

Socio-Economic Research in the Information Society: A User's Guide from the RESPECT Project

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Socio-Economic Research in the Information Society: A User's Guide from the RESPECT Project

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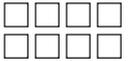
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The RESPECT project is about:

RESPECT for research ethics

RESPECT for intellectual property

RESPECT for confidentiality

RESPECT for professional qualifications

RESPECT for professional standards

RESPECT for research users

RESPECT was funded by the European Commission's Information Society Technologies Programme to:

- develop a voluntary code of practice for the conduct of socio-economic research in the information society
- contribute to the development of common European standards and benchmarks for socio-economic research
- contribute to the development of high standards in cross-national and cross-disciplinary socio-economic research
- contribute to broader ethical and professional debates within the socio-economic research community
- help reduce barriers to the mobility of socio-economic researchers within the EU and Accession States

- provide succinct information on good practice in socio-economic research for users of research whether funded by the IST programme or other sponsors

For full details, see the project website: www.respectproject.org

The RESPECT code of conduct requires researchers to:

- uphold scientific standards
- comply with the law; and
- avoid social and personal harm

See the next page for the full text of the code

This Guide is intended primarily for research users, including:

- research funders
- research hosts
- research evaluators and reviewers
- research managers
- editors, journalists and those who disseminate research results
- anybody else with an interest in understanding social research

But we hope that it will also be useful to researchers themselves, especially research students and those who provide training for them.

RESPECT CODE OF PRACTICE FOR SOCIO ECONOMIC RESEARCH

Introduction

The RESPECT guidelines are intended to form the basis of a voluntary code of practice covering the conduct of socio-economic research in Europe.

Carrying out socio-economic research in a professional and ethical manner involves balancing a number of different principles which often lie in tension with each other. This code is based on a recognition that it is the responsibility of individual researchers to make the often difficult professional decisions which establish this balance and that it is the responsibility of their employers, professional associations and research funders to support them in making these decisions.

This code of practice is intended as an aid to responsible and informed decision-making, not a substitute for it. It is thus an aspirational code, not a prescriptive one.

The RESPECT code is based on a synthesis of the contents of a large number of existing professional and ethical codes of practice, together with current legal requirements in the EU. Whilst the RESPECT provisions are voluntary, some of the requirements on which they are based are morally binding on the members of specific professional associations or legally binding on citizens of EU Member States.

The RESPECT code is not designed to pre-empt more detailed codes developed by specific professional associations, academies or funding agencies. On the contrary, it is hoped that it will provide an aid to the refinement of such codes and the development of new ones where they do not already exist.

The purpose of the RESPECT code is not to create new requirements or restrictions on the conduct of research, but to protect researchers from unprofessional or unethical demands and to raise awareness of ethical issues and spread existing professional good practice, enabling the development of a European Research Area with common standards that are transparent and universally agreed. Such common standards are a prerequisite for the development of a European market in socio-economic research, in which research can be commissioned and partnerships entered into on the basis of clear mutual understandings and expectations.

This summary document outlines the main features of the code. Further information on any feature can be found on the RESPECT website www.respectproject.org

The underlying principles

The RESPECT code of practice is based on three main principles:

- 1 Upholding scientific standards
- 2 Compliance with the law
- 3 Avoidance of social and personal harm

It is recognised that these principles are closely interlinked and that situations may arise where different elements of these principles may come into tension, or even conflict with each other. As an aid to forming professional judgements about the best way to balance these principles, the RESPECT website includes background documentation that draws on existing literature to provide practical guidelines for researchers faced with such dilemmas.

1 UPHOLDING SCIENTIFIC STANDARDS

Researchers have a responsibility to take account of all relevant evidence and present it without omission, misrepresentation or deception.

This means making sure that the selection and formulation of research questions, and the conceptualisation or design of research undertakings, does not predetermine an outcome, and does not exclude unwanted findings from the outset. Data and information must not knowingly be fabricated, or manipulated in a way that might lead to distortion. Integrity requires researchers to strive to ensure that research findings are reported by themselves, the contractor or the funding agency truthfully, accurately and comprehensively. This includes the distribution and publication of information about their research through the popular media. In order to avoid misinterpretation of findings and misunderstandings, researchers



have a duty to communicate their results in as clear a manner as possible. However strongly the goal of objectivity is pursued, no researcher can approach a subject entirely without preconceptions and any research will undoubtedly be coloured by the individual approach of the researcher. It is therefore also the responsibility of researchers to balance the need for rigour and validity with a reflexive awareness of the impact of their own personal values on the research. Finally, integrity means that researchers primarily serve scholarly and public interests. Economic gain or material advantage should not override scholarly, public or ethical considerations.

► **Socio-economic researchers should endeavour to:**

- a. ensure factual accuracy and avoid misrepresentation, fabrication, suppression or misinterpretation of data
- b. take account of the work of colleagues, including research that challenges their own results, and acknowledge fully any debts to previous research as a source of knowledge, data, concepts and methodology
- c. critically question authorities and assumptions to make sure that the selection and formulation of research questions, and the conceptualisation or design of research undertakings, do not predetermine an outcome, and do not exclude unwanted findings from the outset
- d. ensure the use of appropriate methodologies and the availability of the appropriate skills and qualifications in the research team
- e. demonstrate an awareness of the limitations of the research, including the ways in which the characteristics or values of the researchers may have influenced the research process and outcomes, and report fully on any methodologies used and results obtained (for instance when reporting survey results, mentioning the date, the sample size, the number of non-responses and the probability of error)
- f. declare any conflict of interest that may arise in the research funding or design, or in the scientific evaluation of proposals or peer review of colleagues' work
- g. report their qualifications and competences accurately and truthfully to contractors and other interested parties, declare the limitations of their own knowledge and experience when invited to review, referee or evaluate the work of colleagues, and avoid taking on work they are not qualified to carry out
- h. ensure methodology and findings are open for discussion and full peer review
- i. ensure that research findings are reported by themselves, the contractor or the funding agency truthfully, accurately, comprehensively and without distortion. In order to avoid misinterpretation of findings and misunderstandings, researchers

have a duty to seek the greatest possible clarity of language when imparting research results.

- j. ensure that research results are disseminated responsibly and in language that is appropriate and accessible to the target groups for whom the research results are relevant
- k. avoid professional behaviour likely to bring the socio-economic research community into disrepute
- l. ensure fair and open recruitment and promotion, equality of opportunity and appropriate working conditions for research assistants whom they manage, including interns/stagiaires and research students
- m. honour their contractual obligations to funders and employers
- n. declare the source of funding in any communications about the research.

In general, socio-economic researchers should comply with the laws of the countries in which they are based or in which they are carrying out research. In the case of international collaborations or online research, the laws of additional countries may also apply. Researchers have a duty to ensure that their work complies with any relevant legislation. Two areas of law (data protection law and intellectual property law) are particularly relevant for the conduct of research, especially research involving human subjects, and researchers should acquaint themselves with the relevant national and international provisions.

2 COMPLIANCE WITH THE LAW

2.1 Data protection

2.1.1 Legal requirements

Socio-economic research often involves the collection and other further processing of personal data. The processing of personal data is regulated by law, and researchers have therefore to comply with the relevant national legislation of the current Member States of the European Union that implement the European Directive 95/46/CE.

► **In order to comply with the terms of the data protection law, researchers should:**

- a. find out whether the processing will include personal data (ie, not just confidential data but any data related to an identifiable individual)
- b. examine which national law applies, especially in international co-operations
- c. determine who will be the person responsible for the processing (the controller)
- d. collect the data only for specified, explicit and legitimate purposes
- e. collect only data that are adequate, relevant and not excessive with regard to the purpose of the processing
- f. keep the data accurate and, where necessary, keep them up-to-date
- g. process the data fairly and lawfully
- h. in general, not keep data longer than necessary according to the purpose of the processing and when the purpose is achieved, or destroy or render the data anonymous. In some countries, where personal data may be kept for longer periods for historical, statistical or scientific use, researchers may keep them longer if all the conditions for this longer storage are fulfilled.
- i. not further process the data in a way incompatible with the initial purpose(s). If the data are further processed for scientific or statistical purposes, researchers should comply with requirements regarding the re-use of personal data
- j. respect the conditions regarding the legitimacy of the processing, bearing in mind that to qualify as legitimate it must meet one of the social justifications laid down by the law
- k. comply with the information duty towards data subjects to provide information on the identity, address of the controller, purpose of the processing, and other information stipulated by law unless an exemption is provided by the law
- l. comply with duties towards National Data Protection Authorities by providing the required information regarding the planned processing and, where relevant, obtaining prior consent, unless an exemption is provided by the law
- m. respect the rights of data subjects to access personal data, rectify incomplete or inaccurate data, and to object to the processing under the stipulated circumstances
- n. take technical and organisational measures to ensure the security and confidentiality of personal data (including encryption where necessary)
- o. comply with the conditions for communication of personal data to third parties or recipients, bearing in mind that it is only lawful to transfer data if the purpose is compatible with that for which the data were originally collected

- p. refrain from transferring personal data outside the European Economic Area except where an adequate level of protection has been acknowledged by the European Commission or if not, except if the legal conditions provided by the relevant law are respected.

2.1.2 Good practice

► **Good practice, as embodied in existing professional codes, lays out the following principles, which aim at ensuring the security and confidentiality of personal data.**

- a. Researchers in socio-economic studies are obliged to protect personal data, ie information on identifiable individuals. In order to prevent misuse of data, data are to be stored properly and adequately (eg, by storing information through which individuals can be identified, separately from the remaining research material). Particular caution is necessary in this context with regard to the risks posed by electronic data processing and data transfer.
- b. Researchers should respect the anonymity, privacy and confidentiality of individuals participating in the research, and ensure that the presentation of data and findings does not allow the identity of individuals participating in a study, or informants, to be disclosed or inferred. Researchers should also ensure that this is also the case in the presentation of findings by contractors, funding agencies or colleagues. In cases where disclosure of the identity of a subject (whether an individual or an organisation) is central and relevant to the research, such confidentiality cannot always be guaranteed. In such cases the problem should be addressed in open discussion with research subjects, with the aim of obtaining informed consent to any disclosure.

The security and confidentiality of data is only one aspect of data protection; the other legal requirements are still compulsory. Therefore, research should be conducted in accordance with all the principles of the applicable national data protection legislation. Before embarking on the collection of any personal data, researchers should take into account the duties and conditions of processing, make an analysis of the processing envisaged, identify the operations which will be involved, and the level of sensitivity of the data, in order to assess the lawfulness of the exercise.



2.2 Intellectual property

European directives on intellectual property converge with professional good practice in requiring researchers to pay attention to ensuring necessary permissions, correct attribution of authorship, acknowledgement of sources, correctness of references and the avoidance of plagiarism.

2.2.1 Legal requirements

Wherever practicable, intellectual property rights should be explicitly addressed in contracts covering the conduct of socio-economic research, whether these are funding contracts, partnership agreements or employment contracts.

► **In accordance with European directives and national legislation on intellectual property rights, the following questions and principles should be taken into account when conducting socio-economic research:**

- a. recognising the relevance of intellectual property rights to socio-economic research
- b. taking due account of the fact that (especially in an online environment and/or international co-operations) several national laws might be applicable that differ substantially from the regulations in the researcher's home country
- c. paying due respect to the fact that material used in socio-economic research is predominantly protected by intellectual property rights such as copyright, database and software protection
- d. ascertaining which acts within typical research conduct are unacceptable without (statutory or contractual) permission due to rights being reserved for the author under intellectual property legislation (as named above)
- e. realising how exceptions/exemptions/limitations supersede individual permission for certain acts of socio-economic research under certain conditions
- f. understanding how to use licences and assignments of rights when creating or using material protected as intellectual property
- g. taking into account how employment contracts might affect intellectual property
- h. realising the consequences of copyright infringements.

► **In order to comply with intellectual property law, socio-economic researchers should:**

- a. find out to what extent questions of intellectual property rights (copyright, database and software protection) are concerned in the particular research activity
- b. examine which countries' laws apply, especially in international co-operations and when using the Internet
- c. assume that any material created or used in socio-economic research might be intellectual property and consider protection before using it
- d. realise that many ways of using protected material – such as reproduction by down-/upload or by paper/digital copies, publication, making material available on the Internet, alteration (eg for online format etc.) – are generally reserved for a rightsholder and find out when permission is therefore (in principle) required
- e. when relying on legal permission (like the exceptions for quotation, research or 'fair use') for any particular conduct, consider carefully the respective extent and conditions
- f. if a planned activity is not clearly covered by statutory permissions (eg, quotation rights) identify the rightsholder and conclude authorising contracts (transfer/assignment of rights/license agreements). Ascertain that the permission covers explicitly all relevant aspects – among them the description of type, extent, duration, environment (such as online) of the intended use, any preparatory or subsequent acts, rights involved, responsibility for possible infringements, remuneration etc.
- g. where several parties are involved (researchers, assistants, funding parties, employment situations in institutes, enterprises, universities) ensure explicit consensus among parties in advance, about rights matching the intended use.

2.2.2 Good practice

► **Good practice in relation to intellectual property goes beyond the bare legal requirements. Existing professional codes lay out the following principles.**

- a. In principle, authorship is reserved for those researchers who have made a significant intellectual contribution to a research project, the writing of a research report or another scholarly piece of work. Seniority and position in a research institution's hierarchy alone is not sufficient for authorship. Honorary authorship is unacceptable. In cases where several persons collaborate on a research project or publication, the question of authorship and intended use of the results should be discussed, and consensus achieved among participating researchers as early on in the project as possible. The order of authors listed should take account of their respective contributions to the work. All collaborating researchers, whether named as authors of a publication or not, bear responsibility for the contents of the respective publications and the presentation of data and findings in these publications.
- b. Any third parties' material protected by copyright must be clearly identified and clearly attributable to their original authors, regardless of the form their presentation and quotation might take (except in cases where it is necessary for the original author to remain anonymous; in such instances, however, it must be made clear that the information was provided by an anonymous person). Lack of permission for a given use is considered as theft of intellectual property. Even if material, including data, sources, information or ideas drawn from the work of others is not protected by copyright, it should be identified as third parties' material. Failure to acknowledge the original authorship of such material, as well as knowingly presenting ideas, methodologies and research findings of others in ways that may lead observers to suppose that they are one's own, is regarded as plagiarism and is unacceptable.

