

MRS
Standards and Policy
2023/24



Standards and policy

An overview of activities

mrs.org.uk/standards/mrs-policy

The new MRS Code of Conduct launched on 15 May 2023.

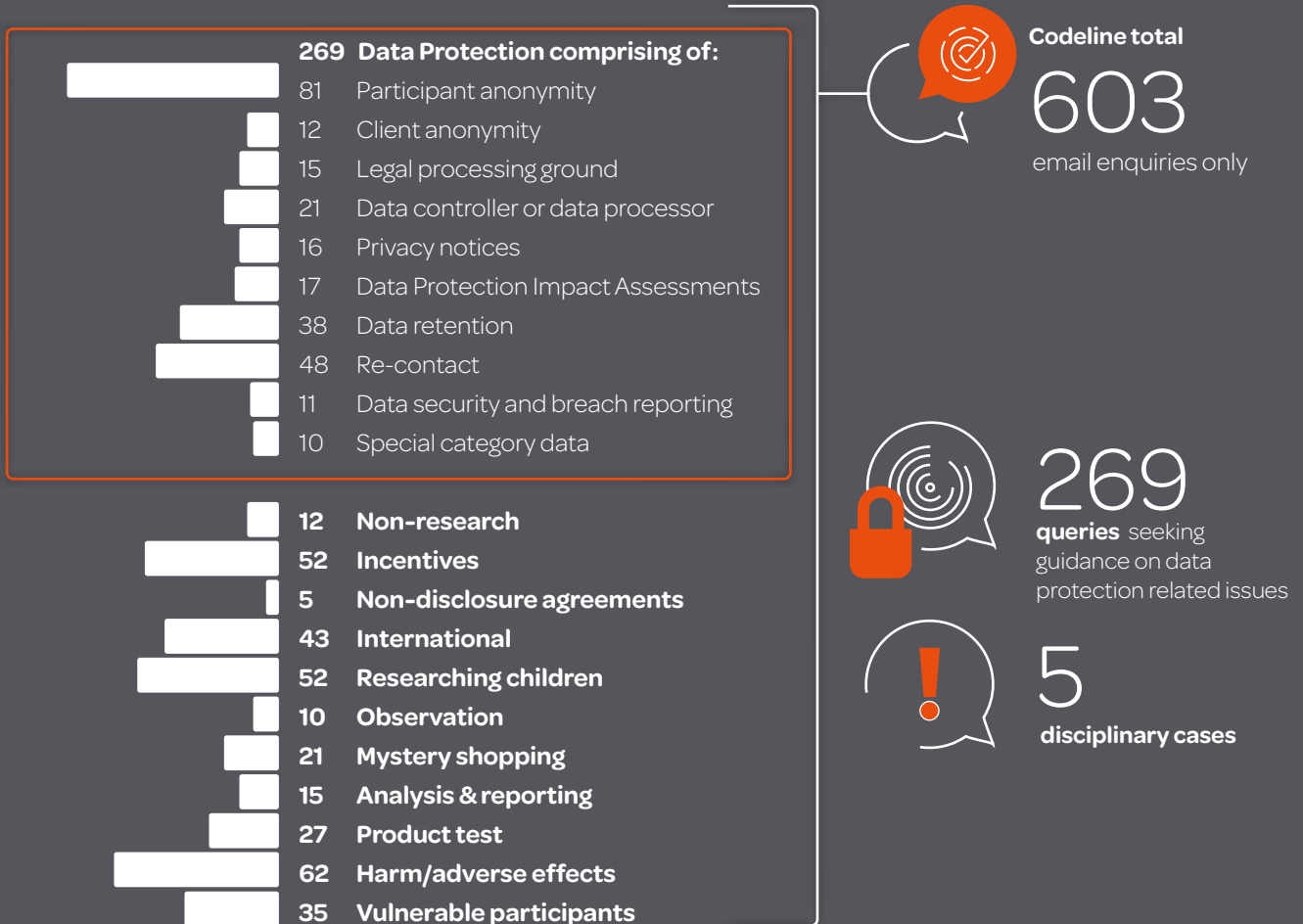
The MRS Standards and Policy team continue to update the suite of guidance to bring it in line with the MRS Code of Conduct. The 2023/24 period has seen the publication of new guidance on AI and related technologies, along with a new addition to the safeguarding and wellbeing series – Essential Safeguards – covering personal safety. Topics to be covered in future include data collection in the metaverse, legal and ethical considerations when collecting biometric data, and best practice guidance for researching neurodiverse participants.

