

# COMPLAINTS REPORT 2015

Professional Standards Committee





# 1. ANALYSIS OF COMPLAINTS RECEIVED

## Topics and trends

In the course of 2015 ESOMAR received 60 complaints. We have observed a steady increase in the amount of complaints over the course of the past years. Where the amount of complaints used to be between 5 and 15 each year. This has doubled in 2014, when ESOMAR received 24 complaints. And this year, that amount has nearly tripled. Out of 60 complaints, 6 were escalated to the Professional Standards Committee (PSC) to take a decision.

More than half of all complaints are non-payment complaints. Non-payment complaints can have multiple causes: ranging from bankruptcy or cash flow problems to conflicts over quality and contracts. The market research sector is getting more fragmented and we see this reflected in some of the non-payment complaints. Clients subcontract to research agencies, subcontracting to fieldwork agencies and all are based in different countries. This can lead to conflicts on payment and data quality, because of cultural differences, differences in interpretation or translation issues.

## Bankruptcy

This year ESOMAR received four complaints about one company that went bankrupt and eight complaints about a company nearing bankruptcy. This is why the Disciplinary subcommittee of the PSC (DsC) discussed the issue of bankruptcy and decided that bankruptcy would not normally be a violation of the ICC/ESOMAR International Code on Market and Social Research (the Code). If an ESOMAR member needs to close his or her business because of a bankruptcy they should be able to reapply under a new name. However, in a fraudulent bankruptcy the following elements would constitute a violation of the Code:

- if the member continues trading, knowing the company is insolvent,
- misuse of assets or taking money from the company and moving it to another legal entity or a personal account.

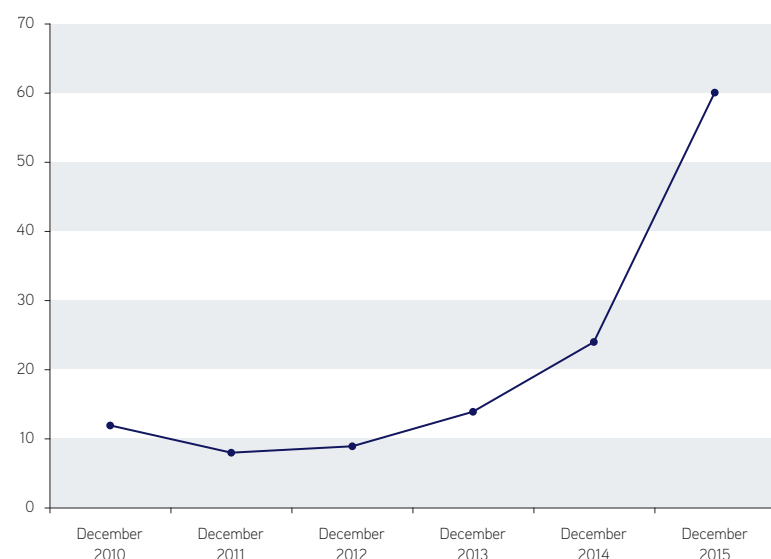
## Quality Issues

In case of conflicts over quality, the DsC decided that client and fieldwork agency have a shared responsibility for projects being carried out professionally. The client has the responsibility to ensure the briefing of the project is specific and clear, whereas the fieldwork agency has the responsibility to ensure the data is of good quality. If an agency accepts quota that are difficult to meet, it is the responsibility of the agency to meet them.

## Non-response

In 2015 in some of the cases it was difficult to receive a response from the defendant. It was decided to send a priority reminder if no response is received within 14 days that response is now required within 7 days. If no response is received a registered letter should go out informing the member that not co-operating with Disciplinary Procedures is a violation of the terms and conditions and that it may result in Membership withdrawal, including a reminder that a response is required within 14 days. The chair of the Disciplinary Committee advised that for non-response to minor complaints, renewal of membership would be a good moment to remind the member of the complaint.

