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ESOMAR/GRBN
Guideline on Research
and Data Analytics with
Children, Young People,
and Other Vulnerable
Individuals

ESOMAR



ESOMAR is the global voice of the data, research and insights community. With more than 6,000 Individual Members and 600+ Corporate Members from 130+ countries, ESOMAR represents the interests of 45,000 professionals, all of whom agree to uphold the ICC/ESOMAR International Code.

ESOMAR promotes the value of market, opinion and social research and data analytics, and has been providing ethical and professional guidance to its global membership community for more than 70 years.

www.esomar.org

Global Research Business Network, GRBN, connects 4 regional federations, over 40 national market, social and opinion research associations and over 3500 research businesses on six continents.

www.grbn.org

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1

Introduction

A considerable amount of market, opinion, and social research and data analytics relies on the collection and processing of data from children, young people, and other vulnerable individuals. This is a legitimate and valuable form of research in which these individuals are entitled to the same rights and protections afforded other data subjects. As some may require special care there are precautions researchers are obliged to take to ensure the welfare of individual data subjects.



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Purpose and Scope

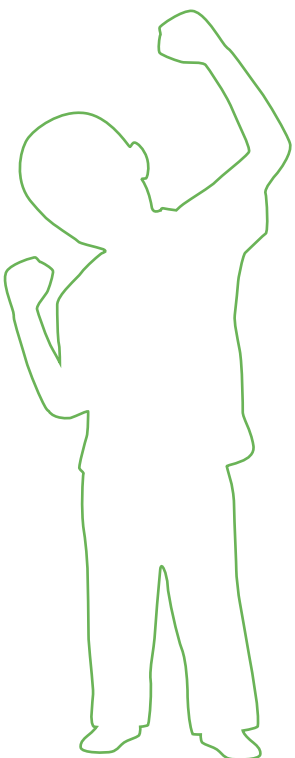
This document provides guidance to researchers on the special care required when undertaking research with children, young people, and other vulnerable individuals. Its principal focus is the ethical and legal issues involved, rather than the technical problems of such research. Thus, the welfare of individual data subjects is the overriding consideration. They must not be disturbed or harmed as a direct result of participating in research, or having their data processed and analysed for a research purpose.

The guidance in this document is directed at researchers working in research agencies and in client organizations, as well as non-researchers using DIY methods. It applies to both active and passive data collection methods. It is not intended to be a substitute for a thorough reading and understanding of the [ICC/ESOMAR International Code on Market, Opinion, and Social Research and Data Analytics](#), or the individual codes of the 45 associations that

comprise the [GRBN](#). Rather, it is intended to be an interpretation of the foundational principles of those codes in the context of research where individuals share data or information in any setting, or in any form.

Researchers also must consult national laws and self-regulatory codes in the jurisdictions where the data will be collected to determine when and from whom consent is required or where cultural sensitivities require particular treatment.

Throughout this document the word “must” is used to identify mandatory requirements. We use the word “must” when describing a principle or practice that researchers are obliged to follow. The word “should” is used when describing implementation. This usage is meant to recognise that researchers may choose to implement a principle or practice in different ways depending on the design of their research.



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Definitions

For the purpose of this Code the following terms have this specific meaning:

Active research means the collection of data through direct interaction with a data subject. Examples include a survey, a focus group, or other research methodology, either in-person or via some other means of (e.g., telephone, mail, or online, including email, text message or other electronic means).

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

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

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

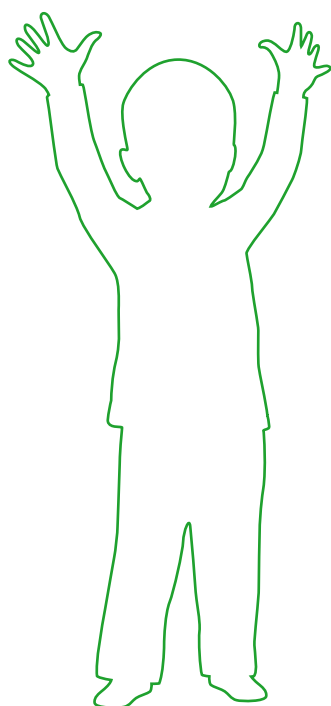
Data subject means any individual whose personal data is used in research.

Harm means tangible and material harm (such as physical injury or financial loss), intangible or moral harm (such as damage to reputation or goodwill, or excessive intrusion into private life, including unsolicited personally-targeted marketing messages).