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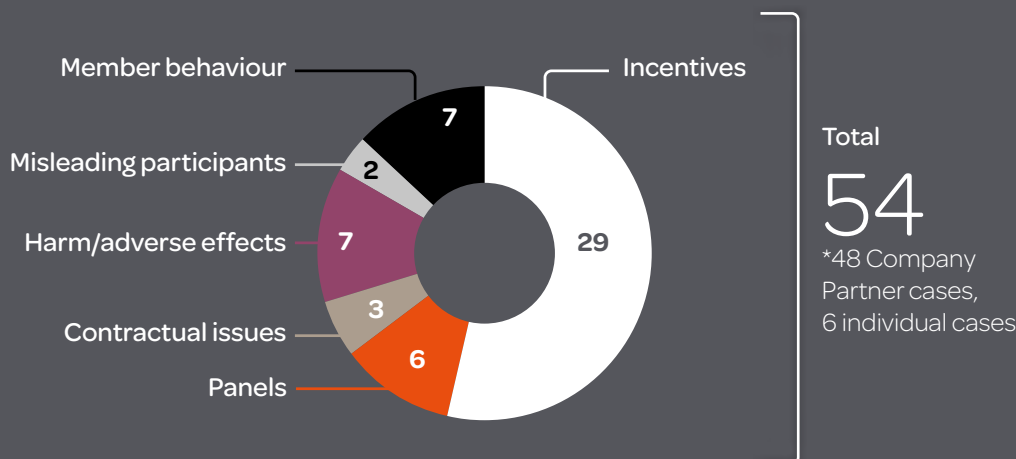
Standards and policy

The sector in numbers

Codeline queries:



Complaints resolved by the standards department



Disciplinary cases



The future for digital information regulation

By Debrah Harding,
Managing Director, MRS

Throughout the 2023/24 period, MRS lobbied the UK Government to refine the proposed Data Protection & Digital Information (No.2) Bill (DPDI Bill) which the government aimed to bring into legislation at some point in 2024. However, this activity came to a shuddering halt when the government called an election for July 2024. Despite receiving a carry-over motion from the previous parliamentary session, the DPDI failed to complete its parliamentary journey.

The Bill was intended to regulate the usage of personal data, expanding the remit of the Information Commissioner's Office (ICO) to provide this oversight. However, it would have been difficult for the government to propel the DPDI through its remaining stages during the brief wash up period, due to the considerable opposition to the Bill in its current form from the then opposition.

Some of the opposition's concerns were those raised by MRS, particularly the proposed changes to the Privacy & Electronic Communications Regulations (as part of the new Bill), specifically the potential to introduce a new exemption for direct marketing provisions when used for the purposes of democratic engagement.



As the usage of AI grows, provisions for the protection of personal data are likely to need to be **enshrined in UK law** and this should present opportunities for these provisions to be introduced at some later date.

This issue was compounded by some additional late-stage amendments, which generated significant criticism. The amendments intended to improve the sharing of data between government departments and private companies and were deemed an ill-disguised attempt by the then UK Government to gather data on the public's personal finances.

Nevertheless, the DPDI Bill originated with good intentions and some of the benefits of the

Bill, particularly the recognition of market and social research as 'scientific research' would have been beneficial for the sector and will continue to be pursued by MRS.

The new UK Government announced in the King's Speech in July 2024 its intention to introduce a new Digital Information & Smart Data Bill, which is likely to include parts of the previous DPDI Bill including some of the proposed scientific research provisions. MRS will be working with the new

government to maximize the potential benefits to the research sector from the proposed new Bill.

The new UK Government is also looking to strengthen its approach to AI legislation. However, for now, the approach to AI remains context-based, relying on existing sectoral laws to impose the necessary legal and ethical guardrails on AI systems. This manifests in a patchwork of AI regulatory activity across relevant authorities such as the ICO, the Competition & Markets Authority (CMA), and the Financial Conduct Authority (FCA).