2.3 Other laws

A wide range of other laws may also apply, varying from general health and safety, employment and anti-discrimination laws, to specific regulations governing the

appointment and management of researchers, and more specific regulations that may govern the context in which particular kinds of research are carried out.

► **There may be certain circumstances that form exceptions to this rule, for instance when criminal behaviour itself forms the subject of the research undertaken. In such cases, researchers should:**

- raise the matter with research funders
- ensure that full documentation is maintained to establish the bona fide nature of the research, and
- where necessary, seek the advice of their relevant professional association.

3 AVOIDANCE OF SOCIAL AND PERSONAL HARM

In more extreme cases, research may be carried out in countries where democratic government is absent, or relatively recent, and certain laws are considered to be inherently unjust, socially harmful or detrimental to scientific integrity. In such cases too, individual researchers must take responsibility for decisions of professional judgement and their professional associations have a responsibility to support them.

It should be an overriding aim of socio-economic research that the results should benefit society, either directly or by generally improving human knowledge and understanding. It follows from this aim that in the conduct of the research, researchers should aim to avoid or minimise social harm to groups and individuals.

With this in mind, socio-economic researchers and their funders should reflect on the consequences of participation in the research for all research subjects and stakeholders.

Research should be designed responsibly in order to ensure that the methodology is appropriate, that no group is unreasonably excluded and that harm is minimised. Participants should not be worse off as a result of their involvement in the research. Research should also be designed in order to maximise its utility and relevance for the benefit of society.



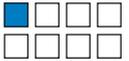
Wherever possible, and providing that this does not conflict with other ethical or scientific considerations, representatives of the social groups under study should be actively involved in the research.

► **In particular, researchers should endeavour to:**

- a. ensure that participation in research is voluntary, on the basis of informed consent, taking account of the specific requirements of differing types of quantitative and qualitative research
- b. take special care to protect the interests of children, the mentally impaired, the elderly and other vulnerable groups
- c. ensure that the views of all relevant stakeholders are taken into account where this does not conflict with other ethical or scientific principles
- d. ensure that research participants are protected from undue intrusion, distress, indignity, physical discomfort, personal embarrassment or psychological or other harm
- e. ensure that the research process does not involve unwarranted material gain or loss for any participant
- f. ensure that research results are disseminated in a manner that makes them accessible to the relevant social stakeholders
- g. ensure that research is commissioned and conducted with respect for all groups in society regardless of race, ethnicity, religion and culture, and with respect for and awareness of gender or other significant social differences
- h. avoid harassment or discrimination against research assistants, trainees or other colleagues and minimise any safety risks.

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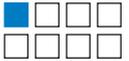
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Introduction

We live in a world that is becoming increasingly 'joined up'. The combination of globalisation and new information and communications technologies (ICTs) has created a situation in which a technological innovation may have unforeseen consequences for diverse social groups and a policy decision made in one place may have ramifications for people living many thousands of miles away. As the social organisation of daily life becomes more complex and national and regional economies more interconnected, there is a growing need for research which is equally joined up.

There are many stakeholders with an interest in obtaining reliable intelligence about social and economic trends:

- Public policy-makers need accurate information on which to base a range of different local, regional, national and international policies and to monitor their implementation.
- The general public needs readable, easily-accessible information on which to base lifestyle, economic and electoral choices.
- The scientific community needs research which drives forward human knowledge and understanding.
- Industry needs information about the impacts of the goods and services it currently produces on actual and potential users as well as market intelligence.
- A range of different specialist interest groups and voluntary organisations needs information on how particular groups in society are affected by social and economic change.

The development of a global information society, or knowledge-based economy, has presented a historically unprecedented challenge to researchers attempting to meet these information needs. They are expected to explain the interactions of a large number of different variables upon each other, each of which is in a rapid process of transformation. In the process of trying to make sense of these interconnections, the boundaries between different research disciplines are dissolved. Whilst there is still a need for specialist understanding of the separate features of modern life, there is also a need for these specialists to work together in multidisciplinary teams and, sometimes, to put their specialist skills together and become interdisciplinary. Not only do they have to learn to work with others with different types of academic training, and adapt their theories and methods to fit; they also have to collaborate with researchers from different national backgrounds with their own distinctive scholarly traditions.

The need to meld these different national traditions to produce overarching conceptual models and develop an international standard of excellence has been recognised by the European Union in its ambitious aim of producing a single European Research Area (ERA) throughout the existing 15 Member States and the 10 Accession States shortly to join them.

In the past, most researchers were based in small national communities whose members were known to each other through professional associations or simply by reputation. Standards were often set informally, but were nevertheless quite easily enforced – getting a bad reputation among your peers was a serious handicap in a research career. This made it relatively easy to find an expert to carry out any particular piece of research and evaluate the results.

Today, this is much more difficult. With the rise of interdisciplinary, international research teams, the sheer numbers of people involved, the disparity between their backgrounds and the enlarged geographical scope mean that increasingly both research funders and researchers themselves are 'working with strangers'. No single person can hope to have a comprehensive knowledge of all the related fields involved, so there is an increasing reliance on independent reviewers or on the use of secondary information (such as publications records, or numbers of citations) for evaluating research.

Just when the research field is becoming larger and more anonymous, the situation has become even more complicated by the impact of new information and communications technologies. New ICT-based research tools and delivery media have vastly multiplied the information sources available and in some cases brought about drastic changes to research methodology. The Internet offers a powerful tool for knowledge sharing and research dissemination. Websites can be used to share information with a worldwide audience as soon as it has been produced and have made huge amounts of data available which were previously inaccessible because of the cost of retrieving them from dusty archives.

However the Internet also poses new risks. The digitisation of information facilitates new forms of plagiarism and blurs the boundaries between 'published' and unpublished research. It also makes it difficult to verify the status and source of any particular piece of information. The ready availability of these new technologies has opened up new research opportunities for people who lack formal training in research methods. Whilst it is excellent for democracy that information is now so readily accessible, there is a risk that standards will fall if unqualified individuals are able to present the results of random internet searches as *bona fide* socio-economic research.

In recognition of these and other risks to privacy and intellectual property, the European Union has adopted new directives on Data Protection and Intellectual Property Rights. These have also posed new challenges to the research community because the object they address (the digitisable

information that lies at the core of a knowledge-based economy) also forms the raw material of most socio-economic research. Respecting these new laws will require major changes in some aspects of research practice.

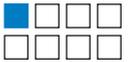
The development of an information society has also posed particular challenges to the technology research community, where specialists with backgrounds in the 'hard sciences' now have to work collaboratively with social scientists with very different disciplinary backgrounds from their own. The European Commission's Information Society Technologies (IST) Programme has provided one of the main sites where this interaction takes place.

This is the context in which the RESPECT project was funded by the IST Programme. The project was set up in 2002 to develop professional and ethical codes of practice for the conduct of socio-economic research in the information society.

Part of the project's work involved analysing existing professional and ethical codes to identify the common ground between them, and putting this together with legal interpretations of the new data protection and intellectual property directives in order to produce a summary code of practice. The resulting synthesis was then circulated widely throughout the European socio-economic research community in a broad consultation exercise and further revised in the light of comments received. The code which appears in this guide is the result.

This guide is designed as an introduction to socio-economic research for the broader community of research users. We hope that it will be of use to research funders, research hosts, research evaluators and reviewers, legal professionals providing advice to researchers, employers and managers of researchers and those involved, both as teachers and as students, in research training, as well as the broad community of socio-economic researchers themselves.

For those who are interested, further information can be obtained from the RESPECT website on www.respectproject.org. This includes a database



of professional research associations throughout Europe, background information on data protection and intellectual property law, information on professional and ethical issues, including a comprehensive review of the literature and further links, and the results of a detailed analysis of the knowledge, skills and competences involved in carrying out a multidisciplinary international research project. This functional map of a typical European research project is of interest not only to researchers themselves but also to project administrators, evaluators and reviewers as well as to those who have to manage, appraise and appoint staff to such projects or decide on their organisations' capacity to engage in them.

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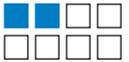
What is Socio-Economic Research?

The term 'socio-economic research' is in widespread use in the European Commission's research funding programmes and elsewhere. In the Fourth Framework Programme, for instance, there was a programme entitled 'Targeted Socio-Economic Research' (TSER) and in the Fifth Framework Programme which succeeded it in 2000, there were numerous calls for proposals to carry out socio-economic research related to information society technologies and to other issues of relevance to EU policy. It was, indeed, under the IST Programme in the Fifth Framework Programme that the RESPECT project was funded. In the Sixth Framework Programme, which came on stream in 2003, there were signs that the phrase 'research in the social sciences' was replacing 'socio-economic research' at least in the programmes related to issues of citizenship and governance. However the term is still in widespread use. At national level, there are also economic and social research funding councils in European Member States. However, nowhere in all this national and international documentation is any definition offered of 'socio-economic research'. Perhaps even more surprisingly, there is no legal definition in any of the statutes which define what constitutes 'scientific purposes' in, for instance, the processing of data.

2.1 Who carries out socio-economic research?

It is often thought that research is an activity carried out by academics in universities – sometimes seen as 'ivory towers', cut off from the realities of everyday life. In fact, nothing could be further from the truth. Although a good deal of important research is carried out in an academic environment, a lot – in many countries the majority – of serious socio-economic research is carried out elsewhere, including:

- international, national, regional and local government departments and statistical offices
- international organisations and development agencies
- independent policy 'think tanks' and other independent research institutes
- research units and think tanks linked to political parties or industrial groupings
- commercial research companies including market research and data mining companies
- large international consultancy groups
- small specialist research companies (including individual freelancers)
- research departments within large companies and other organisations
- non-governmental organisations such as charities and trade unions.



2.2 What backgrounds do socio-economic researchers have?

People enter the field of socio-economic research by a variety of different routes. However it is usual for researchers to have a graduate or post-graduate qualification in at least one of the socio-economic research disciplines.

But defining what these disciplines are is no easy matter. They cover a very broad range of subjects and their number is continuously increasing as a result of the development of new sub-disciplines and areas of applied research which often form the basis of new university departments. For instance thirty years ago it would have been hard to imagine departments with names like 'new media studies', 'environmental policy analysis', 'cultural geography' or 'telecommunications policy' but these are now commonplace in many countries. There are also important differences in national approaches to the definition of disciplines, the grouping of university departments and the development of qualifications, reflecting the diverse intellectual history of Europe.

The typology adopted by the European Commission for categorising the experts registered as evaluators under its Sixth Framework Programme breaks down the social sciences into thirteen categories, shown in Table 2.1.

In the RESPECT project, after taking account of a large number of other typologies, we produced a revised list, shown in Table 2.2. in which the number of broad categories was reduced to 10. This covers most of the categories on the European Commission's list with the important addition of 'socio-technical studies', a term which encompasses a range of new disciplines becoming ever more important in the context of the IST Programme.

It would be possible to extend either list. There are many specialist areas, not explicitly included in either, which play an important role in much current research practice as well as new cross-cutting multidisciplinary fields, such as 'development studies' or 'women's studies'.

Table 2.1: European Commission classification of social science disciplines

Anthropology
 Communication Sciences
 Criminology
 Cultural Studies
 Demography
 Economics
 Educational Sciences
 Ethics in social sciences
 Geography
 Juridical sciences
 Political sciences
 Psychological sciences
 Sociology

Source: CORDIS, March 12, 2003

Table 2.2. RESPECT categorisation of socio-economic disciplines

Business studies, industrial relations and management studies
 Demography and statistics
 Economics
 Education
 Human and economic geography
 Law, criminology and penology
 Political science
 Psychology and related disciplines
 Sociology, applies social studies and anthropology
 Socio-technical studies
Source: Ursula Huws, Towards a Definition of Socio-economic Research, discussion paper for the RESPECT project, 2002

The integration of socio-economic research into programmes primarily designed to develop new technologies (as exemplified in the IST Programme) has generated a number of new sub-disciplines at the interface between technology and social science, dealing with issues as broad as economy-wide societal impacts and as focused as specific user needs. The term 'socio-technical studies' has been used as an all-embracing category to cover these, although it is recognised that they may involve a diverse range of knowledge and expertise.

More important than deciding which subjects should be included in a list of socio-economic qualifications is developing an understanding of the strengths and the limitations of each.

'Socio-economics' is not a single body of skills and knowledge but a broad assemblage of different approaches and conceptual models each of which is useful in a specific context, to address specific questions. In

putting together a team to carry out a piece of socio-economic research what matters is to ensure that between them the team have the right combination of skills and knowledge to tackle the research questions being addressed in a thorough and competent manner.

To take a few examples:

- to develop a model to predict future trends based on existing data you will need an *econometrician* on the team;
- to analyse big population groups to work out the incidence of a particular health phenomenon and how it is associated with other factors (such as environmental risks) you will need an *epidemiologist*;
- to study the best design of a machine to minimise fatigue to the operator you will need an *ergonomist*;
- to study the qualitative impact of new information technologies on traditional cultures you will need an *ethnographer*.

And those are just a few of the disciplines whose names begin with the letter 'e'!

An effective team should not only have the right mix of specific skills and knowledge; it should also include people with the skills and knowledge to bring the different specialisms together and ensure that the various elements are linked coherently so that the whole picture can emerge. There will also be a need for effective communications, administration and management skills. These are discussed in greater detail in Chapter 5 of this guide.

