

MSPA Code of Professional Standards & Ethics Agreement for Members

The Mystery Shopping Providers Association (MSPA) is dedicated to improving service and promoting excellence in the mystery shopping industry. A fundamental aim of the Association is to ensure that consistent standards are maintained. To improve the value, reputation and stimulate the use of mystery shopping services, it is important that information about mystery shopping services is accurately communicated to both the business community and the public at large, while complying with applicable government laws, regulations and ordinances.

MSPA expects members to follow principles of honesty, professionalism, fairness and confidentiality to guard the interests of the public and our clients in order to promote good business practices.

The Mystery Shopping Providers Association's **Code of Professional Standards** is established to ensure that MSPA members conform to the following principles:

- Commit, in principle, to the purposes of the association: improving service and promoting excellence in the mystery shopping industry;
- Conduct mystery shopping services in an honest and ethical manner;
- Conduct mystery shopping services according to industry procedures and regulations set forth and agreed to by MSPA members;
- Instill confidence in mystery shopping and encourage public cooperation;
- Instill confidence in the business community that mystery shopping is performed in a professional and fair manner;
- Respect our clients, their employees, our employees, subcontractors, fellow MSPA members, and the general public.
- Will act with fairness towards other members, within boundaries considered to be professional and presenting ethical and good business practices.
- Will not use or violate any competitive member's intellectual property or sign up as an unauthorized shopper in any competitive member's database to gain information.

In addition, we agree to the following **Rules of Ethical Conduct** in that we will not:

- falsify or misrepresent reports;
- mislead shopper applicants about opportunities regarding mystery shopping;
- ask or encourage anyone to break confidentiality agreements with other firms for whom they conduct mystery shopping assignments;
- use any MSPA media to publish complaints against shoppers, vendors, clients, or other mystery shopper providers;
- refuse to pay, or make a deduction from a shopper's pay, for failure to perform any function which was not explicitly described in written instructions;
- require a shopper to pay for access to information about shopper assignments.
- use the MSPA trademark and/or logo in any media without explicit MSPA authorization and then only in a manner as prescribed by MSPA.

If, after a thorough investigation, a member is found to be in violation with our Rules of Conduct, membership in our Association may be withdrawn or other disciplinary action may be taken.

This agreement must be adhered to by each member of the Mystery Shopping Providers Association as well as employees of members.

By signing below, I indicate that I have read, understand, and agree to follow the principles of honesty, professionalism, fairness, and confidentiality that are outlined in this agreement. I further understand that not conforming to this agreement may result in termination of my membership in MSPA.

Signature: _____ Date: _____

Professional Standards and Ethical Conduct – Applying the Code

This section is intended to help members interpret and apply the Code in practice. Any questions about how to apply the Code in a specific situation should be addressed to MSPA Administration Offices in each region.

Responsibilities to Clients

MSPA Members will:

- ensure that each project is conducted according to the client's specifications. Procedures will be implemented to verify that client specifications are being followed.
- observe confidentiality with all techniques or methodologies and with information considered confidential or proprietary. Information will not be revealed that could be used to identify clients or respondents without proper authorization.
- ensure that companies involved in mystery shopping, as well as their employees and subcontractors, take all reasonable precautions so that client confidentiality is protected.
- do not cause major disruption of client's normal operation.
- report mystery shopping results accurately and honestly. The mystery shopping process should be described in enough detail that a skilled researcher could repeat the project if necessary. Results will be presented clearly and fairly, including any that seem contradictory or unfavorable.
- not misrepresent themselves as having qualifications, experience, skills or facilities that they do not possess. Only legitimate academic degrees, clients and other qualifications will be claimed.

Responsibilities to Data Collectors

MSPA Members will:

- not agree to, or ask anyone else to, knowingly violate any of the points of the Code.
- communicate to every client that the client is responsible for the proper and legal use of mystery shopping information provided by MSPA members.
- notify clients that all requests must be in compliance with the Code and any applicable federal, state, and local laws, regulations, and ordinances.
- notify clients that all requests must be in compliance with all safety regulations.
- collect detailed project specifications from clients to ensure data collectors can effectively complete projects. These specifications will be provided in written form to data collectors and then confirmed for their ability to implement and their agreement to comply.

Responsibilities to the Business Community

MSPA Members will:

- not intentionally abuse confidence in the business community. At no time is mystery shopping information to be used to intentionally mislead the business community. Instances of abuse in the business community undermine the credibility of our industry.

Professional Standards and Ethical Conduct – Best Business Practices

This section is intended to guide members in providing professional, ethical and reliable services. These recommendations are part of our mission to:

Promote excellence in mystery shopping; and
Enhance the image of mystery shopping.

Security - Keep questionnaires, products and information secure.

- obtain non-disclosure statements from all employees and subcontractors;
- return materials to the client within a reasonable time frame, or as requested;
- do not destroy materials without client authorization.

Clear Communication - Provide effective communication with clients.

- provide bids in writing;
- provide payment procedures and cancellation terms as part of a proposal or cost estimate;
- inform clients immediately of any inability to complete projects;
- do not schedule more work than can be effectively completed;
- communicate company business policies to clients up front;
- agree upon acceptable reporting procedures in advance;
- send written confirmation of project specs;
- advise clients of MSPA affiliation and intent to abide by Code of Professional Standards;
- obtain release statements from clients if their employees are to be recorded (audio or video).

Professionalism - Promote respect and trust.