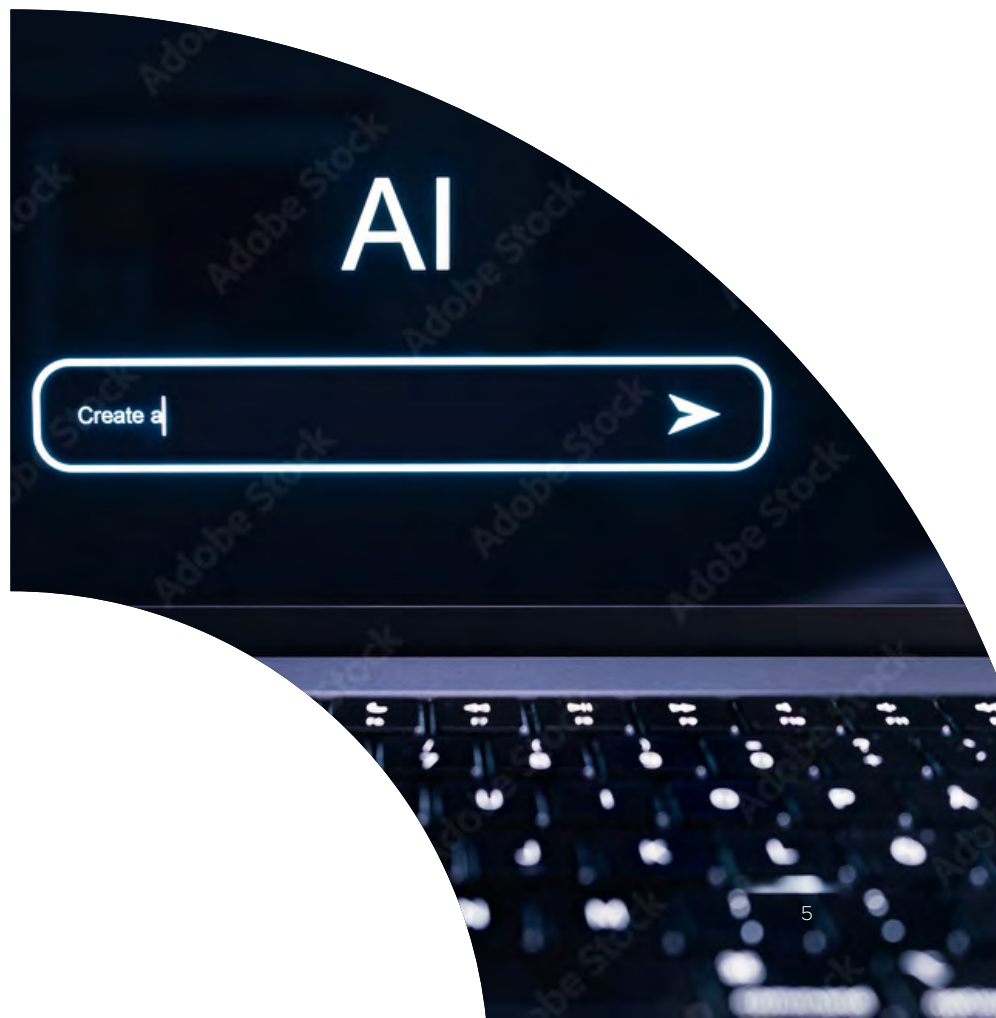
Of most direct interest are the activities undertaken by the ICO relating to how AI, data protection, and privacy interconnect. The ICO is developing best practice guidance to help businesses develop data protection-compliant AI, as well as how to interpret data protection law as it applies to AI systems that process personal data. In addition, the ICO has been undertaking a series of consultation activities on generative AI examining how aspects of data protection law should apply to the development and use of the technology.

MRS has been supporting the ICO's guidance, welcoming the increase in clarity that the ICO will provide. Whilst responding to the consultations, MRS has sought

for the ICO to acknowledge and interpret the statistical purposes exemptions provided in Article 89 and Recital 162 of the GDPR, and how these apply to AI systems, e.g. clarity on the re-use of research data to train generative AI models used by the research sector.

MRS is in discussions with the relevant government departments, particularly the Department for Science, Innovation and Technology (DSIT), to ensure that research considerations are reflected in any proposed legislation.

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Standards and policy

In ten themes

The Standards and Policy team has a wide remit, from ensuring new data legislation is fair and workable, to publishing guidelines for conducting research that is ethical and representative.

