

ESOMAR GUIDELINE FOR CONDUCTING SURVEY RESEARCH VIA MOBILE PHONE

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1. INTRODUCTION

As mobile phones become the preferred mode of telephone communication on a global scale, it is critical for ESOMAR to establish clear guidance on the conduct of market, social and opinion research via mobile phone. The aim is to promote professional standards, best practices, and respectful relationships with the individuals being called and to assist researchers in addressing legal, ethical, and practical considerations when conducting research via mobile phone.

Mobile phone technology and communications have grown rapidly in some countries and at a slower pace in others, and mobile communication laws and regulations are still evolving. Only a few countries have addressed the legal parameters for unsolicited communication and interaction with mobile phone users. The regulatory dimension is complicated by the multiple communication mediums that the mobile phone provides to the user.

Further, there may be national laws that pertain specifically to the mobile phone user, e.g., restrictions on using mobile phones while driving. Such regulations indirectly affect, and could potentially be construed as establishing legal liability for a researcher contacting a potential survey participant via mobile phone.

Given the above conditions, it is critical that the researcher is aware of and respects regional, national and local laws and regulations and relevant cultural dispositions which may mandate a stricter standard of practice than that being required in this guideline.

The guideline may well apply to any form of telephone research project even if it is intended to contact land-lines since it may be impossible for researchers to identify whether a given telephone number relates to a fixed-line phone or a mobile and a fixed-line number may be set to divert to a mobile.

2. SCOPE

The [ICC/ESOMAR International Code](#) on Market and Social Research requires that the same fundamental ethical and professional principles which govern face to face, mail and online research also apply to research via mobile phone (see [Appendix](#)). This guideline must therefore be read in conjunction with the ICC/ESOMAR International Code and other ESOMAR guidelines available at www.esomar.org.

While recognising that many mobile phones and mobile devices permit the use of online research methodologies, including e-mail and web surveys, the ESOMAR Guideline for [Online Research](#) covers research using email, browser-based or downloaded applications and this Guideline for Research via Mobile Phone applies to research conducted by using voice or text message (SMS) to contact respondents on their mobile phones. If a combination of mobile and online is used, e.g. mobile phone to contact and internet browser to respond, then the appropriate parts of each guideline should be applied.

3. KEY PRINCIPLES

As a general rule, researchers knowingly calling or sending text messages to a mobile phone for the purpose of conducting a survey shall observe the principles of respect and disclosure that are practised in fixed-line telephone research in line with the [ICC/ESOMAR International Code](#). These include identification of the calling party, the identity of the organisation that will receive the data if the company carrying out the call is only providing data collection and not analysis, notification as to the purpose of the call/survey (see the ICC/ESOMAR Code [Notes](#) on transparency for more details), the voluntary nature of participation, the guarantee of confidentiality and consideration of local expectations about appropriate times for telephone calls.

Due to the nature of mobile phones and the patterns of use that have evolved over time there are a range of additional legal and ethical considerations to be observed. While these considerations may vary by country and culture it is essential that researchers understand these variations and adapt their survey protocols accordingly. For instance, while most legislation restricts unsolicited calls for commercial purposes but not market research, it is mandatory to consult and apply research-specific do-not-contact lists for mobile as well as fixed line phones if such exist. In addition, researchers should be aware that the mobile phone service provider may cut the service should they receive a complaint about unsolicited approaches by text or other electronic messages to potential respondents. Researchers are therefore required to verify that individuals contacted by such means for research have a reasonable expectation that they will receive a contact for research (see ESOMAR Guideline for [Online Research](#), section 2.2).

If calling, researchers must remain mindful of concerns about privacy and intrusion and politely terminate the call when it becomes apparent that the recipient is not in a position or does not wish to take the call, is not competent, or is a child (unless the researcher receives consent from an appropriate adult to proceed with the call). The legally and socially accepted age of children varies from country to country. If the respondent is a child, the researcher must not go further with the interview unless consent is obtained from a parent or legal guardian to invite a child to participate in a research survey (see ESOMAR Guideline on [Interviewing children and young people](#), section B 10).

4. RESPONDENT COSTS

In some countries, calls to mobile telephones, unlike fixed line calls, can involve a charge to both the caller and the recipient. Also, in instances where survey calls are made to mobile numbers across regional or national boundaries, additional “roaming” charges may be incurred by the called party and this can also apply to sending and receiving SMS.

Respondents using mobile phones to take part in surveys may incur air-time, roaming or data costs in so doing. If possible, the researcher should design the study so that the respondent incurs no cost. If this is not possible, the researcher must be prepared to compensate respondents for their costs. Where mobile respondents are added to a panel or sampling database the issue of cost and compensation should be agreed at the “sign up” stage.

5. RESPONDENT SAFETY AND CONFIDENTIALITY

Due to the nature and usage patterns of mobile telephones researchers sometimes will contact potential respondents who are engaged in an activity or in a setting not normally encountered in fixed-line calling. This might include driving a vehicle, operating machinery, walking in a public space, or when the caller is in another country/time zone. The researcher has an obligation to take all reasonable precautions to ensure that respondents are not harmed or adversely affected as a direct result of participating in an interview. Therefore, where it is known that the call is to a mobile number or there is cause to believe this to be the case, the researcher should confirm whether the potential respondent is in a situation where it is legal, safe and not inconvenient to take the call. If the researcher does not receive confirmation, then the call should be terminated while allowing the possibility of making further attempts at another time.