2.3 What methods are used?

For many, socio-economic research is seen as a rather woolly area, to be distinguished from the 'hard' varieties of technical and scientific research by the very fact that it seems to refer to everyday life and thus to fall within a realm of 'common sense'.

The results of a socio-economic research study are usually easier for a lay person to understand than the results of technical research and there is a temptation to regard conclusions as if they are simply the personal opinions of the researcher. Experiences like this are common: a socio-economic researcher presents to a conference of equipment designers the results of a survey of several thousand users of whom the majority found a particular interface particularly awkward to use. When question time comes, a member of the audience raises his hand to say 'I disagree. My wife finds it really easy to use and she isn't even a specialist'. In other words, the results of a scientific exercise are given the same status as a single anecdote.

In fact, socio-economic research is distinguished from 'common sense' by its use of a scientific approach: refusing to take for granted 'facts' which may seem to be self-evident but are in reality reflections of peoples' prejudices and subjecting them to rigorous analysis using methods which can stand up to independent scrutiny and should be capable of being replicated by another researcher in similar circumstances.

Socio-economic research uses a variety of different research methods. Some of these are specific to a particular discipline; others are more generally used. Table 2.3 summarises some of the main methods currently used.

These methods are constantly being modified as new information and communications technologies place more powerful tools in the hands of researchers.

For instance specialist computer-assisted qualitative data analysis

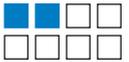


Table 2.3: A classification of the main socio-economic research methodologies
 carrying out interviews, whether in person or by telephone or email, with individual informants or groups
 observation, including the use of ethnographic methods
 surveys
 secondary analysis of existing data
 statistical modelling
 non-medical experimental research involving human subjects
 comparative analysis, including cross-cultural research
 analytical literature surveys, scoping exercises and content analysis
 case studies
 action research
 evaluation
Source: Ursula Huws, Towards a Definition of Social Research, Discussion paper for the RESPECT project, 2002

software is now widely available which makes it possible to analyse the transcripts of unstructured interviews in a much more structured and thorough manner than ethnographers or anthropologists could hope to achieve in the past using manual methods.

Information society technologies have also made it possible to analyse very large data sets in a relatively low cost way.

Just as personal interviews and postal surveys have been gradually replaced or supplemented by telephone interviews, these are now being supplanted by internet or email surveys.

Each new form brings with it new methodological challenges (for instance how can you establish the representativeness of an international Internet survey? And how can you tell whether people are telling the truth about who they are in an email communication?).

As well as opening important new opportunities for finding out what is really going on in the world, these new methods have also introduced

new ethical and legal risks, for instance in creating the possibility of intrusive direct marketing or personal surveillance. There is a fine line to be drawn between using these technologies to ensure that services are better tailored to users' needs and invading the privacy of these users.

The RESPECT code of conduct (at the beginning of the report) provides some guidance in this respect.

2.4 What are the purposes of socio-economic research?

The concept of 'purpose' is an important one for lawyers, for instance when attempting to define when it is permissible to quote someone else's text or analyse a data set there are often exemptions granted when the use is 'for scientific or statistical purposes'.

It thus becomes important to define what constitutes 'scientific or statistical purposes' in relation to socio-economic research.

In the most general sense, the ultimate purpose of socio-economic research is to benefit society. However this may take several forms, both 'pure' and 'applied'.

The purpose may be:

- to improve human knowledge and understanding in the general and abstract sense of adding to the existing store of knowledge (this could be the case, for instance, in much academic research)
- to improve public policy (this could apply in the case of a great deal of research carried out or commissioned by public authorities or charitable trusts)
- to improve the quality of human life (this could apply in the case of health-related or environmental research, or research related to the development of new products and services or the improvement of existing

ones; indirectly, it could also relate to a range of research whose aim is to improve industrial organisation or economic competitiveness).

It must be admitted that not all social research meets its original goals. By its very nature, any scientific study may produce a negative result. This should not be interpreted as meaning that the study was not to the benefit of society or that the funding was wasted. Even a negative result can provide useful lessons. However it would be irresponsible and unprofessional to embark on a new study when there is clear evidence from previous studies that the approach will produce negative results.

To say that the purpose of socio-economic research is to benefit society does not mean that it should not be carried out for commercial purposes. As already noted, a great deal of such research is carried out within the private sector or for commercial clients. What is meant is that activity which is carried out *solely* for commercial gain and which does not aim to lead either directly or indirectly to any social benefit should not profit from the legal exemptions implied in the phrase 'research purposes'.

Even when it is hard to see the social benefit of commercially-oriented research, it is still important to ensure that it avoids social harm. Most professional codes of practice in the commercial sector, such as that of ESOMAR, the international Market Research Association, embody this principle.

2.5 What subjects does socio-economic research address?

The subject matter of socio-economic research is also hard to delineate. The word 'society' (and hence the prefix 'socio-') applies in its broadest sense to all human activity. This means that it could be extended to almost all areas of life. Some varieties of socio-economic research can shade off into other fields making it hard to draw absolute boundaries with, for instance, medical research, mathematical modelling, journalism, biography, documentary art or even technical instruction manuals.

There is a need to find a balance between on the one hand constructing a definition which is so broad as to be meaningless, and on the other, defining something which is so narrow that it fails to capture the full reality of the practices which are currently designated as 'socio-economic research'.

According to the Social Research Association

Social Research is the process of systematically gathering, analysing and interpreting information about the behaviour, knowledge, beliefs, attitudes and values of human populations.¹

In a similar vein, the RESPECT project has defined socio-economic research as

the collection, analysis or interpretation of economic data, or data which relate to human behaviour, opinions, living or working conditions, or social institutions.²

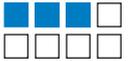
What distinguishes socio-economic research from other kinds of scientific research is the fact that its raw material is human beings and the economic and social institutions they have developed. What distinguishes it from artistic and creative activities is the fact that its approach is systematic and uses scientific methods.

Summary

We can conclude that social research may be defined as the collection, analysis or interpretation of economic data, or data which relate to human behaviour, opinions, living or working conditions, or social institutions carried out for the purposes of improving human knowledge and understanding or the benefit of society. The persons carrying out this research will normally hold graduate or post-graduate qualifications in one of the social science disciplines and use one or more of the relevant scientific methodologies.

1 Social Research Association, *Commissioning Social Research: a Good Practice Guide*, 2nd edition, revised November 2002, London, p 9

2 Ursula Huws, *Socio-economic research: towards a definition* discussion paper, 2002, RESPECT website



three

Who Needs Socio-economic Research?

Socio-economic research is commissioned by a variety of different clients for a range of user groups. In the words of the Social Research Association

The market for social research has evolved and expanded considerably in recent years. At one end of the spectrum there is a range of new buyers from organisations who have not traditionally used these methods, and in some cases have little in-house research experience. At the other end there are established high-volume users (like some government departments), who have a lot of experience but are sometimes yoked to procurement procedures designed for purchasing other types of goods, and are not always well-suited to buying services like research.¹

3.1 Government organisations

Recent years have seen a rapid growth in the demand for socio-economic research by government bodies at all levels, from the international down to the local. This has partly been a response to calls for more evidence-based policies, and partly an effect of the increasingly complex organisation of government itself, illustrated by such developments as liberalisation, the growth of public-private partnerships, outsourcing and the development of eGovernment. A switch from direct delivery of public services to 'arms length' delivery by external or quasi-autonomous bodies has generated a need for a range of different performance indicators as well as qualitative information about impacts on users.

In the government arena, socio-economic research may be relevant in a variety of areas including:

- economic policy
- employment policy
- social policy, including equal opportunities policy, social protection policy etc.
- environmental policy
- health policy
- education policy
- policy relating to the protection of cultural minorities
- immigration policy
- trade and development aid policy
- policy relating to telecommunications, transport, energy and other infrastructure provision
- information society policy.

Increasingly, research is also required on the functioning of government itself, including assessing the impact of organisational changes or innovations such as eGovernment.

Socio-economic research becomes relevant whenever these policies seem likely to have an *economic* impact, that is an impact on the prosperity of particular social groups, regions or types of business, or a *social* impact,

¹ Social Research Association, *Commissioning Social Research: a Good Practice Guide*, 2nd edition, revised November 2002, London, p. 6

that is an impact on their quality of life (as individuals or as groups) or on institutional structures.

Much of this research is carried out as part of everyday government activity. Sometimes, however, the need for it may become apparent as a result of public concern, or a shift in national or international policy priorities. Sometimes it follows on from legal, technological or economic innovation.

Government research falls into several categories. These include:

- routine data collection (eg regular censuses and surveys)
- routine data analysis (eg the analysis of administrative data such as crime figures or unemployment records)
- one-off studies and surveys
- scoping exercises – to review the state of the art of research on a newly identified issue
- feasibility studies
- forecasts
- monitoring and review exercises
- impact studies
- benchmarking studies and international comparisons
- *post hoc* evaluations.

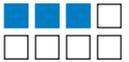
3.2 Special interest groups

Government bodies are not the only social actors with a stake in these issues. There is also a need for socio-economic research by a range of different agencies representing particular groups in society, for instance businesses, large or small, employee organisations, professional groupings, the disabled, women, the elderly, religious or ethnic groups or particular political regional or economic groupings.

Such groups may require research as a part of their normal mainstream activities, or they may commission it in response to some perceived change which they anticipate may affect the groups they represent, such as a change in legislation, a planning initiative or the identification of a new social risk. Research in this category may vary enormously in scale. At one extreme, for instance, an international body representing a large industrial grouping might commission research to examine the impact of, say, a change in World Trade Organisation regulation on a whole industrial sector; at the other, a local community group might commission research to look at the impact of a new traffic scheme on children's access to play facilities.

Where researchers work closely with special interest groups, *action research* methods are sometimes used, with stakeholders playing an active part in the research process. In such cases, care must be taken to delineate the role of the researcher from that of other research participants in an appropriate manner. On the one hand it is important for non researchers to respect the professionalism and independence of the researchers they are working with; on the other, researchers should publicly acknowledge any personal engagement with the issues at stake or ways in which results might have been biased by their involvement.¹

¹ This issue is discussed in greater depth in the RESPECT project's report on research ethics, which can be consulted on: www.respectproject.org.uk



3.3 Industry

As companies become more global in scope and the products and services they supply become more complex and far-reaching in their impacts, there is an increase in the demand for socio-economic research by industry. Typically research commissions might include:

- Market research to find out the demand for new products or services or reactions to existing ones, including how they compare with competitors. This might take the form of specially commissioned large-scale surveys or extra questions added to existing *omnibus* surveys. Or it might involve qualitative research, derived from individual interviews or *focus groups*.
- Research on the interface between machines or processes and their human users, whether physiological or psychological. Such research might be carried out by *psychologists*, *bio-medical researchers* or *ergonomists*. This is a field where researchers typically work closely with other specialists, such as systems analysts and designers. Some researchers are specialists in *socio-technical* analysis.
- Cost-benefit analysis.
- Organisational research, including research related to business organisation or processes, human resource issues and labour market issues. This is the classic terrain of management consultants, business analysts, HR consultants and a range of other specialist consultants. In some cases it borders on fields which cannot be regarded as socio-economic research, such as accountancy. However it also overlaps with a large body of academic research and research carried out by independent research institutes.
- Forecasts and trend analysis. This might use methodologies such as *scenarios* or *Delphi polls* as well as the use of *econometric models* to extrapolate from existing trends.

- Evaluations of internal processes including training programmes, new technologies and other organisational innovations.

3.4 The mass media

There is a fine line to be drawn between in-depth investigative journalism or documentary film-making and socio-economic research. Sometimes they can best be distinguished by differences in depth, time-scale and presentation.

The mass media play an important role in the dissemination of research results. But sometimes they also act as initiators of research, for instance by commissioning opinion polls, soliciting members of the public to come forward to take part in research projects or setting up and recording controlled social experiments. Social researchers may find themselves co-opted to act as advisers on major media projects. Occasionally a publisher might even meet the cost of a research project in the form of an advance payment to a researcher who is already an established author.

3.5 The academic community

A great deal of socio-economic research continues to be carried out within academic environments. Sometimes this is funded by universities themselves or by individual scholars accumulating study time in which to do their research. More often it is funded by commissions or grants. Most countries have national funding councils for economic and social sciences and there are also a variety of grant-giving foundations and charitable trusts. The European Commission has played an increasingly important role in funding research through its various Framework Programmes as well as directly from the various policy-related Directorates General.

In recent years there has been an increasing tendency for research funders to organise their programmes around particular policy-related themes, directly reflecting the priorities of government. Calls for research

on various aspects of the information society or knowledge-based economy are an example. There has also been a trend in many countries towards concentrating resources in a relatively small number of centres of excellence.

This growing requirement for academically funded socio-economic research to address issues of current policy concern has resulted in some convergence between academic and non-academic research.

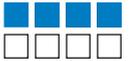
The submission of research proposals is, in consequence, becoming an increasingly generic activity, as evaluation procedures become more formalised across all fields and adopt more similar criteria. For this reason, in the next section of this guide we look at the process of selecting a socio-economic research proposal as a single process, though of course the criteria will vary across different fields of research and according to the specific needs of the research sponsor.

3.6 Research hosts

Another category of stakeholders in social research, although their interests may sometimes be forgotten, are research hosts – the organisations which provide the field in which research takes place. These include public bodies such as schools and hospitals as well as private bodies such as employers who allow researchers to study their employees, or shopping centres which allow them to study consumer behaviour on their premises. These organisations may directly benefit from the results of the research or they may simply be offering access to allow research to be carried out which is of general public interest. Such organisations may have a duty to protect their patients, employees or clients and also have a right to know what standards of behaviour to expect of researchers.

