give specific examples of what identified information is actually used for (e.g. validation, source of potential research participants, follow-up research).
 - (c) **The security measures in place for holding identified information:** Research organisations should give a general description of the way their security systems operate in enough detail to satisfy the individual that identified information is handled securely by the research organisation, archived securely and disposed of securely. This will include, where appropriate, any online security measures such as firewalls and encryption measures, click stream data and cookies and what use is made of the participant's e-mail address. If an individual asks who has access to identified information a description of the staff position or function is sufficient (without naming names).
 - (d) **Using and disclosing the information:** A research organisation should inform the individual of the types of organisations to whom they disclose identified information. This will include where information is shared between related companies of the parent research organisation, transferred overseas (and how the research organisation complies with the Market and Social Research Privacy Principles in this regard) and any functions or activities of the research organisation that are outsourced.

SECTION NINE: RESEARCH WITH CHILDREN AND YOUNG PEOPLE

In addition to the above requirements, research with children and young people should take into account the following:

Consent

1. Consent of a parent or responsible adult must be obtained for all interviews with children under 14 years of age. In the case of young people, where the information to be collected is sensitive information as defined by the Privacy Act, research organisations should seek the consent of a responsible adult; where the research involves any subjects or circumstances that might reasonably be judged to be of concern to parents or guardians of the young person (e.g. sexual activity, violence and drug taking), but does not include sensitive information as defined by the Privacy Act, consideration should be given to seeking the consent of a responsible adult.
2. There may be circumstances in which it is necessary for an interviewer to approach a child or young person in order to establish age before going through the appropriate consent procedure. These approaches should only be made where an interviewer has good reason to believe that the child or young person is old enough to be interviewed without consent. In all cases, the appropriate consent procedure must be followed before the child or young person can be taken through the research itself.
3. Where research is being conducted in schools with the consent of the responsible adult other than a parent or guardian (e.g. a teacher), the research organisation should also seek consent directly from parents or guardians if the responsible adult feels it is necessary. Where the consent of a parent or guardian is sought for some participants in a school, it should normally be sought for all participants (e.g. both children and young people).
4. There may be valid reasons to conduct research with children or young people without the consent of a responsible adult where such consent would normally be required. In such cases, the requirement for the consent of a responsible adult may be waived, but only with the explicit prior approval of an appropriate external body (e.g. research committee of a university, NH&MRC).
5. Where consent is being sought, the responsible adult must be provided with sufficient information to enable him or her to provide informed consent, but only insofar as the research objectives would not be compromised. The responsible adult should be provided with all the information usually provided to participants.
6. Where consent is being sought, a reasonable attempt should be made to inform the responsible adult of the subject(s) of the research at the

beginning of the research. The exception to this general rule is where there is a reasonable belief that prior knowledge of the subject may materially affect the information obtained.

7. Where consent is being sought and the information to be collected is sensitive information, as defined by the Privacy Act, the responsible adult must be told of the content of the research. Where consent is being sought and the research involves any subjects or circumstances that might reasonably be judged to be sensitive, but does not include sensitive information as defined by the Privacy Act, it is preferable that responsible adults be told of the content of the research, so that they may make an informed decision about whether or not to allow the child or young person to participate.
8. Where consent is being sought, responsible adults must be told about any products that a child or young person might be asked to try or use and given the opportunity to inspect or even try these, themselves. The views of the responsible adult about products they would not wish the child or young person to try should be complied with.
9. Consent must be clearly and unmistakably stated orally or in writing. When given orally, the research organisation should make a written record of the identity (by name, relationship or role) of the responsible adult giving consent, the date of consent and exactly what was consented to. When the research involves sensitive subjects, as defined by the Privacy Act, or any other subjects that might reasonably be of concern to parents or guardians, consent should ideally be obtained in writing.
10. Consent represents permission given by the responsible adult to the interviewer that allows the interviewer to approach the child or young person. It is not permission to interview the child or young person, as the child or young person must be given his or her own opportunity to decline to take part in the research.
11. The opportunity to withdraw from the research, even once consent has been given, must be made clear to the responsible adult and to the child or young person. It is important that both fully understand that they are not obliged to take part and this includes their right to withhold answering a specific question or element. When research takes place in schools, the right of individual children and young people to opt out must be stressed by the interviewer.
12. Research organisations must give children and young people the same rights as, and put in place the same safeguards afforded to, other participants. Children and young people should be provided with all the information usually provided to participants.
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rights as, and put in place the same safeguards afforded to, other participants. Children and young people should be provided with all the information usually provided to participants.