Furthermore, a researcher might contact a potential respondent who is engaged in an activity or in a work or social situation where others may overhear the call and confidentiality is compromised. Since a respondent could be reached in a public or semi-private space, the researcher must consider the nature of the survey content in light of the possibility that the respondent might be overheard and personal information or behaviour inadvertently disclosed or responses modified on account of the respondent’s situation. If appropriate, the call should be rescheduled to another time or location when confidentiality will not to be compromised.

Researchers should be aware that any research data stored locally on the respondent's phone is potentially available to others should the device be stolen or used by another person. For these reasons, special care should be taken if using SMS to return data, as the text message may be stored in the sent messages file of the phone. It is good practice to warn respondents who will be using SMS to send responses of this and to send a final message at the end of the research reminding respondents to delete research replies in their sent mail. This requirement must be observed if sensitive data is being collected.

6. CONTACT TIMES

A number of countries have laws or standards that specify calling hours allowed for unsolicited calls of any type and these should be observed for surveys via mobile phones as well. In the absence of such requirements, researchers should observe the same calling hours as for fixed-line phone surveys. For telephone surveys in the business to business sector, acceptable times are implicit in the office hours of the business concerned.

Similar attention should be paid to the sending of SMS text messages to mobile phones in order to avoid the respondent receiving the message received alert outside "normal hours".

Mobile phone numbers rarely indicate the respondent's location and it is therefore incumbent on the researcher to anticipate that the person being contacted might be in a different time zone, and to verify the convenience of the time, location and situation.

7. INTERVIEW DURATION

While there is little empirical evidence, some researchers report anecdotally that mobile telephone respondents are more difficult to keep online than are respondents called on fixed lines. It may well be that the nature of mobile technology means that respondents are more easily distracted or more likely to lose concentration, or that the call is more likely to be interrupted or dropped. In addition, the respondent's environment may change during the course of an interview to one where safety or confidentiality is at risk. The researcher should take these issues into consideration and ensure that the interview length is kept as short as possible.

8. AUTOMATED DIALLING AND CALLING EQUIPMENT

Researchers should note that a number of countries restrict the use of auto-diallers and other automated dialling equipment including predictive diallers¹. Some countries² may permit the use of such equipment only if a respondent has given prior explicit consent (for example, as a member of an opt-in panel) to be dialled by automated dialling equipment. Where automated diallers are permitted and used, "abandoned or silent calls", where no live interviewer is immediately available, are not allowed.

9. LOCATION DATA

It is now possible to capture additional data from interactive mobile devices and smartphones such as real time location data. ESOMAR's Guideline on [Passive Data Collection](#) addresses this issue. The researcher must have the respondent's permission before processing it.

¹ This includes Germany and the UK.

² This includes the US

10. CALLING PROTOCOLS

Some people consider their mobile phone to be a personal and private instrument. The researcher has an obligation to be sensitive to these privacy concerns. It is appropriate for the calling protocols for research via mobile phone to differ from the practices that are used in fixed-line telephone research. For example, the researcher should consider limiting the number and pattern of call-backs when contacting a known mobile number.

In line with the [ICC/ESOMAR Code](#) requirement that researchers shall identify themselves, calls to mobile numbers should be set to allow the display of the caller's number where this is possible and this facility should not be deliberately suppressed. If the researcher chooses to leave a voicemail message for a potential respondent (who may have to pay to retrieve the message) then this message should detail how the researcher will offer to recompense for the cost of retrieval.

Wherever feasible, it should be made possible for the called party to contact the researcher by calling the number displayed to establish the researcher's identity. It is good practice to provide a toll-free contact number, recognising that the respondent may need to call the researcher over a fixed-line.

11. FURTHER INFORMATION

Queries about implementing the Guideline should be sent to the ESOMAR Professional Standards Committee, professional.standards@esomar.org

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APPENDIX - KEY FUNDAMENTALS OF THE ICC/ESOMAR CODE

The Code is based on these key fundamentals:

1. Market researchers shall conform to all relevant national and international laws.
2. Market researchers shall behave ethically and shall not do anything which might damage the reputation of market research.
3. Market researchers shall take special care when carrying out research among children and young people.
4. Respondents' cooperation is voluntary and must be based on adequate, and not misleading, information about the general purpose and nature of the project when their agreement to participate is being obtained and all such statements shall be honoured.
5. The rights of respondents as private individuals shall be respected by market researchers and they shall not be harmed or adversely affected as the direct result of cooperating in a market research project.
6. Market researchers shall never allow personal data they collect in a market research project to be used for any purpose other than market research.
7. Market researchers shall ensure that projects and activities are designed, carried out, reported and documented accurately, transparently and objectively.
8. Market researchers shall conform to the accepted principles of fair competition.

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