Theme 1 AI and research

On 6 February 2024, the UK Government published its much anticipated response to the UK AI White Paper consultation. Within the AI white paper, the government remained committed to take a pro-innovation approach to AI regulation that supports growth and innovation. What this means is that the UK regulatory system will take a principles-based approach and strengthen resources of regulators to ensure regulatory cohesion and enable AI products to come to market safely and quickly. The regulatory cohesion will be delivered by the development of a central function, as originally proposed by the white paper. This central function will support effective risk monitoring, regulator coordination, knowledge exchange, and the publication of new guidance to support regulators in implementing the core principles effectively.

The white paper was issued very soon after a report from the House of Lords Communications and Digital Committee about Large Language Models (LLMs) and generative AI which was critical of the government's approach to AI. The Committee argued the government's current approach is too focused on a "narrow

"...AI is not an end in itself, but a tool that has to serve people with the ultimate aim of increasing human well-being."

The European Commission

view of AI safety" and should instead rebalance tackling the associated risks with "boosting opportunities". If not, the report warns, the UK could fall behind international competitors and as a result become "strategically dependent" on overseas tech. The Committee has concluded that LLMs will produce "epoch defining changes", comparable to the invention of the internet. With the election of the new UK Government much of what occurred in 2023/24 and the continued direction of travel is very much in the air; MRS will be working with the new UK Government to represent the sector's interest in these deliberations.

However, whilst the UK decides its AI approach, the EU has been moving ahead with its legislation the EU AI Act. The AI Act has been introduced with the aim of building trust in human centric AI, in the words of the European Commission, "*...AI is not an end in*

itself, but a tool that has to serve people with the ultimate aim of increasing human well-being.". Whilst the AI Act was approved on 13 March 2024 by the EU Parliament, the majority of the legislation will not be applicable for another 24 months with shorter deadlines of six months, for prohibited AI activities such as biometric categorisation systems, social scoring systems, etc.

During this implementation phase MRS, working with EFAMRO and ESOMAR, has been seeking clarification where the AI Act has some ambiguity, not least how the AI Act applies to research data used to develop AI systems. As part of this process MRS, via EFAMRO, has been liaising with the Irish Data Protection Commission (DPC) to discuss the interplay between the EU GDPR and EU AI Act. In the year ahead it has been agreed that the sector will produce some AI research case studies for the DPC to gain a greater understanding of the research

sector’s issues, and to feed into the wider discussions being held at the EU’s European Data Protection Board about AI and data protection.

In addition, in November 2023, MRS published new draft guidance, *MRS Guidance on Using AI and Related Technologies*, to assist practitioners to act legally and ethically when using AI and AI related technologies. The MRS guidance has been structured around four ethical pillars across the 12 principles of the MRS Code below.

Looking ahead, MRS considers it imperative that business can navigate both the UK and non-UK rules for AI. Fragmented and divergent legislative requirements remain one of the greatest barriers to innovation. While UK legislation may be less strict than that in the EU, British businesses will still need to meet minimum EU requirements to work with their European counterparts and to provide AI tools and services to the bloc. Given the UK’s international reach and the significant amount of the UK sector’s output being exported into Europe, this matters significantly to the

continued growth of the UK sector. Businesses therefore need support in navigating the risks of AI not just within the UK, but also across borders. There is a middle ground to be found between promoting innovation in the use of AI and maintaining the quality, transparency and ethics of the research sector through considered proportionate regulation that enables the UK research sector to trade beyond our borders. This is the case that MRS will continue to make in the year ahead to the new UK Government.

Looking ahead, MRS considers it imperative that business can navigate **both the UK and non-UK rules for AI.**

The ethical principles which underpin the MRS guidance on Using AI and Related Technologies:

Communication, Use and Access	Client Data and Confidentiality	Data Protection and Privacy	Reputation of the Profession and the Sector
Transparency	Responsibility and Ownership	Privacy	Awareness and Literacy
Explainability	Appropriateness	Dignity and Autonomy	Trust
Accessibility & understandability	Human Oversight	Proportionality and Robustness	Sustainability
Fairness and Impartiality			

MRS contacted the UK National Statistician, **Professor Sir Ian Diamond**, setting out our concerns and providing the MRS detailed response to the ONS consultation.

Theme 2 Population statistics and the future of the census

During 2023/24, MRS continued to make representations on the future of the Census. In October 2023 **MRS provided a detailed response** to the ONS consultation on the future of population and migration statistics.