3.7 The general public

Although individual citizens are not normally involved in commissioning socio-economic research, it should be remembered that the general public is often the ultimate end-user of research, either directly or indirectly. It is therefore important that research proposals include a strategy for disseminating the results in an accessible manner, or for implementing them in some practical way (*eg* taking the research into account in the design of a new product, service or policy).



four

What to Look for in a Research Proposal

As we saw in the last chapter, a very wide range of people are now involved in one way or another with commissioning, evaluating, acting on or disseminating socio-economic research. Some of these may have academic training in the social sciences but many are specialists in other fields, such as technology and the 'hard' sciences, or particular fields of business or policy.

In addition, specialist researchers are increasingly called upon to take a step back from their everyday research roles in order to take part in other research-related activities including consultancy on the development of research programmes, the evaluation or review of research proposals or projects, providing advice to publishers or conference organisers or other broader roles in the socio-economic research community.

In the interests both of fairness and of quality it is becoming increasingly important to ensure that the standards by which research is judged are explicit and transparent and conducive to the development and maintenance of international standards of excellence.

This chapter focuses particularly on the evaluation of research proposals, but many of the points in it apply equally to the evaluation of completed research work and to the processes of peer review which play such an important role in determining appointments, promotions, awards, publication and inclusion in conference programmes.

4.1 Utility and relevance

Perhaps the most important starting point in the evaluation of any research proposal is its utility and relevance.

Will its results add to the overall sum of human knowledge? Will they generally benefit society? More specifically, do they address the terms of the research brief or call for tender to which the proposal is a response?

In order to answer the last question, two preconditions are necessary. Firstly the wording of the research brief or call for tender needs to be clear about the aims and scope of the requested research; and secondly the proposal should clearly specify how it will address these and what the intended outcome will be. It is therefore helpful to have clearly specified objectives and outputs.

However, it is not enough for a proposal simply to promise to achieve what the funders have specified they want. Evaluators have to be able to make a judgement about how realistic this promise is. In order to do so, they will need both to be aware of the current state of the art in the field and to be able to form a judgement of what the proposed research will add to the state of the art.

It is therefore important that evaluators are chosen on the basis both of their knowledge of the criteria of the funding programme and of the state of the art. Good practice requires evaluators to be honest about the limitations of their knowledge (see RESPECT code of practice – at the beginning of the report).

Some of the skills and knowledge which successful European project co-ordinators bring to the task of developing a proposal are summarised in

the Chapter 5. As will be seen, they do not just involve specialist knowledge of a particular research field but also a range of, sometimes tacit, understandings of the European policy context, the issues which are most pressing, the research already carried out and the questions raised by it, as well as the other important researchers and institutes in the field.

4.2 Originality

A knowledge of the state of the art is important in assessing the added value which will result from any given research study; however it is even more vital when assessing the innovativeness of a proposal. All researchers stand on the shoulders of their predecessors and any serious proposal will be carefully grounded in the results of past research. However it should clearly demonstrate innovativeness, whether this is in the theoretical approach adopted, in the topic addressed, in the methodology or in the field of application.

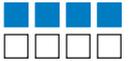
In the rapidly-growing international, interdisciplinary field of socio-economic research, establishing the innovativeness of a proposal can be very difficult. In many cases, a lack of originality may not be conscious. When particular problems are recognised as priorities for public policy, or when certain topics are fashionable, it is inevitable that similar research questions will suggest themselves to many people at the same time, and a good deal of inadvertent replication may take place. This is not necessarily a bad thing: provided there are significant variations (for instance if the research is carried out in a different place, or with a different group of subjects) then such similarity can offer a useful source of comparative information and analysis. Matters become more serious when research is plagiarised without acknowledgement.

Intellectual property in research results is discussed in a Chapter 6 and, as will be seen, the legal situation is complex. Copyright exists in research results, both in data sets themselves and in any writing or analysis based on them. There may even be some circumstances in which a particular method of analysing them (for instance a computer programme used for

statistical analysis) may also be copyright. However there is no copyright in *ideas* as such. Despite this, good practice demands that researchers should acknowledge the sources of any ideas of others on which they have drawn significantly to develop their own work, whether these debts are conceptual, methodological or related to content. Funders are not getting good value if the work they are commissioning is second hand, whether this had been translated or copied (or cut and pasted) from the work of others or, indeed, from the researcher's own past work.

The requirement for originality does not mean that there is not a place for research which replicates existing studies (for instance to test whether the findings remain valid in a different time or place or involving different research subjects). There is also an important role for carrying out *scoping exercises, literature reviews, or, overviews of the evidence* in particular fields which inevitably involves revisiting well-trodden ground. It is also valid to ask experienced research teams to reanalyse or summarise their own past work in order to highlight the implications for a particular academic or policy question. However in any such exercise it is good practice for the researcher to make visible any debts to past work. Failure to do so must be regarded as a breach of professional ethics and researchers who consistently claim originality for second-hand material should be regarded with suspicion.

A good look at the bibliography (and what is omitted from it) can tell an informed evaluator a great deal about the origins of the ideas in a proposal, and how soundly rooted they are in a comprehensive knowledge of the state of the art. However (because even bibliographies can, with modern ICTs, easily be lifted from elsewhere) this should be supplemented by an analysis of the content to see to what extent it actually draws on the sources which are cited by the authors.



4.3 Qualifications of team

In an international research context, it is not always easy to assess the qualifications of team members. Some titles, such as 'professor' carry a different status in differing national or institutional contexts and university degrees which on the face of it appear to be equivalent may similarly carry different weights in different countries. Nevertheless, formal qualifications and titles are an important indicator of the standing of researchers.

Even more important than the *level* of qualification is its *appropriateness*. For instance a highly qualified economist may have little to offer to a project requiring the skills of a psychologist.

There are many experienced researchers who lack formal qualifications in the fields in which they are active and nevertheless produce excellent work. Except where the appropriate qualification is a legal requirement (for instance in some legal or health-related fields) researchers should not necessarily be ruled out on the grounds that they are unqualified. However it is good practice for researchers to present their qualifications and acknowledge their limitations, just as it is good practice for evaluators to scrutinise these in the light of the specific nature of the work to be carried out.

It sometimes happens that close relationships develop between clients and research consultants whom they have come to trust on the basis of past work, as researchers or as reviewers or evaluators. For hard-pressed policy makers, a 'safe pair of hands' can be a godsend in an emergency. Valuable though such a relationships can often be, to both parties, it is important (for reasons of fairness as well as quality) that they should not become so taken-for-granted that the consultant's lack of specialist qualifications for a particular task in hand is overlooked. However multi-skilled some experts may be, there is no such thing as 'one size fits all' research consultant.

An important part of the evaluation process involves matching the qualifications within the team to the requirements of the activities outlined in the proposal. For instance if a project is proposing to develop psychometric tests then there should be an appropriately qualified psychologist in the team; if it will be developing or using advanced software packages then it will need someone with the right computer science qualifications; if it is proposing to carry out in-depth qualitative research then it will need to include people with qualifications in ethnography or related disciplines.

As noted in earlier chapters, socio-economic research involves more than 'applied common sense' and each issue should be approached on the basis that it should be researched by a specialist in that field, unless there are strong reasons for selecting an alternative approach (for instance if the field is too new or interdisciplinary for established qualifications to exist).

4.4 Experience and track record of team

Relevant experience counts for even more than suitable qualifications in determining the suitability of a research team. In European projects, in particular (as can be seen in Chapter 5) to ensure a successful outcome competence in the relevant subject area and methodologies need to be complemented by competence in a number of others including management, networking, conflict resolution, communications and leadership. In the present stage of development of the European Research Area there are few, if any, courses leading to qualifications in the field of international interdisciplinary research management, so that these skills can only be developed through experience, although some may be transferable from other fields.

In the case of a large project, it is not enough for a team to have a well-known or charismatic leader. The team should contain within it the full range of appropriate experience which will enable it to deliver what is promised. This includes experience of carrying out research in the relevant

or related fields, experience of the relevant methodologies, whether quantitative or qualitative, experience of successfully managing projects and delivering the results on time, and, where relevant, experience in the types of activities proposed for dissemination (for instance in writing or editing books and articles, in organising conferences, in managing a website or conducting publicity campaigns). In projects which involve collaboration between technologists and social scientists, it is not enough for the partners simply to have the appropriate background within their own disciplines; they should also demonstrate that they are capable of communicating across the disciplinary boundaries.

As with qualifications, it is important that this experience should be compared with the activities on offer to ensure a good fit. For instance if a project will be carrying out a large survey, it needs people with experience in managing such activities; if it will be aiming its dissemination activities at particular target groups, then it needs people who speak the appropriate language(s) and have experience working with them.

4.5 Reputation of team

The reputation of a research team is often difficult to assess without direct personal knowledge of the individuals in it or their past work. In a situation where attempts are being made to make a fair and impartial decision on funding in an open tender situation then it is of course invidious and contrary to equal opportunities policy to give preference to known experts over those who are not known to the reviewers or, conversely, to allow a negative perception of a certain individual or institute to colour the evaluator's judgement.

Nevertheless, the reputation of a team is intimately linked with the previous factor, relevant experience, and cannot always be separated from it entirely.

A number of the indicators which are used as evidence for suitable experience are also, inevitably, also indicators of the reputation of a

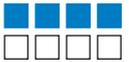
particular researcher or team. They include lists of national or international projects which team members have managed or contributed to in the past, lists of satisfied clients, publications, citations, numbers of 'hits' on websites, conference presentations, media appearances, honours or awards.

In some situations it may be appropriate to ask for references to establish the good standing of a researcher.

4.6 Appropriateness of methodologies

Whilst it is not normally necessary to go into minute technical detail, it is a sign of a good research proposal that it gives a clear indication of the research methods to be used. These should not only be *robust* and capable of producing *valid* results. They should also be *appropriate* to the aims of the project.

In the multidisciplinary environment of international socio-economic research projects, a great deal of misunderstanding is engendered by failures to appreciate differences between methodologies which draw on different academic and national traditions. In particular, there is often a gulf between experts who come from a background in *quantitative* research and those from *qualitative* traditions. Quantitative researchers may be used to handling very large data sets, drawn from large surveys or censuses. Their emphasis may be on such issues as *representativeness*, or *significance*. Qualitative researchers typically work with small numbers of cases which are analysed in greater depth. Their raw material may consist of long interview transcripts, videotapes or detailed ethnographic diaries. They are likely to emphasise qualities such as *reflexiveness*. To a traditional quantitative researcher their methods may seem very time-consuming and wasteful of resources and the results too narrow to permit generalisation. To a qualitative researcher, on the other hand, quantitative methods may seem crude and shallow, and likely to include hidden forms of bias or exclusion resulting from the ways in which the data are captured. Many projects combine the best of both worlds, and this is indeed one of the



many advantages of interdisciplinary research. However it is important to ensure that the evaluation process is not distorted by the particular background and leanings of the evaluators. It is also important to ensure that any methods proposed are appropriate to the topic under investigation. Here there is also an onus on the proposer to justify clearly any methods that are proposed.

4.7 Access to resources and research subjects

It is not enough for a project to propose innovative and interesting methodologies applied to relevant research topics. The proposers must also be able to demonstrate that the research is feasible. Do they have access to the relevant data? And have they shown evidence that their selected research subjects are likely to agree to speak to them?

4.8 Management capability

In research, as in other fields, good management plays a crucial role in the success of a project. As will be seen in Chapter 5, however, the management of multidisciplinary international research projects presents several challenges.

In a large multi-partner project, management will be required at a number of different levels. It is therefore important to have a clear *management plan*, which outlines the roles of all partners and how they interconnect with each other. Typically this involves a *project director* together with partners based in different teams, who may combine the role of leading national teams with other roles such as *workpackage leader*. In some projects, there is a division of roles, for instance between a *financial co-ordinator* and a *scientific co-ordinator*.

Managers' tasks involve a wide range of activities including *planning and scheduling*, setting in place *quality control* procedures and procedures for ensuring the work is completed on time, and within the designated

budget. It also includes *liaison* with the client, with research partners and with the outside world. A partnership requires different management techniques from those employed in a typical hierarchical organisation. Large projects are held together by horizontal networks of mutual trust and respect rather than direct vertical chains of command. The tasks of resolving conflicts and synthesising different national styles, concepts and theories while continuing to sustain motivation and focus are not easy to combine. As already noted, we have yet to see the emergence of European courses in research management on any significant scale so most of these skills have to be acquired 'on the job'. The best indicator for them, therefore, is successful past results.

In addition to the competencies of individual managers it is also necessary to ensure that they are based within organisations which are competent to administer research projects in terms of their stability, financial capability, infrastructure, staffing and other resources. It is, however, worth bearing in mind that a 'good' institute may nevertheless include incompetent managers, and *vice versa*. It is important to take both factors into account separately.

Assessing the management capability of a research consortium involves assessing the 'hard' evidence presented in a proposal (the management plan, budget, timetable *etc.*) together with the track record of the participating organisations (evidenced by past projects, curriculum vitae of team members, institutional resources *etc.*)

4.9 Communications skills

The best research in the world is useless if nobody can understand the results. It is therefore extremely important that any research team includes individuals who are able to communicate the results clearly and appropriately to a range of different audiences.

This goes far beyond the ability to write a good research report or article for an academic journal (although these skills are of course important). It

also includes the skills to brief policy-makers or journalists, to make presentations at academic and non-academic conferences, to produce summaries and handouts and text for websites and, of course, to communicate effectively across language barriers in a multilingual team.

The RESPECT research reported in the next chapter made it clear that communication skills are extremely important success factors in a typical European project. It is therefore vital that they are taken into account when assessing research proposals.

4.10 Willingness and ability to disseminate

The ability to communicate is a necessary precondition for successful dissemination. However it is also important to ensure that the team is willing and able to do so and has thought about the audiences to be addressed and the most appropriate channels for reaching them.

Thought should be given to the timing of dissemination activities. All too often, research teams rush to complete all their work by a specified deadline and only at that point, usually when all the funds have run out, do they have their dissemination materials completed, leaving no resources to support sharing them with the world.