Subject matter

14. Special care must be taken when research with children and young people involves sensitive information as defined by the Privacy Act[□], as well as any other subjects or circumstances that might reasonably be judged to be sensitive, for example:
 - (a) Issues that could upset or worry the child (i.e. if the subject is contentious, disturbing or in any way in advance of what the child/young person may be expected to know or understand)
 - (b) Issues that risk creating tension between the child and its parents
 - (c) Issues relating to potentially sensitive family situations (e.g. parental relationships, income, use of alcohol or drugs within the household, family illness)
 - (d) Issues relating to illegal or otherwise socially unacceptable activities.
15. If there is a valid or important reason for collection of sensitive information, as defined by the Privacy Act, or research involving any other subjects or circumstances that might reasonably be judged to be sensitive, it is essential that reasonable steps be taken to ensure that the child or young person is not worried, confused or misled by the questioning.
16. Research must not be carried out on behalf of manufacturers or providers of products or services, nor for promoters or lobbyists for products or services, which are illegal for the age group involved in the research. Research must not encourage, or appear to encourage, illegal behaviour such as under age drinking or gambling.
17. Where the research involves the testing of any products, special care must be taken to check that:
 - (a) These are safe to consume (e.g. foodstuffs) or to handle (e.g. toys). The research organisation must confirm this with the supplier even though the latter may be legally liable for any adverse effects caused by the product.
 - (b) The child or young person is not asked to test a product that is illegal for the age group.
 - (c) The child or young person does not suffer from any relevant allergy or dietary concern (e.g. to products containing nuts or certain additives).

- (d) There are no ethnic, religious or cultural barriers to the child or young person's consuming or handling the product.

Recruitment

- 18. At the recruitment stage, the process of the research and the part the child or young person will play must be fully explained to the responsible adult and to the child or young person, including the right not to take part.
- 19. Once parental consent to do so has been obtained, the child can be asked the recruitment screening questions. The research should avoid screening questions that are unnecessarily intrusive or are difficult for the child or young person to answer. It may be preferable for some screening questions to be asked of the parent or responsible adult, rather than the child or young person.
- 20. Consent of the responsible adult must be sought for any observation, including one-way mirror, or recording. Further consent must be sought from the responsible adult for any release of recorded material.
- 21. The research organisation must ensure that the responsible adult has full details of the research venue, name of research organisation and name of research organisation, if possible, finishing time, etc.

The group discussion or interview

- 22. It is not normally necessary for the responsible adult to be present during an interview or group discussion. Where there is a reasonable belief that their presence would materially affect the information obtained, this must be explained and consent sought to interview the child alone.
- 23. The research organisation must take responsibility for safely handing over the child or young person after a group discussion or depth interview or ensuring that arrangements for them to get home safely are in place.
- 24. The child or young person must be reminded of their right to withhold answers to particular questions.
- 25. The content and language should be sensitive to the language, needs, feelings and capabilities of the age group involved.
- 26. The research should avoid questions that might result in a child or young person's making unreasonable demands on a parent or guardian.

27. Any disclosure of a confidential nature that may be potentially harmful to the child or young person must be dealt with in a sensitive and responsible manner.
28. Care must be taken to avoid any physical contact with the child or young person.
29. Any observation or recording should be kept to a minimum and handled appropriately.
30. Stimulus material must be safe and appropriate for the age of children or young people involved.

Research venues

28. Research should only be conducted in safe and appropriate environments.
29. If the research is conducted in the client's domain, the client must share equal responsibility with the research organisation for providing a safe and appropriate venue.
30. Where research is conducted at a venue other than the child or young person's home, another adult should be present in the same room throughout the research, wherever it is practicable and not expected to materially affect the information obtained.
31. Where research is conducted in the child or young person's home, either in person or by telephone, another adult should remain on the premises, though not necessarily in the same room, throughout the interview.

Internet research

32. Recognising the particular difficulties of ensuring consent in internet research, it is recommended that this type of information collection only be carried out within the school environment and with a responsible adult present who is aware of the activity.
33. Research organisations must ensure that the principle of consent is met. Therefore, if internet research is conducted outside the school environment, special measures should be taken to ensure verifiable and express consent:
 - (a) In internet questionnaires, children and young people must be asked to give their age before any other personal information is requested. If the age given is under 14 years, the child should be excluded from

giving further information until the appropriate consent has been obtained.

- (b) A notice informing children that the consent of a responsible adult is required should be clearly and prominently displayed at the point where information is requested. It should include all the information usually provided to responsible adults and participants.

Incentives and rewards

- 34. Any gifts or incentives provided by the client or research organisation must follow the same rules as those for products to be tested (i.e. they should be safe, legal and acceptable to responsible adults).
- 35. Any refreshments provided should be suitable and legal for the age group and care should be taken to avoid any products that are known to cause allergic reactions or dietary problems.

Correction, access, destruction, deletion and de-identification

- 36. The responsible adult and the child or young person should only have the rights of access and correction to the part of the information they each supplied, so long as it remains identifiable. However, the responsible adult will retain the right to have part or all of the information supplied by the child or young person destroyed, deleted or de-identified.
- 37. The only exception is where a recording, either audio or video, involves more than one participant (e.g. group discussion, paired interview). In this case neither the participant nor the responsible adult will have the right to access or destroy, delete or de-identify the recording.