It is the view of MRS and the MRS Census and GeoDems Group (CGG) that the proposed alternative arrangements to the Census, relying upon admin-based data, will not produce the comprehensive data that the research sector needs to provide the insights, data and evidence which help businesses, public bodies and other constituents to understand consumers, customers and citizens in developing goods, services and public policy essential for economic efficiency, innovation and progress.

MRS has recommended the continuation of a traditional census for at least one more cycle, to enable the alternative arrangements to be developed fully and the numerous data gaps

filled, in order to deliver the quality of data that is essential for the continued growth and prosperity of the UK.

If ONS decides to change methodology to administrative data sources, contrary to MRS' and CGG's recommendation, it would be imperative that the following issues are addressed:

- ▲ Produce harmonised UK estimates
- ▲ Maintain the depth and breadth of data available from the census including data to at least LSOA level
- ▲ Collect the information required to produce Approximated Social Grade
- ▲ Have robust data quality
- ▲ Produce reliable and robust inclusion data
- ▲ Continue to produce estimates for households based on the current concept
- ▲ Publish raw data rather than verified statistical counts at small-area levels

- ▲ Ensure that any surveys used to improve data are sufficiently robust (e.g., 750,000 households) to give the necessary granularity; and up-to-date data with the appropriate level of detail; recency is not a benefit in itself, only when it is combined with depth and quality of data does it have value.

In November 2023, MRS contacted the UK National Statistician, Professor Sir Ian Diamond, setting out the sector's concerns and providing the MRS detailed response to the ONS consultation. Following this contact MRS hosted a number of meetings with ONS, exploring the sector's concerns and hearing ONS' plans.

A decision about the future of the Census was due in the Spring of 2024, but this was delayed, and with the UK election and the new UK Government a decision is now not expected until towards the end of 2024. In the meantime, the MRS will continue to discuss the issue with ONS and other relevant stakeholders.

MRS has been **coordinating efforts** with the AQR, CRIC, ESOMAR, the Insights Association, QRCA, TRS, SampleCon, and VMÖ to address ongoing and emerging risks to data quality.

Theme 3 Data quality

Since March 2023, MRS has been coordinating efforts with the AQR, Canadian Research Insights Council (CRIC), ESOMAR, the Insights Association, QRCA, The Research Society (TRS), SampleCon, and The Association of Market Research Austria (VMÖ) to address ongoing and emerging risks to data quality in the market and social research, consumer insights and analytics industry via the **Global Data Quality** (GDQ) initiative.

MRS is focusing on the use of fraud and bot technology, and throughout the 2023/24 period the MRS project team of **over 30 volunteers** worked on the following activities:

- ▲ Creating a glossary of the terms and definitions used to describe bot and fraud technologies. The glossary was launched at the Insight Association's CRC conference in November 2023 and is being continually refreshed and updated as new terms come into usage.
- ▲ Identifying approaches being used by the research sector to combat bot and fraud technology across modes and methodologies and providing guidance on the costs, resource, time and legal implications of each approach. The guidance was compiled throughout the 2023/24 period, working with GDQ partner VMÖ, and the draft document, *Improving Data Quality and Integrity: some practical approaches*, was subsequently published in April 2024.
- ▲ Investigating the sources of fraud by initially undertaking an audit of a project where over 50% of the completes were rejected. The audit helped to identify the complexity and multi-layered nature of the research sample ecosystem. To bring greater clarity a visual interpretation of the sample ecosystem is being created complemented by a sample buyers' guide/checklist to help buyers better understand the challenges of the ecosystem and to ask the right questions when buying samples. Both these documents are due to be published by the autumn 2024. In addition, MRS is working with GDQ partner, SampleCon, to investigate whether a feedback loop can be developed for when problematic records are identified.
- ▲ Investigating how technology is disrupting qualitative research and developing new guidance to help practitioners. MRS, working with GDQ partners AQR and QRCA, completed a research project during 2023/24 determining how fraud and technology is impacting qualitative research and what steps need to be taken to improve data quality validation for qualitative research. The next step for this project is to develop some new guidance based upon the recommendations identified during the research and this guidance is due out by the end of 2024.
- ▲ Documenting and classifying third party data quality and security solutions and how they address different aspects of the fraud challenge. A survey of these solutions was undertaken in early 2024 and the results will be released later in 2024.
- ▲ Initiate discussions with the Home Office and the UK Police to have research fraud designated as a crime to enable the sector to utilise government schemes such as the **Online Fraud Charter** and the **Action Fraud** crime reporting service. Early discussions have been encouraging and we hope to be able to report more in 2024/25.