In the case of relatively autonomous research projects, a good dissemination strategy should therefore go well beyond a list of outputs to be produced. It should also have a realistic timetable, beginning early in the life of the project; a budget which allows for continuation after the completion date, and a realistic assessment of the audiences to be targeted and the means by which this will be achieved.

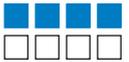
In the case of commissioned research, carried out to a detailed brief, it may be that the client prefers to retain control of dissemination activities. Here, the willingness of the research team to co-operate with such activities even after the life of the project may well be a key criterion.

Funders should note, however, that (with certain exceptions involving commercially sensitive research, normally covered explicitly in the research contract) researchers are bound by the duty to ensure that their work is disseminated responsibly, both to the scientific community (to ensure that it can be subject to peer review) and to the general public (to ensure that the knowledge is made available to relevant stakeholder groups). It is therefore bad practice for funders to attempt to suppress research findings simply because they find them uncomfortable. On the other hand, it is also bad practice to release to the public poor quality research which has not been adequately verified.

Professional practice involves a careful balance between the aim of upholding scientific standards and the aim of avoiding social harm. The best way of ensuring that this balance will be struck is to select experienced and professional researchers who are open to peer review and dialogue with funders.

4.11 Adaptability – relations with client

Apart from purely academic research, almost all socio-economic research takes place in the context of a dialogue with the funder. There is usually a need for ongoing communication throughout the life of a project. The funder needs to be sure that the research remains relevant to a policy or industrial environment which may be characterised by volatility as plans and programmes are amended to take account of changing events or priorities. Research on economic-related issues is particularly liable to be affected by changes in the business cycle. For instance during periods of economic boom, employment researchers might be asked to focus on problems of skill shortage; by the time their results are published and their recommendations ready to be implemented, the context may have changed to one of economic downturn, where high unemployment is the top policy challenge. Technology-related research may also sometimes be overtaken by events, for instance if an unforeseen development in another field renders a particular product redundant.



Research funders, therefore, appreciate research teams that are able to respond flexibly to changing demand. Of course it is unrealistic to ask researchers to make fundamental changes to the aims or methodology of a project. However it may often be possible to speed up the publication of certain particularly timely results, to change the focus of some elements of the work or to add additional questions in response to particular policy challenges.

On the side of the researchers there may also be a desire for flexibility on the part of the funder, especially if the research is exploratory in nature, or if it encounters unexpected obstacles, uncovers interesting and unexpected findings which demand further investigation, or is overtaken by events.

When evaluating research it is therefore useful to examine the extent to which a proposal is capable of adaptation and the willingness of the research team to enter into a dialogue with the funder to ensure the utility of research. Whilst busy project officers do not necessarily appreciate a proposal which requires their involvement at every stage, and it is important that a project is capable of managing its own affairs autonomously, it is also important that this is balanced with an open attitude which encourages inputs from the funder and, in the case of long projects (exceeding, say, three years), allows for the possibility of reorientation at key stages in the progress of the work.

4.12 Value for money

Finally, all other things being equal, it is important to look at the budget allocation for a research project.

First, the unit costs (daily, weekly or monthly rates) of individual staff members should be assessed in relation to their seniority and the going rates in the countries where they are based. Then it is necessary to assess the relative contributions of each of these people in relation to the deliverables which are promised in the proposal to see whether they may

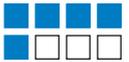
have been over or underestimated. It is important to note that here there may be a trade-off between cost, time and seniority. A junior researcher will typically take longer to complete a task than a more experienced colleague, but at a lower rate. Similarly, there may be national differences. Some countries may offer a more difficult environment in which to carry out research than others, and researchers based there may require more time to complete their tasks, especially if the subject is a relatively unfamiliar one in the local context or if there is a need for a considerable amount of translation to or from the local languages.

Ideally budgets should be broken down so that it can be seen what effort is anticipated for each activity. However in the case of exploratory research it may not always be possible to predict this accurately. It may therefore be reasonable to include some contingency funding or to make an allowance for reallocation of funds between activities as the work progresses.

The allocation of personnel costs to particular research tasks is relatively straightforward; most practicing researchers have developed the ability to make reasonable estimates either directly (if they are self-employed or are already responsible for research teams) or indirectly, via the normal practices of their employer. What is much more difficult to estimate is the additional time and cost involved in working together with other researchers in interdisciplinary or international teams. One important expense is travel and communications (including translation) both in relation to regular team meetings and in relation to the client or other stakeholder groups. EU-funded programmes also typically place great emphasis on dissemination, so it is necessary to ensure that funds are allocated for publications, conferences, workshops, websites and any other dissemination activities envisaged, again including the cost of translation into appropriate local languages where relevant. Another priority emphasised in EU programmes is on *concertation*, to ensure that the results of ongoing research are shared between projects addressing similar issues in order to contribute to building up the *European Research Area*. But perhaps even more likely to be underestimated is the amount of time effort that needs to be invested in the co-ordination of a large

project, progress-chasing, trouble-shooting and remote management. It is thus very important to ensure that the budget allows for such activities. The balance between everyday research costs and other costs (including management, travel, communications and dissemination) is therefore typically quite different from that in a single-partner national project.

In calls for tender, there is usually a fairly precise brief and it is relatively simple to compare one proposal with another across a range of financial and other indicators. However open calls may attract a very diverse range of proposals, with a wide variation in scope and effort. There is a temptation when evaluating a large number of proposals to look at the financial bottom line and regard some projects as 'expensive' and others as 'good value' when measured against a normative unspoken 'average'. In this process some modest proposals involving rather little work may find themselves treated rather generously whilst others involving much more extensive and challenging tasks may be disadvantaged. In order to avoid this, it is important to evaluate budgets against the tasks envisaged, rather than against those of rival proposals. By the same token, it is incumbent on proposers to give clear explanations of the basis of their calculations with a rationale for any particularly costly items.



five

Anatomy of a Typical International Interdisciplinary Research Project

5.1 Introduction

This chapter is based on some detailed research carried out by the RESPECT project to produce an *occupational profile* – a picture of the work actually involved in carrying out a typical multi-disciplinary multi-partner European research project.

This research involved several stages. In the first stage, individual interviews were carried out with people involved at all operational levels in a range of European research projects, many of them interdisciplinary projects funded under the IST Programme. The tasks they carried out were then transposed to a flowchart, starting at a general level with the key purpose of the research project and then becoming more elaborated until we reached the individual functional units (tasks which a single individual may be expected to complete). In the next stage, we deduced the skills and knowledge required to do this work. Finally, we inserted a validation phase. To achieve this, we organised workshops to discuss the profile in four different countries (Belgium, Austria, United Kingdom and Germany). Each of these workshops was attended by a range of experts and people with experience of carrying out European research at a number of different levels. Participants in the workshops were guided step by step through the entire chart, together with the lists of skills and knowledge required at each stage. Only when a full consensus had been reached on the requirements of any given step did the discussion move on to the next.

The entire profile and further details of the research process can be consulted on the RESPECT project website at: www.respectproject.org by means of an interactive flowchart which demonstrates the skills and knowledge required for each stage in the development of the project.

5.2 A typical European research project

The occupational profile is based on the typical management structure of an EU funded multi-partner research project. Although such a project contains some features which are common to many other types of research, it also includes some features which are more formalised than in smaller, less complex projects and others which are simply unnecessary in national projects involving a single institute.

The European multi-partner project could therefore be said to represent an extreme type, or 'hard case', in which many of the activities which are carried out almost unnoticed in a simpler project, relying almost entirely on tacit skills, have had to be made explicit and, in some cases, the subject of formal quality control mechanisms or contractual agreements. The 'hard case' can thus often shed light on what is invisible in less problematic situations.

In the research carried out by RESPECT, the typical project had a management structure in which one co-ordinator had full responsibility for the ongoing project, the different research tasks were subdivided in a number of workpackages and lead partners were in charge of each workpackage. This management structure was considered to be the norm by the majority of the experts who were interviewed individually or took part in the workshops. Nevertheless, other models do exist and may also be successful.

Because the profile was based on this specific management structure, we also carried out a subdivision of the different tasks according to this structure. As can be seen in Table 5.1, we made a distinction between the roles of a research partner, a lead partner and a project co-ordinator. The distinction between roles is made in the following flowcharts and tables,

Table 5.1: Tasks involved in a typical European Research project

Type of task	Description
<i>Distinction by function</i>	
Management tasks	Tasks related to the management of the entire project (co-ordination) Tasks related to the management of the jobs within the national research organisation
Scientific tasks	Tasks related to the execution of the scientific research job (conceptual thinking, execution of the conceptual framework, reporting, dissemination of the results)
Administrative tasks	Tasks related to the administrative aspects of a research project (finances, administrative regulation of the European Union, etc.) and the logistic support and practical organisation of scientific events
Tasks concerning networking	Tasks related to national and international network building and maintaining of contacts whether with regard to the project or not
<i>Distinction by task executor</i>	
Research partner	Involved in the execution of research assignments but doesn't bear final responsibility
Lead partner	Bears the final responsibility for a workpackage within the project, but is not responsible for the entire project
Project co-ordinator	Has general responsibility for the entire project

Source: Analysis by HIVA for the RESPECT project, 2003

symbolised by icons. The differences between managerial, scientific, administrative and networking tasks are also shown in the flowcharts through icons. (The key on page 24 demonstrates the roles and tasks that the icons represent.) Table 5.1 gives an overview of these tasks.

5.3 Skills and knowledge involved

Based on the tasks required to conduct socio-economic research within a European project, we deduced the skills and knowledge to fulfil these tasks. This resulted in three types of skills and knowledge:

- skills and knowledge important for all kind of socio-economic research
- skills and knowledge that become more important in European research
- skills and knowledge that are unique to European research.

The first type reminds us that the core 'business' of European research is still scientific work. Each researcher should be aware that he or she is a member of a professional scientific community and possess relevant skills and knowledge.

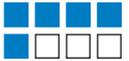
With regard to the other two types of skills and knowledge, it is quite difficult to distinguish between the qualifications that are relatively more important in European research and those that are unique for European research. We therefore group them together here. They can be subdivided into four categories:

- networking
- European knowledge
- management and leadership
- dissemination.

Networking is an important part of European research. The consensus from our workshops confirmed that the single most important task for each researcher in a European project is to function effectively in a multicultural and delocalised team.

To conduct European research, one should at least have a basic knowledge of Europe, its policy, the Member States, the society, *etc.* For this reason, *European knowledge* is also a very important part of the qualification requirements within this profile.

The third category of skills and knowledge – *management and leadership*



– are not universal requirements. But they are essential both for project co-ordinators and lead partners of a workpackage.

Finally, the skills and knowledge required to *disseminate* the results of the study are the same as those required within a national research project, but with an added international dimension.

It is interesting to note that the general skills of using IST technologies are now considered so generic that respondents did not draw attention to them in our interviews. A substantial amount of work has been carried out on the development of competence profiles for ICT functions. Readers who wish to find out more can find interesting material on the website: <http://www.webb.co.at/futureprof/handbook/trans-english.htm>

The skills and knowledge which emerged from the RESPECT exercise as significant are summarised in the diagrams on the next few pages.

5.4 Where the RESPECT code of conduct fits in

The diagrams on these pages use a flow chart format to summarise the tasks involved in a typical European project and the skills and knowledge required at each stage.

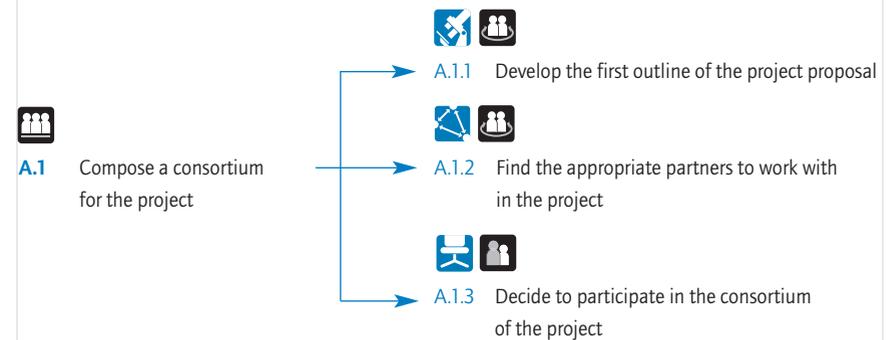
These represent a summary of a project profile which can be searched interactively on the RESPECT website:

www.respectproject.org

Here, we relate this profile to the RESPECT code of practice (see the beginning of the report) showing which aspects of the code become important at each stage in the development and execution of a research project

A.1 Compose a consortium for the project

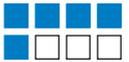
The project co-ordinator develops the first outline of a project proposal and searches for appropriate partners to work with in the project. The co-ordinator selects partners on the basis of the value they can add to the project team. Partners join the team if they fit into the project constellation. Together, they discuss the central research idea in an international perspective, and define the key words of the research proposal.