Complaints per year



### Non-members

10% of complaints received are about non-members displaying the ESOMAR logo or Membership mark. In some cases an individual in that company was an ESOMAR member before, but did not renew Membership and kept the mark displayed. This is why ESOMAR started an awareness campaign to remind people to use the latest logo. We recommend to always check on the ESOMAR website before doing business, if a company displaying an old logo is still a member.

### Membership applications

A topic that was raised in a few membership applications was that more often, young researchers or people who used to work in adjacent sectors apply for ESOMAR membership with very little experience in market research. They are looking to learn more about market research and for the recognition the ESOMAR Membership Mark would give them. ESOMAR is now looking for new ways to accommodate these young researchers and also setting up projects to teach new members what it means when they undersign the Code.

Did you know that the British are tired of the amount of unsolicited emails they receive?  
4 out of 4 complaints about unsolicited emails were sent to us from the UK.

The strangest evidence received by Professional Standards this year was a screenshot of a whatsapp conversation, half-English, half-Arabic as evidence.

ESOMAR sometimes receives more than one complaint about a company. This year 3 companies were together responsible for 25% of the total amount of complaints received.

## 2. PREPARING FOR THE FUTURE

### New global complaints system

As the amount of complaints is starting to rise, in the coming year ESOMAR will develop a complaints system that will make it possible to handle complaints better, faster and more professional.

### Protecting the value of the ESOMAR Mark

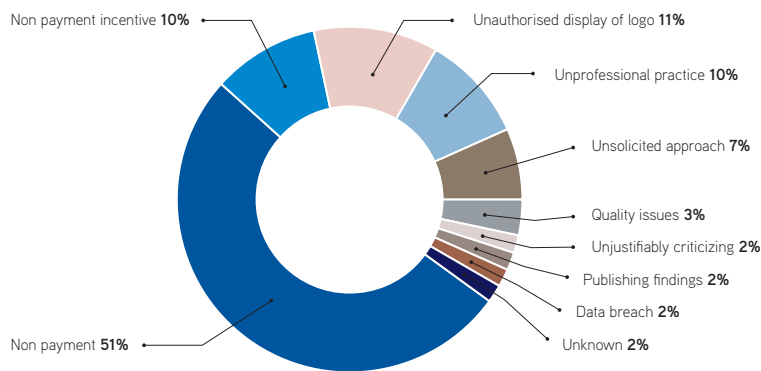
In order to protect the ESOMAR Membership Marks, this year ESOMAR will start taking action, which may include an exemplary legal case, against non-members who keep on showing the ESOMAR mark without authorisation and after having been warned to take it down.

### Education

To ensure that those who undersign the ICC/ESOMAR Code understand what they are signing up for, ESOMAR will start an education campaign for new members and/or those who have little experience in the market research sector.

### 3. STATISTICS OF COMPLAINTS RECEIVED

#### Complaints per topic



#### Complaints per topic and per country

As you can see in the pie chart, the majority of the complaints received are about non-payment, together making up 61% of complaints. In 11% of the cases the company complained about was not a member, but was displaying our logo. In the table below you can find the amount of complaints per topic per country. It shows that 30% of complaints were about Indian companies.

In India 4 companies were responsible for 75% of all complaints received about Indian companies. The amount of unique Indian companies complained about is 9. This still makes India the country with highest country total, but the difference with the UK, which is second in line, is less extreme than it may appear on first glance.

	Non payment	Non payment incentive	Unauthorised display of logo	Unprofessional practice	Unsolicited approach	Quality issues	Unjustifiably criticizing	Publishing findings	Data breach	Unknown	Country total
Argentina				1							1
Canada										1	1
Egypt						1					1
France	4										4
Germany	1			1							2
Hong Kong								1			1
India	14	2	1	1	2						20
Italy	3	2	1								6
Korea	1										1
Poland						1					1
Romania				1							1
Singapore	1										1
Spain	1			1							2
Sweden							1		1		2
Turkey			1								1
UAE	1										1
UK	2	2	1		2						7
US	1		3	1							5
Unknown	2										2
Total	31	6	7	6	4	2	1	1	1	1	60



ESOMAR is the essential organisation for encouraging, advancing and elevating market research worldwide.