In March 2021, the MRS Representation in Research group was established to determine how MRS can improve representation of often underrepresented groups.

The ongoing MRS project to explore the impact of poor mobile design and lack of **mobile optimisation** has on participation, completion and response rates, continued to go from strength to strength during the 2023/24 period.

The fifth wave of the **annual mobile optimisation research** was produced. New for 2023 was some new survey data on what devices surveys should be offered on, the impact of non-optimised surveys on data quality and participant engagement, and how participant behaviour differs by device type.

The *MRS Mobile Adoption & Optimisation Best Practice Guidance*, produced as a result of this project, continues to be the leading guidance for mobile optimisation.

Theme 4 Inclusion and representation in research

In March 2021 the **MRS Representation in Research (RinR)** group was established to determine how MRS can improve representation of often underrepresented groups within UK research projects. During 2023/24, RinR built on the tools and guidance developed the previous period including:

- ▲ Hosting in April 2023 some qualitative groups with panel companies to assess how much has changed for the collection of inclusion data since the initial RinR research two years ago
- ▲ Reviewing the MRS Census resources and how these could be leveraged to assist practitioners in using the new 2021 Census data for inclusive characteristics ensuring research is representative. Some changes were made during 2023/24 to the CGG's GKB pages to surface resources to help practitioners to create inclusive UK samples

- ▲ Reviewing international Census and geodemographic resources and signposting these for inclusion requirements for international projects
- ▲ Developing *new guidance Is your Research Really Representative? The Nat Rep Journey – The Essential Questions for Planning, Designing and Undertaking Inclusive Research*. This guidance interprets the MRS Code requirements regarding transparency when reporting and using nationally representative samples
- ▲ **Launching new EDI training and assessment materials for recruiters** enhancing the inclusion materials for the AQR/ MRS Recruiter Accreditation Scheme (RAS) for accredited recruiters and recruitment organisations.

In the year ahead more work is being undertaken to raise awareness of the resources available, to create focused and targeted messaging and to engage more actively with clients ensuring the RinR outputs are understood across the research supply-chain.

Theme 5 People, talent and skills

In February 2024, MRS launched the new **MRS Employee Engagement and Satisfaction Survey (EES)** as part of MRS' on-going **People and Talent initiative**.

The MRS EES Survey helps participating businesses understand their individual workforces and benchmark their performance with similar businesses across the sector.

The survey covers the key elements of employee engagement including culture, management, professional development and progression, inclusion & diversity and remuneration. It was designed by MRS using best practice from employee research in consultation with research experts in this field. Ten companies signed up to take part in the pilot for 2024. The results of the EES were released to the participating companies in May 2024, with a summary report for the wider sector due to be produced later in 2024.

In addition to the new survey, throughout the 2023/24 period the People and Talent group produced the following new tools:

- ▲ **Guidance on cost of living and inflationary pressures** and how best to support staff and businesses
- ▲ A report on **positive retention strategies**
- ▲ **Guidance on amplifying employee** voices within businesses
- ▲ An **interactive online careers pathway tool** including videos with practitioners talking about their careers.

A discussion about talent and skills, drawing from the experiences of the People & Talent initiative and the tools which have been created, took place at the Agency Owners and Business Leaders event in London in November 2023.

Theme 6 Russia

Since the invasion of Ukraine, the UK, US and the EU plus other countries have imposed a range of economic sanctions against Russia. Whilst the UK, US and EU has largely aligned their sanctions there has been some divergence. One difference is the approach to public opinion polling and market research services. During 2023, the EU decided to prohibit market research and public opinion polling exports; the UK and the US have chosen not to impose such prohibitions.

MRS published guidance, *EU Economic Sanctions: Public Opinion Polling and Market Research in Russia* to aid practitioners in the UK, EU and outside the EU in understanding the implications of the sanctions for research businesses and practitioners.

A discussion about talent and skills... took place at the Agency Owners and Business Leaders event in London in November 2023.