Skills and knowledge		RESPECT Code of Practice
Required for all socio-economic research	Required for European projects	
  Knowledge of formulating research questions	Knowledge of European society	Take account of the work of colleagues, including research that challenges their own results, and acknowledge fully any debt to previous research as a source of knowledge, data, concepts and methodology
  General knowledge of basic socio-economic concepts and issues	Skills to define problems concerning European interests	Any third parties' materials protected by copyright must be clearly identified and clearly attributable to their original authors, regardless of the form their presentation and quotation might take
  Skills to distil the essence from the discussions concerning the policy field, scientific disciplines and theoretical concepts	Skills to define original research questions concerning European interests	Critically question authorities and assumptions to make sure that the selection and formulation of research questions, and the conceptualisation or design of research undertakings do not presume or determine an outcome and do not exclude unwanted findings from the outset
 		Ensure that the views of all relevant stakeholders are taken into account
 		Ensure the research is commissioned and conducted with respect for all groups in society regardless of race, ethnicity, religion and culture, and with respect for and awareness of gender differences

Skills and knowledge		RESPECT Code of Practice
Required for all socio-economic research	Required for European projects	
  Knowledge of methods to collect information about potential partners concerning their scientific and other competencies	Knowledge of the competencies and attitudes which are important for participation in an international project	Ensure the use of appropriate methodologies and the availability of the appropriate skills and qualifications in the research team
	Skills to fall back on one's own international network	
	Networking skills	
  Knowledge of the competencies and capacities available within one's own research organisation	In-depth knowledge of the European state of the art of the specific research field	Declare any conflict of interest that may arise in the scientific evaluation of proposals or peer review of colleagues' work
  Knowledge of the general research strategy of one's own organisation	Skills to participate in international networks in the specific research field	Report their qualifications and competences accurately and truthfully to contractors and other interested parties, declare the limitations of their own knowledge and experience when invited to review, referee or evaluate the work of colleagues, and avoid taking on work they are not qualified to carry out

- Task**
-  management
 -  scientific
 -  administrative
 -  networking
- Owner**
-  partner
 -  lead partner
 -  project co-ordinator
 -  every partner

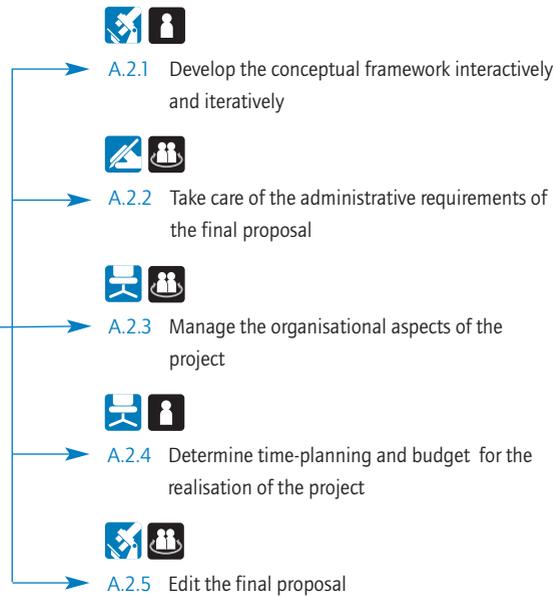


A.2 Elaborate a project proposal

Research partners develop the conceptual framework interactively and iteratively: they define scientific goals and their policy relevance, discuss the theoretical framework, define the research questions, formulate hypotheses, and develop a methodological design for the project. The project co-ordinator takes care of the administrative requirements of the final proposal, sets up a management structure that decentralises the responsibilities and authorities amongst the partners and defines 'milestones' to evaluate the progress of the project. All partners estimate the required time, manpower and budget. Finally, the proposal is edited.



A.2 Elaborate a project proposal



Skills and knowledge

Required for all

socio-economic research

Required for European projects

RESPECT Code of Practice

General intellectual skills such as logical and analytical thinking and skills to summarise

Knowledge of policy themes and social discussions related to the topic of the project at a European as well as national level

Take account of the work of colleagues, including research that challenges their own results, and acknowledge fully any debts to previous research as a source of knowledge, data, concepts and methodology



Knowledge of current developments within the policy field

Knowledge of European structures and cultural diversities

Critically question authorities and assumptions to make sure that the selection and formulation of research questions, and the conceptualisation or design of research undertakings do not presume or determine an outcome and do not exclude unwanted findings from the outset



Knowledge of the basic concepts concerning research design and methodologies and the different steps involved in carrying out a project

Skills to exploit diversity

Any third parties' materials protected by copyright must be clearly identified and clearly attributable to their original authors, regardless of the form their presentation and quotation might take



Skills to translate social problems into research questions

Ensure that the views of all relevant stakeholders are taken into account



Ensure the research is commissioned and conducted with respect for all groups in society regardless of race, ethnicity, religion and culture, and with respect for and awareness of gender differences



Skills and knowledge		RESPECT Code of Practice
Required for all socio-economic research	Required for European projects	
 Skills to work accurately	Knowledge of the administrative and financial rules and regulations related to European research projects	Honour their contractual obligations to funders and employers
 Knowledge of decision-making processes	Knowledge of the European interests of the different European countries	Ensure fair and open recruitment and promotion, and appropriate working conditions for research assistants whom they manage
 Skills to delegate, allocate tasks and compose a research team	Skills to exert a personal influence on the partners of the consortium	Ensure that the research process does not involve unwarranted material gain or loss for any participant
		Avoid any safety risks, harassment or discrimination against research assistants, trainees or other colleagues
 Skills to translate the structure of expenses into a budget needed to do research work		Avoid any behaviour likely to bring the socio-economic research community into disrepute
 Skills to determine crucial phases in a research project		Honour their contractual obligations to funders and employers
		Ensure that the research process does not involve unwarranted material gain or loss for any participant
		Avoid any safety risks, harassment or discrimination against research assistants, trainees or other colleagues

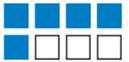
Skills and knowledge		RESPECT Code of Practice
Required for all socio-economic research	Required for European projects	
Knowledge of academic standards	Knowledge of the European research plan (eg tacit rules)	Critically question authorities and assumptions to make sure that the selection and formulation of research questions, and the conceptualisation or design of research undertakings do not presume or determine an outcome and do not exclude unwanted findings from the outset
	Skills to communicate with the European Commission, target audience and co-financiers about the content, design and results of the study	Ensure the use of appropriate methodologies and the availability of the appropriate skills and qualifications in the research team
	Skills to understand the importance of European integration	Any third parties' materials protected by copyright must be clearly identified and clearly attributable to their original authors, regardless of the form their presentation and quotation might

Task

-  management
-  scientific
-  administrative
-  networking

Owner

-  partner
-  lead partner
-  project co-ordinator
-  every partner



A.3 Plan the project implementation

If the European Commission does not allocate as much time and budget as demanded by the project proposal, partners have to discuss the redistribution of the restricted budget and approve an adapted proposal. The co-ordinator will then need to negotiate with the European Commission. The project starts with a kick-off meeting, during which partners get acquainted with the consortium, workpackages are presented, and dates and places for future meetings are assigned. The co-ordinator sets up a consortium agreement.



A.3 Plan the project implementation



Skills and knowledge

Required for all
socio-economic research

Required for European projects

RESPECT Code of Practice

Skills to translate the consequences of changed budget and time into an adjustment of the research plan

Skills to reallocate the tasks based on the budget and time-planning apportioned by the European Commission with transparency

Skills to formulate, justify and evaluate chosen methods and means for the allocated workpackages

Skills to participate actively in a meeting

Knowledge of legal issues (model contracts, intellectual property, data protection, publishing rights and duties)

Skills to communicate with the European Commission concerning content, budget and time-planning of the project

Knowledge of the administrative regulations concerning European research projects, imposed by the European Commission

Skills to cope with cultural differences

Skills to let awareness of language, race, ethnicity, nationality, gender, disabilities, class, age and academic status inform your research findings and guide your research practice

Skills to harmonise one's own ideas of doing research in an international team with the ideas of the co-ordinator

In principle, authorship is reserved for those researchers who have made a significant intellectual contribution to a research project, the writing of a research report or another scholarly piece of work

Avoid any safety risks, harassment or discrimination against research assistants, trainees or other colleagues



B.1 Design a conceptual framework for the scientific research

The lead partners clearly define the objectives of the scientific research. They define the concept and work plan for the scientific research, in which the conceptual framework and research plan is detailed.



B.1 Design a conceptual framework for the scientific research



Skills and knowledge

Required for all socio-economic research

Required for European projects

RESPECT Code of Practice

General intellectual skills such as logical and analytical thinking and skills to summarise

Knowledge of one of the main European languages

Take account of the work of colleagues, including research that challenges their own results, and acknowledge fully any debts to previous research as a source of knowledge, data, concepts and methodology



Skills to synthesise

Critically question authorities and assumptions to make sure that the selection and formulation of research questions, and the conceptualisation or design of research undertakings do not presume or determine an outcome and do not exclude unwanted findings from the outset



Ensure that the views of all relevant stakeholders are taken into account



Ensure the research is commissioned and conducted with respect for all groups in society regardless of race, ethnicity, religion and culture, and with respect for and awareness of gender differences

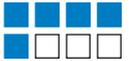


Knowledge of the socio-economic developments and current affairs within the field of study

Ensure the use of appropriate methodologies and the availability of the appropriate skills and qualifications in the research team



Task	management	Owner	partner
	scientific		lead partner
	administrative		project co-ordinator
	networking		every partner



Skills and knowledge

Required for all socio-economic research

Required for European projects

RESPECT Code of Practice

Submit their own methodology and findings to peer review

Any third parties' materials protected by copyright must be clearly identified and clearly attributable to their original authors, regardless of the form their presentation and quotation might take

Ensure that participation in research is voluntary, on the basis of informed consent, except when data collection is required by law, or when over-ridden by exceptional circumstances (eg observational research on criminal activity)

Ensure that research participants are protected from undue intrusion, physical discomfort, personal embarrassment or psychological or other harm

Ensure that the research process does not involve unwarranted material gain or loss for any participant



Knowledge of the basic terms of frequently used research approaches and methods



Knowledge of ethical codes



Ensure that participation in research is voluntary, on the basis of informed consent, except when data collection is required by law, or when over-ridden by exceptional circumstances (eg observational research on criminal activity)



Ensure that research participants are protected from undue intrusion, physical discomfort, personal embarrassment or psychological or other harm



Ensure that the research process does not involve unwarranted material gain or loss for any participant

B.2 Execute the scientific research within a European scientific research project

Research partners execute the assignment as agreed upon. Each partner follows the successive steps of the methodology as defined in the workpackage plan, and ensures compatibility with the work of other partners within the workpackage. Partners give feedback about the work, help to solve problems, and adjust the work if necessary. The co-ordinator keeps an overview of the entire project, facilitates information exchange amongst partners and distributes information from the research project archive when needed.



B.2 Execute the scientific research within a European scientific research project



B.2.1 Execute the assignment as agreed upon



B.2.2 Obtain uniformity in the scientific approach of the consortium partners



B.2.3 Communicate with partners concerning the scientific assignments

Skills and knowledge		RESPECT Code of Practice
Required for all socio-economic research	Required for European projects	
  Methodological knowledge and expertise	Skills to adhere to the agreed standards concerning data collection	Demonstrate an awareness of the limitations of the research, and report fully on any methodologies used and results obtained (for instance when reporting survey results, mentioning the data, the sample size, the number of non-responses and the probability of error)
 		Researchers in socio-economic studies are obliged to protect confidential data, ie information on identifiable individuals
 		Ensure that participation in research is voluntary, on the basis of informed consent, except when data collection is required by law, or when over-riden by exceptional circumstances (eg observational research on criminal activity)
 		Take special care to protect the interests of children, the mentally impaired, the elderly and other vulnerable groups
 		Ensure that the views of all relevant stakeholders are taken into account
 		Ensure that research participants are protected from undue intrusion, physical discomfort, personal embarrassment or psychological or other harm

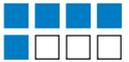
Skills and knowledge		RESPECT Code of Practice
Required for all socio-economic research	Required for European projects	
		Ensure that the research process does not involve unwarranted material gain or loss for any participant
		Ensure the research is commissioned and conducted with respect for all groups in society regardless of race, ethnicity, religion and culture, and with respect for and awareness of gender differences
		Submit their own methodology and findings to peer review
		Researchers in socio-economic studies are obliged to protect confidential data, ie information on identifiable individuals
		Avoid any safety risks, harassment or discrimination against research assistants, trainees or other colleagues
Knowledge of systems for coding and classifying information by origin, type, time of creation, subject and status	Skills to explain the research plan clearly to associated partners (face-to-face or by e-mail)	Ensure the use of appropriate methodologies and the availability or the appropriate skills and qualifications in the research team
Knowledge of how to determine information flow	Skills to adapt the conceptual framework when problems occur in one of the other countries	Researchers in socio-economic studies are obliged to protect confidential data, ie information on identifiable individuals
	Skills to classify information so that all partners are able to retrace it	

Task

-  management
-  scientific
-  administrative
-  networking

Owner

-  partner
-  lead partner
-  project co-ordinator
-  every partner



B.3 Report and deliver the output of the scientific research

Research partners shape the output of the scientific research. They explain the output, and adapt it if there are fundamental issues concerning their own part. The lead partner analyses the partners' results, integrates these into a deliverable concerning the workpackage, and derives policy recommendations. The project co-ordinator checks the quality of the partners' work, and collates the deliverables of the different workpackages. The co-ordinator communicates the output of the scientific research activities to the European Commission on time.



B.3 Report and deliver the output of the scientific research



Skills and knowledge

Required for all

socio-economic research

Required for European projects

Knowledge of academic writing methods to present research output

Knowledge of the reality and perceptions of European policy in public as well as in private organisations

Knowledge of scientific standards of research: the method of data collection and related meaning, reliability, validity and generalisability of the research

Knowledge of the most important developments within the European Union, especially those related to one's own research topic

Skills to translate the results of scientific research into relevant policy recommendations

Skills to make the expected project aims and quality requirements clear to all partners of the consortium

RESPECT Code of Practice

Demonstrate an awareness of the limitations of the research, and report fully on any methodologies used and results obtained (for instance when reporting survey results, mentioning the data, the sample size, the number of non-responses and the probability of error)

Ensure that research findings are reported by themselves, the contractor or the funding agency truthfully, accurately, comprehensively and without distortion. In order to avoid misinterpretation of findings and misunderstandings, researchers have a duty to seek the greatest possible clarity of language when imparting research results

Researchers should respect the anonymity, privacy and confidentiality of individuals participating in the research, and ensure that the presentation of data and findings does not allow the identity of individuals participating in the study or informants to be disclosed or inferred



Skills and knowledge

Required for all socio-economic research

Required for European projects

RESPECT Code of Practice

In principle, authorship is reserved for those researchers who have made a significant intellectual contribution to a research project, the writing of a research report or another scholarly piece of work.