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

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

Privacy notice (sometimes referred to as privacy policy) means a published summary of



an organisation's privacy practices describing the ways an organisation gathers, uses, discloses and manages a data subject's personal data.

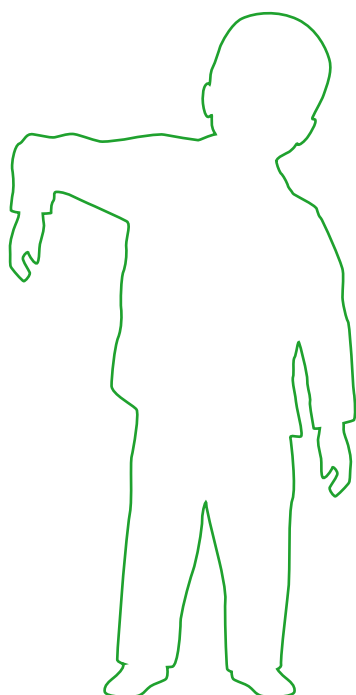
Research which includes all forms of market, opinion and social research and data analytics, is the systematic gathering and interpretation of information about individuals and organisations. It uses the statistical and analytical methods and techniques of the applied social, behavioural and data sciences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

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

Responsible Adult means a person who has personal accountability for the well-being of a child, young person, or vulnerable individual including parents, legal guardians, and others responsible for day to day care. The parameters of the definition for responsible adult vary from country to country and as such national Codes and/or laws must be followed where such rules exist.

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

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

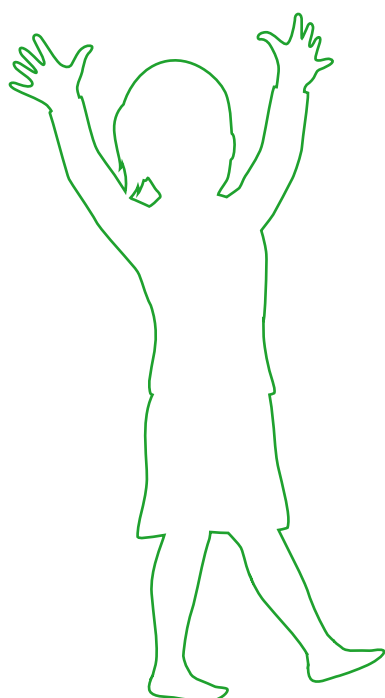


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Age of a Child or Young Person

There currently is no common international definition of a child or young person. Even within a single country the definition can vary. Settling on an alternate definition based on characteristics other than age (e.g. cognitive abilities) and then applying it in a research setting is difficult if not impossible. Therefore, researchers must adhere to any relevant definitions expressed in applicable local laws, codes of conduct, and cultural norms. In the absence of clear guidance ESOMAR and GRBN recommend defining a child as being 12 and under and a young person as aged 13 to 17.

While making a distinction between children and young people may be useful in some contexts, it generally is not practical to set out in specific rules for these two different age groups. This guideline recognizes that young people have significantly greater understanding and cognitive abilities when compared to children. Nonetheless, researchers must be alert to situations where the sensitive nature of the research or the circumstances of data collection might not be appropriate for those defined as young people. A key criterion must be that the content or circumstances of data collection are such that a responsible adult is unlikely to be upset or disturbed.



5

Consent for Research on Children

Researchers must obtain the consent of the responsible adult, as well as the data subject, before collecting personal data from any child. When the data collection setting is a private residence or a public place (e.g. a park or street) researchers first must obtain consent before approaching a data subject who is a child. Researchers must never approach a data subject who is obviously a child unless he or she is accompanied by responsible adult.

Where data collection occurs within a protected environment (e.g. a school or child care

centre where some person in authority has overall responsibility) researchers must obtain the consent of the owners and/or managers overseeing that location before it is used for undertaking research with children. Thereafter consent must be obtained from specific individuals who have responsibility for children (the 'responsible adult') within a protected environment before any children are approached. Even when consent of a responsible adult has been obtained consent from a child must be obtained before any research can be undertaken.



5.1 The Consent Process

When first contacting a potential data subject who might be a child, researchers must ask for the individual's age before any other personal data. If the reported age falls within in the age categories defined as a child (see Section 4), the data subject must not be invited to provide further personal data until consent has been obtained from the responsible adult. If the responsible adult is not nearby (e.g. when conducting research online or by telephone), the researcher may ask the data subject for the adult's contact details so that consent can be sought.