- abide by contracts;
- supply responsible and realistic costing and timing;
- notify the client as early as possible of a cancellation or postponement;
- provide concise, clear, written instructions;
- notify the data collector of changes in project specifications as they occur;

Public Relations - Be an advocate for the industry and MSPA.

- provide communities with positive information regarding the potential benefits of mystery shopping;
- help educate industries about mystery shopping;
- avoid activities harmful to the mystery shopping industry;
- fairly compensate employees and subcontractors;
- insist on compliance with standards and encourage continuous improvement;
- provide communities with positive information regarding the potential benefit of affiliation to MSPA.

Image Projection

Data collectors are the industry's ambassadors to the business community and should conduct themselves as such. Encourage them to:

- exhibit professionalism by being pleasant and courteous;
- show pride in themselves and their work through their appearance, manner, and conduct;
- provide honest information on all projects.

Professional Standards and Ethical Conduct – Enforcement: Violations by Members

Complaints of alleged unethical behavior may be filed against an MSPA member who is suspected to have violated the Code of Professional Standards and Ethics Agreement (Code). Such charges must be documented in writing. All related investigations are confidential, and participants in such evaluations will be reviewed for possible conflict(s) of interest in each case.

Any member who is found to be in violation of the Code may appeal the findings. Sanctions will be determined on a case by case basis, and will depend on the severity, nature, and number of the violations. Also considered will be whether such violations constitute a pattern that establishes the member to be incapable or unwilling to comply with the Code.

There are three levels of sanctions for violations:

1. Censure (issuance of a strong official disapproval statement).
2. Suspension for a determined time period (bar from normal membership privileges, such as advertising through MSPA publications or participation in MSPA programs/events).*
3. Expulsion from membership in the Association (permanent loss of membership).*

**The names of members who have been suspended or expelled will be published in MSPA media for a period of up to one year.*

Complaint Filing and Review Procedures

1. A detailed complaint is filled out and filed with MSPA Executive Manager or Officer. *The complaint must be received no later than 60 days from the date of discovery of the alleged improper conduct.*
2. The Executive Manager or Officer immediately notifies the complainant of receipt.
3. The Executive Manager or Officer immediately forwards the complaint to the Chair of the Professional Standards & Ethics Committee (Chair) for review.
4. The Chair reviews the complaint and ascertains if the material constitutes evidence of a violation against the Code. If this is not clear, the Chair calls a meeting of the Committee.
5. The Chair begins a detailed investigation by notifying the person against which the complaint has been lodged (responding party) of the alleged violation and requests a written response to the allegation within 30 days. A copy is sent to the Executive Manager or Officer.
6. If the materials do not show evidence of a violation, both parties are notified by the Chair and a copy is sent to the Executive Manager or Officer.
7. The Executive Manager or Officer receives the responding party's response and immediately notifies the responding party of receipt.
8. The Executive Manager or Officer immediately forwards the response to the Chair.
9. The Committee meets to determine the severity of the complaint and to recommend action: either calling the responding party and offering suggestions and resolutions to resolve the complaint or deciding to censure, suspend, or expel a member.
10. The Committee offers the responding party the opportunity to have an objective arbitrator hear the complaint if no satisfactory resolution can be obtained informally.
11. The Executive Manager or Officer, Chair, and both parties are notified of the final decision.
12. The final results are published in MSPA media (if the member's membership rights are suspended for a period of time or if the member is expelled from the Association).

Violation of Code Allegation Against an MSPA Member

Please use this form to file a formal complaint against an MSPA Member. Only complaints that are properly filed will be investigated. This completed form must be signed by the filing member.

I believe a violation of the MSPA Code of Professional Standards and Ethics has been made by the following MSPA member:

1. **Member Information:**

Full Name: _____

Company Name: _____

Title: _____

Street Address: _____

City: _____ **State :** _____

Zip Code: _____ **Country:** _____

Phone Number: _____

2. **Nature of Member's Business (select only one):**

End User/Manufacturer

Research Company

Data Collection

Other (please specify) _____

3. **Ethical problem or issue:** _____

4. **What facts have a bearing on this ethical issue? Explain the agreement between parties, written letters, telephone calls, attorneys/lawsuit, etc. if applicable. Attach any relevant documentation**

5. **Other Considerations:** Provide other pertinent information that the committee should consider.

6. **Recommendation for Action:** From your perspective, what do you think would be the most appropriate action, based upon MSPA enforcement procedures? (select only one)

Censure Suspension Expulsion

Other (please specify) _____

7. **Authorization:** I attest by signing this document that the information included is accurate and that I am requesting that the MSPA Professional Standards & Ethics Committee investigate this allegation of a violation of the Code of Professional Standards and Ethics.

Full Name: _____

Company Name: _____

Title: _____

Street Address: _____

City: _____ **State :** _____

Zip Code: _____ **Country:** _____

Phone Number: _____

Email Address: _____

Nature of your Business: _____

Signature (REQUIRED): _____

Please print this form and sign it. Your signature is required to validate this request.
Once completed, file this complaint:

Europe: by fax to 00 31 70-358 73 77 or by email to contact-eu@mspa-eu.org

North America: by fax to 00 1 972 755 2561 or by email to contact-na@mspa-na.org

Asia Pacific: by fax to 00 91 124 438 1203 or by email to contact-ap@mspa-ap.org

Latin America: by fax to 00 55 11 2613 8550 or email to contact-la@mspa-la.org