Any third parties' materials protected by copyright must be clearly identified and clearly attributable to their original authors, regardless of the form their presentation and quotation might take

Ensure that research results are disseminated in a manner that makes them accessible to the relevant social stakeholders

Ensure the research is commissioned and conducted with respect for all groups in society regardless of race, ethnicity, religion and culture, and with respect for and awareness of gender differences

Knowledge of the imposed standards concerning the final report

Skills to spread responsibilities among the lead partners and the co-ordinator

Skills to distil the essence from the workpackages



Skills to relate the results of the scientific research to the research questions

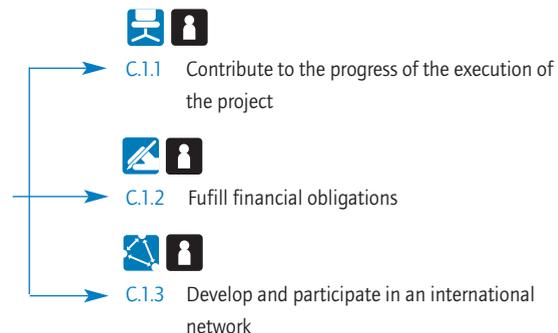


C.1 Contribute to the ongoing development of the project and network

Research partners contribute to the ongoing progress of the project. They check progress based on clear timetables, and handle deliverables, reviews and milestones on time. Partners fill in the cost statements at the prescribed times, the co-ordinator collates them and creates a single cost statement for the entire project. Partners develop and participate in the international network. The co-ordinator maintains contact with the European Commission and with related projects.



C.1 Contribute to the ongoing development of the project and its network

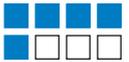


Task

- management
- scientific
- administrative
- networking

Owner

- partner
- lead partner
- project co-ordinator
- every partner



Skills and knowledge

Required for all
socio-economic research

Required for European projects

RESPECT Code of Practice

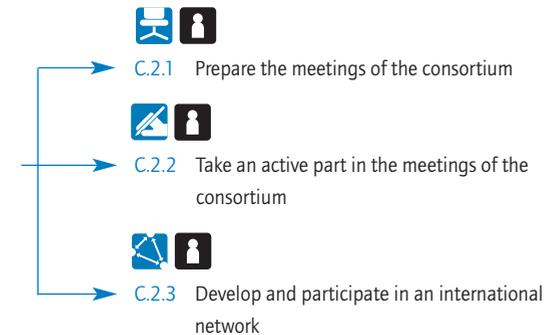
	Knowledge of the statutory regulations and contracts with the European Commission	Knowledge of administrative procedures which have to be fulfilled during the project	Avoid any behaviour likely to bring the socio-economic research community into disrepute
		Skills to make a summary of the state of affairs	
		Skills to manage one's own time and research planning	
		Basic knowledge of the costs and funding rules of the European Commission	Honour their contractual obligations to funders and employers
		Skills to fill in cost calculation sheets following the rules of the European Commission	
	Knowledge of the related projects	Basic knowledge of the impact and sensitivity of written communication	Report their qualifications and competences accurately and truthfully to contractors and other interested parties, declare the limitations of their own knowledge and experience when invited to review, referee or evaluate the work of colleagues, and avoid taking on work they are not qualified to carry out
	Knowledge of the target audience of the project	Skills to cope with the European bureaucracy	Submit their own methodology and findings to peer review
	Skills to let the target audience formulate their needs		

C.2 Keep in contact with the partners of the consortium

Research partners prepare the meetings of the consortium. The co-ordinator prepares the meeting by drawing up the agenda, and finding suitable accommodation and catering for the meeting. All partners prepare for the discussions about their respective workpackages. They take part in the discussions, and present their own work. The co-ordinator takes minutes of the meeting and summarises action points agreed upon during the meeting. Partners need to be aware that they act in a multicultural team, and have to cope with differences in attitudes and communication styles.



C.1 Networking

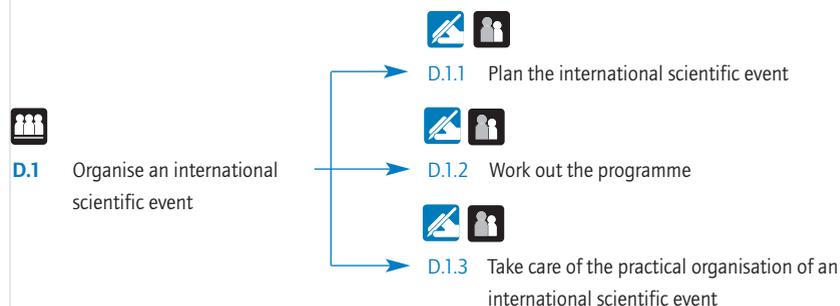


Skills and knowledge **RESPECT Code of Practice**

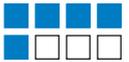
Required for all socio-economic research	Required for European projects
 Skills to plan and organise 	Knowledge of the requirements concerning accommodation, catering and other demands during meetings
 Knowledge of methods for discussion and brainstorming 	Skills to perform in a group
	Skills to cope with flexibility concerning meeting places (be prepared to travel)
 Knowledge of social dynamics of a group 	Basic knowledge of the different European societies (politics, history, geography)
	Knowledge of the European discourse
	Skills to cope with different views

D.1 Organise an international scientific event

The lead partner will decide on the concept and the size of the international scientific event. They take care of the practical organisation of the event: planning and budgeting the entire event, deciding on suitable locations, arranging the catering and accommodation, inviting speakers and chairpersons, arranging interpreters and logistic support during the event, and follow-up after the event.



Task	 management	Owner	 partner
	 scientific		 lead partner
	 administrative		 project co-ordinator
	 networking		 every partner



Skills and knowledge

Required for all socio-economic research

Required for European projects

RESPECT Code of Practice



Knowledge of (international) events with related topics

Same skills and knowledge as required for all socio-economic research, but with an international dimension

Ensure that research results are disseminated accurately and responsibly



Knowledge of the important considerations affecting a conference location

Declare the source of funding in any communications about the research



Skills to develop clear ideas with regard to the (international) event

Researchers should respect the anonymity, privacy and confidentiality of individuals participating in the research, and ensure that the presentation of data and findings does not allow the identity of individuals participating in the study or informants to be disclosed or inferred



Knowledge of renowned persons within the research field

Same skills and knowledge as required for all socio-economic research, but with an international dimension

Ensure that research results are disseminated in a manner that makes them accessible to the relevant social stakeholders



Knowledge of advertising channels for (international) scientific events



Knowledge of public relations techniques



Skills to plan and organise



Skills to work independently on the preparation of documentation and maps to inform participants of the location, catering, interpreters, etc.

D.2 Disseminate the scientific results through the project website and/or newsletter

The research partners will disseminate the scientific results through the project website. Partners deliver information with regard to their own research organisation and workpackage to the manager of the website. Lead partners send results and papers, and summarise the deliverables of the workpackage to disseminate through the Internet. They also write contributions for the newsletter, respecting the prescribed deadlines. The co-ordinator determines these deadlines, checks spelling, grammar, terminology and layout, and takes care of the distribution of the newsletter.



D.2 Disseminate the scientific results through the project website and/or newsletter



D.2.1 Disseminate the scientific results through the project website



D.2.2 Disseminate the scientific results through the newsletter

Skills and knowledge

Required for all socio-economic research

Required for European projects

RESPECT Code of Practice



Knowledge of how to write a good summary (a brief answer to the most important research questions, very readable and often illustrated with convenient schemes and graphs)

Same skills and knowledge as required for all socio-economic research, but with an international dimension

Researchers should respect the anonymity, privacy and confidentiality of individuals participating in the research, and ensure that the presentation of data and findings does not allow the identity of individuals participating in the study or informants to be disclosed or inferred



Knowledge of how to present research results to a broad public

Declare the source of funding in any communications about the research



Knowledge of how to present research results to a specific public

Same skills and knowledge as required for all socio-economic research, but with an international dimension

Ensure that research results are disseminated accurately and responsibly

Ensure that research results are disseminated in a manner that makes them accessible to the relevant social stakeholders



Skills to use different channels to bring the newsletter to the target group

In principle, authorship is reserved for those researchers who have made a significant intellectual contribution to a research project, the writing of a research report or another scholarly piece of work



Any third parties' materials protected by copyright must be clearly identified and clearly attributable to their original authors, regardless of the form their presentation and quotation might take

D.3 Fulfill additional efforts to disseminate the scientific research results

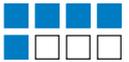
Research partners present the scientific research results at conferences, workshops, etc. They write abstracts and conference papers. They also publish the results, *eg* in specialist journals. They inform and/or advise national policy makers, by writing policy briefs, organising workshops for policy makers, or making sure they know about the website or read the newsletters. Press releases or 'popular' versions of the main research results ensure dissemination through press and other media channels.



D.3 Fulfill additional efforts to disseminate the scientific research results



- | | | | |
|-------------|----------------|--------------|----------------------|
| Task | management | Owner | partner |
| | scientific | | lead partner |
| | administrative | | project co-ordinator |
| | networking | | every partner |



Skills and knowledge

Required for all socio-economic research

Required for European projects

RESPECT Code of Practice

Researchers should respect the anonymity, privacy and confidentiality of individuals participating in the research, and ensure that the presentation of data and findings does not allow the identity of individuals participating in the study or informants to be disclosed or inferred

Declare the source of funding in any communications about the research

Ensure that research results are disseminated accurately and responsibly

Ensure that research results are disseminated in a manner that makes them accessible to the relevant social stakeholders

In principle, authorship is reserved for those researchers who have made a significant intellectual contribution to a research project, the writing of a research report or another scholarly piece

Any third parties' materials protected by copyright must be clearly identified and clearly attributable to their original authors, regardless of the form their presentation and quotation might take

Skills and knowledge

Required for all socio-economic research

Required for European projects

RESPECT Code of Practice

Knowledge of the channels to communicate with stakeholders

Skills to communicate the research results to the stakeholders

Skills to anticipate the (inter)national policy developments related to the research topic

Skills to hold a press conference concerning the project

Skills to formulate the research results in a popular way

Same skills and knowledge as required for all socio-economic research, but with an international dimension

Same skills and knowledge as required for all socio-economic research, but with an international dimension



Skills to give a clear oral presentation of the research results

Same skills and knowledge as required for all socio-economic research, but with an international dimension



Skills to adapt the oral presentation to the audience



Knowledge of the standards for publication: guarantee reliability and validity through scientific justification

Same skills and knowledge as required for all socio-economic research, but with an international dimension



Knowledge of the standards of a well-considered research publication



Skills to write accessibly and in a manner appropriate to the audience



Who Owns What? Intellectual Property in Socio-Economic Research

Research is an activity which both draws on the intellectual property of others and in turn creates new intellectual property. Intellectual property law is complex and varies considerably from one state to another. It is also currently in a process of rapid change as a result of a combination of factors. These include the impact of ICTs and the Internet, and global trends towards harmonisation, such as initiatives by the World Trade Organisation and the EU.

When research involves multiple partners and is carried out internationally, as well as including a mixture of past work (which may be owned by individuals or organisations within the research team) as well as new work (which may be owned by the research commissioner) then the situation becomes even more complex.

In general it is a good idea to ensure that all matters pertaining to intellectual property in socio-economic research are spelled out in contracts between the research teams and the funders as well as in consortium or partnership agreements between the partners and, where necessary, in individual contracts of employment or subcontracts for the supply of services. It is also, of course, important that all parties are fully aware of their legal rights and obligations.

The RESPECT project carried out an overview of intellectual property law in Europe, which is available in full as a report which can be downloaded from the website at www.respectproject.org. The responsibilities of researchers are also summarised in the RESPECT Code of Practice.

Here we summarise the main practical issues which arise in the development and implementation of research projects and programmes with a focus on the issues which arise for research users.

The responsibilities of research users

- Research funders should make sure that Intellectual Property Rights are clearly spelled out in contracts, that authorship is clearly attributed and that research is carried out in compliance with the law. They should never pressurise researchers into taking risks with others' intellectual property
- Research managers should ensure that their staff are aware of the relevant Intellectual Property legislation and, where necessary, provide training in good practice. They should not put pressure on researchers either to give up their own rights or ignore those of their colleagues
- Research evaluators and reviewers should make sure that research proposals demonstrate an awareness of Intellectual Property law and that the research design does not involve plagiarism or other breaches
- Research disseminators should ensure that authorship is correctly attributed and respect the economic and moral rights of researchers

It should be noted that the EU *Directive 2001/29/EC*, designed to harmonise parts of copyright law, has not yet been completely implemented across all Member States. Even where it has already been implemented in national copyright law there are still many national exceptions to the rules. It is therefore advisable to check the more detailed documentation if in doubt about any aspect. The complexity of the law means that sometimes it is necessary to seek specialist legal advice.

Perhaps the most important message for the research community is that *Intellectual property is an important issue and becoming more so across the world*. This means that it is now essential for researchers and their funders and publishers to be fully aware of the Intellectual Property implications of their actions.



6.1 What is Intellectual Property?

Intellectual property rights were created to protect intellectual creations. They grant creators and producers of intellectual goods (temporary) rights to control the use of their creations or productions. Intellectual property rights encompass the rights resulting from intellectual activity in many fields, including socio-economic research. Intellectual property aims:

- to create a legal framework governing creators' control over their works and the use thereof; and
- to encourage the creation and dissemination of new pieces of work.

Intellectual property is a broad term, comprising two main branches – *industrial property*, and *copyright* (including related rights).

Industrial property deals mainly with the protection of inventions (patents and utility models), marks (trademarks and service marks) and industrial designs, to prevent unfair competition. In socio-economic research, however, it is *copyright* and related rights which are most likely to be relevant. The subject matter of copyright and related rights is traditionally described as 'literary and artistic works', in other words, original creations in the fields of literature and arts. However, these rights also apply in other sectors and include print media, arts, music, sound recordings, films, broadcasting, computer programmes, databases and other types of multimedia works. They therefore cover most of the typical outputs of socio-economic research.