When seeking consent, researchers must provide sufficient information about the nature of the research project to enable the responsible adult to make an informed decision about the child's participation. This includes:

- the name and contact details of the researcher/organisation conducting the research;
- the nature of the data to be collected from the data subject, including reference to any data that might be considered sensitive or not age appropriate;
- an explanation of how the data will be protected and used;
- an explanation of the reasons the data subject has been asked to participate and the likely benefits or potential impacts;
- an outline of kinds of activities that might be undertaken (e.g. product testing);
- a description of any incentive being offered;

- a description of the procedure for giving and verifying consent; and
- a request for a responsible adult's contact address or phone number for verification of consent.

Consent from a responsible adult also is required when photographing or recording children. In the absence of consent, images and voices of children must be made unidentifiable or deleted.

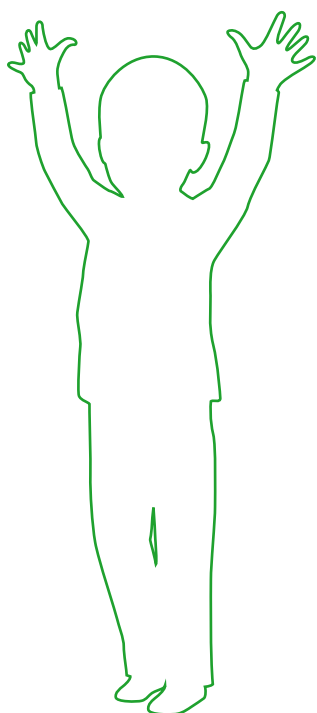
Researchers must record the identity of responsible adults providing consent and their relationship to the data subject.

Prior consent from the responsible adult is not required to:

- collect, the email address of a responsible adult solely to solicit consent; or
- collect a data subject's age for screening and exclusion purposes. If this screening leads to the decision that a data subject qualifies for the research, the consent of the responsible adult must be obtained before continuing.

Once consent from the responsible adult has been obtained, the researcher must obtain the consent of the child or young person before collecting data.

For further details on the consent process, consult the [ESOMAR Data Protection Checklist](#).



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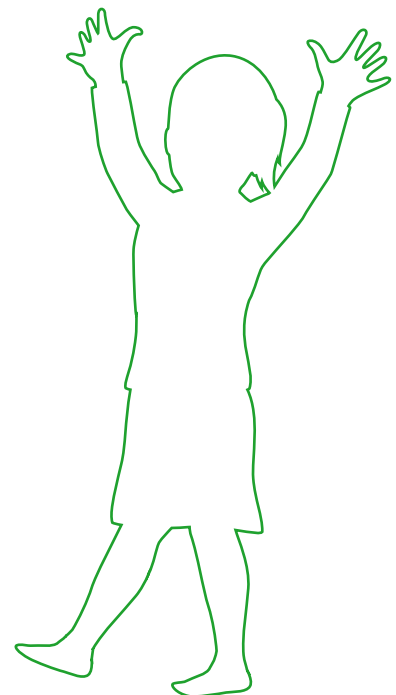
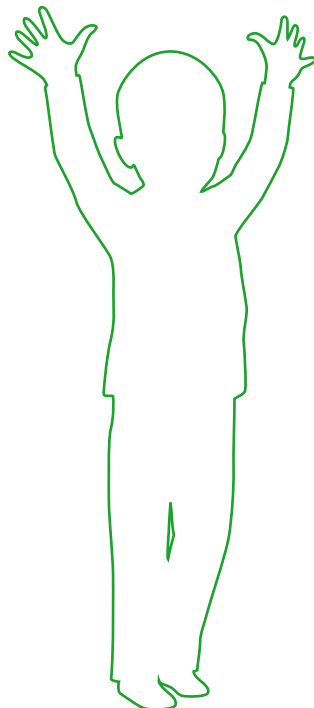
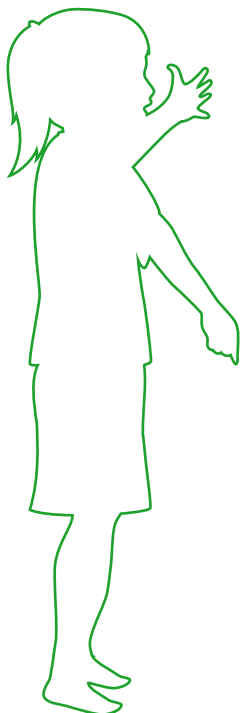
Vulnerable Individuals

The above consent requirements also apply when data subjects are permanently or temporarily unable to care for themselves and their interests, whether through a mental, emotional, or physical cause that may limit their capacity to make voluntary and informed decisions.