MRS together with the SRA arranged a commissioners and suppliers roundtable to discuss some of the current public sector research procurement challenges and opportunities.

Theme 7 Opinion polling

During the 2023/24 period, MRS strengthened its opinion polling resources in readiness for 2024, the 'election year' when an estimated 50% of the people in the world, including the UK, heads to the polls. As a result, the accuracy and reliability of opinion research has been under the spotlight during 2024. Whilst opinion research represents less than 3% of all research services bought in the UK, it inevitably results in more scrutiny of research as a discipline.

Throughout 2024, MRS strengthened and expanded its **online polling hub**, adding a suite of FAQs about opinion polling, and updating associate guidance including *What are opinion polls?: MRS guidance on how to read opinion polls* and the joint MRS/Impress guidance, *Using Surveys and Polling Data in your Journalism*.

Theme 8 Procurement

As part of MRS policy to improve public sector procurement practices, MRS continued to have monthly meetings with Crown Commercial Services (CCS) throughout 2023/24 to discuss the Research & Insight Marketplace which is the main procurement vehicle for public sector research procurement.

During the period, the Procurement Act 2023 received Royal Assent and it is anticipated that the new regulations will take full effect in October 2024. The Act aims to create a simpler and more transparent procurement system which delivers the best value for money for commissioners whilst improving the way in which commissioners conduct procurements. By streamlining the approach in which companies bid for public contracts, the process should be simplified, whilst also giving commissioners more flexibility. During 2023/24 MRS has been discussing with CCS the impact of the changes to the procurement legislation and what this might mean for research.

Notable changes include the introduction of public/social interest as a consideration. Specifically, it shifts the focus from awarding contracts based solely on cost to considering broader benefits for the community. During 2023/24 MRS issued new guidance, *Social Value Policy in UK Government Research Procurement*, to support practitioners in understanding how social value applies to research.

In June 2023, MRS together with the SRA arranged a commissioners and suppliers roundtable to discuss some of the current public sector research procurement challenges and opportunities. This successful roundtable was held in conjunction with the Government Social Research network with a wide representation from the public sector at this event including the Competitions & Markets Authority, Department for Work and Pensions, Department of Justice, Health & Safety Executive, Cabinet Office and Department for Business and Trade.

Theme 9 Quality standards

In 2024, the ISO Technical Committee responsible for the standard, **ISO 20252: 2019 Market, opinion and social research, including insights and data analytics – Vocabulary and service requirements**, started the process of updating the standard. Quality standards are an essential part of the approach to standards, complementing and supporting legal and ethical requirements.

During 2024 and 2025 the focus of the update of ISO 20252 will be three main areas:

- ▲ Automation, AI and related technologies
- ▲ Enhancing the data quality requirements for panels and samples
- ▲ Aligning the standard with other relevant standards (e.g., ISO 27001) and incorporating feedback received since the 2019 standard was launched.

Theme 10 Classifying the sector

In February 2024, MRS responded to the ONS consultation on the UK's adoption of industrial classification of economic activity and the UK's Standard Industry Classification (SIC) approach. The MRS response covered the efficiency of the existing codes and their accuracy and applicability to the research and insights sector. Overall, MRS believes that the current SIC classification has not kept pace with the technological changes in business resulting in classification gaps within the current SICs particularly as activities such as insight, data analytics and data science are not currently options in the SIC, yet these are significant activities within the research sector.

By updating the SICs not only would more technological innovations be properly recognised, it would enable more accurate sizing of industry sectors such as the UK research sector; thereby giving greater strength to MRS' arguments that the research sector is a significant contributor to the UK and global economy and needs to be supported and protected.

... the research sector is a significant contributor to the UK and global economy and needs to be supported and protected.



Pledge to take positive actions in 2024



Manifesto for Opportunity

MRS Inclusion Pledge

A manifesto for opportunity
The research sector is taking steps to ensure that it is representative of the world around us.


- ✓ Publishing annual pay statistics
- ✓ Diversity at board level

Sign up the MRS Inclusion Pledge.

A manifesto for sustainability
The research sector is taking positive actions towards achieving net zero in the shortest timeframe feasible.

- ✓ Four pillars: tracking, reduction, transparency and collaboration
- ✓ Climate Action list for reducing carbon emissions

Sign up to the MRS Climate Pledge



Manifesto for Sustainability

MRS Climate Pledge