The legal requirements when working with vulnerable individuals vary substantially across jurisdictions. Researchers working with vulnerable populations are encouraged to consult

the [MRS Best Practice Guide on Research Participant Vulnerability](#) for more details.

Young people may be considered vulnerable individuals in connection with some types of research. Identifying these individuals outside of protected environments can be difficult and researchers should err on the side of exclusion or obtaining consent from a responsible adult when in doubt.



7

Avoiding Harm

It is essential that all stakeholders in the research process - clients, researchers, parents, legal guardians and other responsible adults, regulators, and the general public - are confident that all research carried out with children, young people, and other vulnerable individuals is conducted to the highest ethical standards, avoiding harm or abuse of the data subjects involved. The adult responsible for a data subject's well-being must be confident that the latter's safety, rights and interests are safeguarded.

When interacting with a data subject who is a child or vulnerable individual, researchers should encourage that a responsible adult (exclusive of the research team) is close at hand and fully briefed on the planned research exercise. Special care must be taken to ensure that neither the research topic nor questions asked are unlikely to upset the data subject or responsible adult. The method of participation in the research must be designed to accommodate the age and cognitive abilities of data subjects.

When the research involves product testing, researchers must take special care to ensure that:

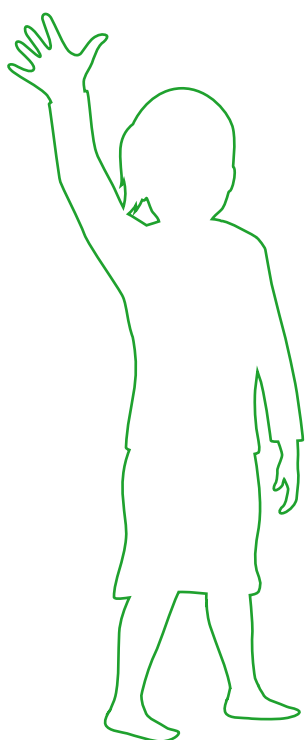
- Products are safe to consume (e.g. foods, confectionery) or to handle (e.g. toys). The

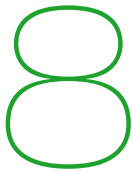
researcher must confirm the product's safety in writing with the supplier even when the latter may be legally liable for any adverse effects caused by the product.

- Data subjects are unlikely to suffer from any relevant allergy (e.g. products containing nuts).
- Children and young people are not asked about or directed to do anything illegal (e.g. the under-age consumption of alcoholic products).
- Any requests from a responsible adult to avoid specific products or classes of products are complied with.

7.1 Secondary Data

Researchers must take special care when working with secondary data that contains personal data on children or vulnerable adults, for example social media. Researchers must filter out any data likely to have originated from a child or a vulnerable adult, mask responses to ensure that data subjects cannot be identified or obtain consent from responsible adults and the data subject i.e. the child or vulnerable adult to collect and use potentially identifiable data. Again, researchers have an overarching obligation to comply with applicable law in connection with their research.





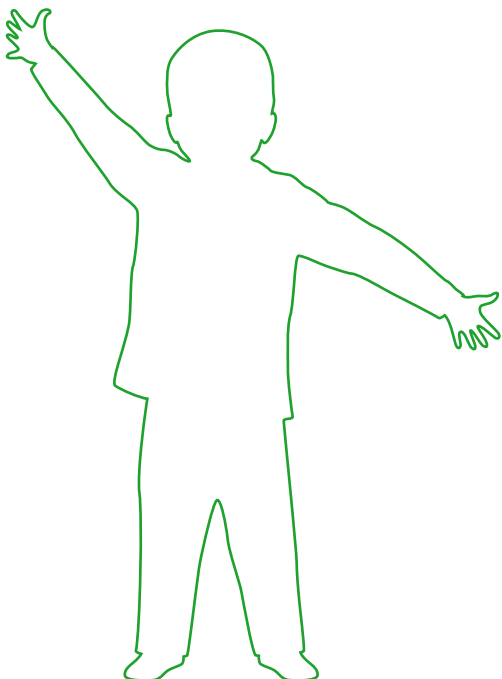
References

[ICC/ESOMAR International Code on Market, Opinion, and Social Research and Data Analytics](#)

[ESOMAR Data Protection Checklist](#)

[MRS Best Practice Guide on Research Participant Vulnerability](#)

[MRS Guidelines for Research with Children and Young People](#)





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