6.2 Which laws apply?

In the age of the Internet, and the increasingly international composition of research teams, it is not always obvious which national law is applicable. Research funders and disseminators, as well as researchers themselves, should bear in mind that many acts of using copyrighted material are not limited to the territory of one particular country but concern several territories. Therefore they should examine which different national legislations could possibly be touched by their research activities.

In general, at least the law of the country in which the act whose copyright legality is in question occurs is applicable. This rule applies independently of the nationality of the user or the author, and irrespective of where the work was first published.

The distributor needs to take into account all the different copyright laws of the countries in which distribution takes place. Only the laws of countries to which copies are distributed unintentionally can usually be ignored.

In an online environment the act of making available is not considered to take place in the country where the uploading server is located, but in all countries where the material can be retrieved and looked at. As some Courts in the EU and the US tend to limit the number of applicable national laws by considering only the laws of the countries to which the website is directed. It is good advice for websites which disseminate research to use a disclaimer stating that the website addresses only users in specific countries.

6.3 What material is protected?

Copyright protection has two basic requirements throughout the EU, although the exact legal wordings and interpretations differ:

- some kind of originality/certain level of creativity/ personal intellectual creation
- expression in a particular form.

As a general principle, it is therefore wise to start from the assumption that almost any socio-economic research activity concerns copyrightable material. If the research involves the Internet, either as a source of material or as a means of dissemination then this should be regarded as an *international activity* entailing possible copyright protection issues not only in other Member States but also in other parts of the world.

If there are any doubts, to be on the safe side, material of third parties used within a research activity should be considered as possibly protected by copyright.

The results of any research activities should always contain an indication of the copyright-holder (copyright-notice). Although this is neither a legal requirement nor an exact proof, it helps other researchers to respect copyright rules.

6.4 What are the rights of an author?

In principle, authors have two distinct types of rights in the material they produce – economic rights and moral rights.

In general, the author of any piece of work is the owner of the copyright. However this is not always the case. For instance in many countries it is normal for the copyright to be vested in the employer when the research has been carried out by employees as part of their employment. In some

cases, especially when research is 100% funded, it may be owned by the research funder. This also applies to economic rights. Among other things, economic rights cover:

- copying in any form
- communicating or making available to the public in any form
- distributing in any form

But even when the author does not own the copyright, he or she retains *moral rights* in the work. Among other things, moral rights include:

- the right to be recognised as the author of the work;
- the right not to have the work altered without explicit authorisation; and
- the right of publication

Any use of material without the authorisation of the copyright holder or statutory permission can be an infringement of the author's rights. Even the simple downloading of a scientific article on a personal computer should only be done where exceptions apply (see below). It is sometimes argued that tacit authorisation is granted by those putting up the material on the Internet. However, this can only apply to the inevitable temporary RAM storage. Permanent storage (e.g. on a hard disk) needs the right-holder's consent, unless a more or less explicit consent (e.g. 'click here for download') is included in the website – and even then it will not cover any other restricted acts. The idea of the Internet as an area of free exchange where 'anything goes' is certainly not correct. Good practice online is just as important as in traditional research activities. Acts restricted by exploitation rights in the analogue environment will, in general, also be restricted when carried out in the digital environment. In some cases the law may be even more restrictive. Authorisation should therefore be obtained before redistributing or re-communicating material purchased online.



Good practice

- To be on the safe side, when in doubt, researchers (or their publishers) should ALWAYS obtain the author's permission
- Rights ownership should be clearly spelled out in contracts
- Rights ownership in any works created by third parties should be clearly identified
- When relying on legal permission (exceptions to copyright) all conditions should be observed
- Authorship should be fully acknowledged

6.5 What are the exceptions?

There are certain circumstances in which it is permissible to use copyright material, varying in their details between Member States. The most important of these for research are:

- educational use/teaching
- scientific use
- library and archive use
- private use
- quotation

It is important to note, however that these rights are not unlimited. The basic principle is always that a certain utilisation of copyrighted material may be permitted under designated circumstances without authorisation by the right holder but only under specific conditions. For instance, 'educational use' does not carry the right to make unlimited numbers of copies to handout to students; 'scientific use' does not bring with it a blanket exception for research as such; and 'quotation rights' do not bring an unlimited right to quote.

There are considerable differences between Member States in the exemptions allowed. When in doubt, it is best to give the copyright holder of the work the benefit of the doubt and ask for permission for any intended use, or check the relevant national legislation (summarised on the RESPECT website)

6.6 How long does copyright last?

Copyright only exists for a limited period of time, called the 'term of protection'. Once this has expired, work can be used freely (as long as all related rights have expired as well). Terms of protection has been substantially harmonised by the EU Directive 93/98/EEC of 29 October 1993 on copyright duration ('term of protection'). This states that all EU Member States have to provide as follows:

- With regard to economic rights, copyright protection expires, in principle 70 years after the author's death in all Member States, but the term for moral rights is not harmonised yet. Therefore in some Member States (eg, in France) moral rights are perpetual, while in others, moral rights expire at the same time as economic rights.
- The term runs irrespective of the date when the work is lawfully made available to the public.
- In cases of joint authorship, Collective Works or Works on Commission the term is, in principle, calculated from the death of the last surviving author.
- Related rights expire on shorter terms.

Even if it seems likely that a copyright has expired, it is wise to check the precise respective national legislation for exceptions, with special regard to enduring moral rights.

6.7 What about databases?

Databases, are used frequently within socio-economic research, and will increasingly play a fundamental role in research in a digital environment. In general, databases can be protected by copyright. This kind of protection differs from state to state. Because of these national differences and the fact that the making of databases requires the investment of considerable human, technical and financial resources, databases are protected in all EU Member States under the European Directive 96/9/EC of March, 11th 1996 concerning the legal protection of databases. Where copyright protection cannot be obtained because of a lack of creativity in the development of the database, this Directive provides for the so-called *sui generis* protection where there has been a substantial qualitative or quantitative investment in obtaining, verifying or presenting the contents of the database. Since then, Member States have been required to protect databases in this way and every EU Member State has now adopted the Directive in its national legislation.

Therefore databases, even if they are as rudimentary as a list of links made by a third party, should be handled with care, since databases enjoy strong protection.

Databases are defined as:

- collections or compilations of independent works, data or other materials
- which are systematically or methodically arranged
- and can be individually accessed
- by electronic or other means

In all EU Member States, the Directive protects 'databases in any form'. This definition not only covers electronic databases, but also paper databases such as telephone books, or microfilm collections.

When using third parties' data or collections/compilations of data a researcher has to check whether the relevant data may be qualified as such a database.

The following subjects are explicitly excluded from the scope of protection as a database:

- computer programs used in the making or operation of a database
- the works and material contained in the database (the works themselves might be protected by copyright law if they fulfil the requirements for protection)
- recording or an audio-visual, cinematographic, literary or musical work as such
- the moral rights of the natural person who created the database

According to the Directive 96/9/EC, the author of a database should have the exclusive right to carry out or to authorise: reproduction; translation, adaptation, arrangement and any other alteration; any form of distribution to the public of the database or of copies thereof; any communication, display or performance to the public; or any reproduction, distribution, communication, display or performance to the public of the results

However the legitimate user of a database may perform, without the authorisation of the author of the database, all these acts that are necessary for the purpose of access to the contents of the database and normal use of these contents. This user may retrieve and re-use, without authorisation and for commercial purposes, non-essential parts of the contents of a database, but may not perform acts which unreasonably prejudice the legitimate interests of the maker of the database or of a person providing the works or services contained in the database.

The implications of this for research are considerable. Researchers and



research publishers should check carefully whether the necessary rights have been obtained for any third party material that could be subject to database protection. The fact that material is 'freely available' (for example, on the Internet) does not mean that there are no third party rights attached to it.

If a research project produces material which meets the criteria for protection, for example, establishing a website, it should include a short copyright notice on the webpage or connected to the copyrightable content (e.g. at the beginning or the end of a text, or under a picture).

6.8 What about software?

It is difficult to imagine any socio-economic research activity in the Information Age which does not involve some use of software, if only the use of a word processor. Most of the software used in a professional working environment will not be free, but subject to rights which should be respected. Even for the special purposes of research, statutory or contractual permission is necessary in most cases. The fact that a software package has been bought once does not necessarily mean that the purchaser has acquired all the rights for later research activities (eg. an adaptation of the software might not be permitted; licences usually only permit the installation on a single computer). Statutory protection for software in copyright laws has become increasingly important because more software is mass-marketed through traditional channels from a website without a signed licence agreement.

Copyright protection of software is first of all determined by the EU's Directive 91/250/EEC on the legal protection of computer programs. The aim of this Directive is to establish that Member States should accord protection to computer programs under copyright law as literary work, to establish who and what should be protected, the exclusive rights on which protected persons should be able to rely in order to authorise or prohibit certain acts, and for how long the protection should apply. All Member States have now adopted this Directive.

While the term 'computer program' is not defined in the Directive it includes:

- programs in any form, including those which are incorporated into hardware
- preparatory design work leading to the development of a computer program, provided that the nature of the preparatory design work is such that a computer program can result from it at a later stage.

In the area of software protection, the conditions for protection are the same or very similar in the EU Member States. The necessary level of originality that is required for copyright protection of computer software is defined as the 'author's own intellectual creation'. This requires

- the creation of the software by a human being
- that the material is the result of that person's own intellectual creation.

Nevertheless all researchers should be aware that software is not only protected by copyright but might also be protected by a patent. A patent is an exclusive right for a new invention, normally in the technical field. It is granted by patent offices to give the applicant the right, for a limited period of time, to prevent others from (re-)producing, offering, using or selling the invention without permission. The guidelines for examination in the European Patent office state that a computer program itself or as a record on a carrier is patentable in principle if 'the program has the potential to bring about, when running on a computer, a further technical effect which goes beyond the normal physical interactions between the program and the computer'. Furthermore, like other inventions, a computer program has to meet the criteria of novelty, inventive step and industrial application in order to be patentable. The legal position on the patentability of computer programs is very ambiguous and this issue is dealt with inconsistently across the European Union. If you suspect that a program may be protected (or protectable) by a patent, it is best to take specialist advice.

A checklist for avoiding copyright infringements

- make sure that the respective exception (for research, quotations or the like) really covers the intended use
- make sure that the permission obtained from the right-holder covers the intended use
- make sure that rights really rest with the party in question
- consider online-activities the same way analogue (paper) activities would be considered
- remember that copyright legislation varies between EU Member States
- consider copyright questions in all contracts (employment, research groups, networks etc.)

What to do if there is an infringement of copyright

- If notified that a third party considers a certain use to be an infringement stop that use immediately and tell the notifying party so; if the third party indicates legal consequences seek legal advice immediately
- When you find that a third party is infringing your copyright ask that party to refrain immediately (without waiving further claims)
- If an infringing party does not react properly to your request inform their employer, funder, and/or professional association (see list on RESPECT website) and seek legal advice

6.8.1 What rights are conferred?

The right-holder in a software program owns the rights of:

- reproduction, which includes permanent or temporary reproduction of a computer program by any means and in any form, in part or in whole. This also includes the loading, displaying, running, transmission or storage of the computer program
- translation
- adaptation
- arrangement
- or any other alteration of a program,

- as well as any form of distribution to the public, including software rental.

However, there are certain permissible exceptions to the exclusive rights listed above. Generally speaking, normal activities by 'lawful acquirers' of the program are allowed. Acts do not require authorisation of the author of the program if a reproduction, translation or any other restricted act is necessary for the use of the program by the lawful acquirer in accordance with its intended purpose.

This is especially true for certain reverse engineering techniques. A person with a right to use a copy of a computer program is entitled, without the authorisation of the right-holder, to observe, study or test the functioning of the program in order to determine the ideas and principles underlying any element of the program so long as this does not result in an infringing copy, as the ideas and principles themselves are not covered by copyright.

There is also an explicit right to make one back-up copy which is necessary for the use of the program by the lawful acquirer. Such rights of the rightful possessor cannot even be overridden by contract. This right is restricted to one copy and is only applicable if the right-holder himself did not hand out a back-up copy to the lawful acquirer.

A very important exception is the possibility of decompiling a program to make it interoperable with other programs. Such decompilation is only allowed if:

- it is indispensable to obtain the information necessary to achieve the interoperability of an independently created computer program with other programs
- the decompilation is performed by a person with a right to use a copy of a program,
- the information has not previously been readily available to this person



- the decompilation is confined to the parts of the original program which are necessary to achieve interoperability
- the information obtained by the decompilation is not used for other goals than to achieve the desired interoperability. It may especially not be given away to others, or used for copyright infringing purposes such as the development of substantially similar computer programs.

It should be noted that exceptions for scientific research cannot be applied to computer programs although not all national laws say so explicitly.

The situation regarding rental and lending of software is particularly complex. Rental (i.e. lending for a charge) of third parties' computer software is an infringement if done without permission. There is no obligation upon the copyright owner to give such permission (except in the case of public libraries). Free loan of software is never an infringement as long as the software has been lawfully obtained.

6.9 How can rights be reassigned?

A transfer of rights is needed if a researcher uses a work created by a third party, the usage constitutes an act relevant to intellectual property and the usage is not covered by statutory exceptions or the like. This is normally covered by a *license agreement*

The first step in drawing up a license agreement involves identification of the right-holder. The natural author who creates a work is far from being always considered as the initial owner of the copyright on a work. Therefore, first of all the right-holder has to be identified, bearing in mind that some rights (e.g. moral rights) might have stayed with the creator/author, while some or all of the economic rights may have been transferred to a third party. In such a case, a double authorisation is necessary. Copyright indications on the material itself (copyright notices) are a first indication of whom to address in order to acquire the necessary

rights. Those rights necessary for the intended use have to be identified as exactly as possible, in order to make sure agreements cover neither more nor less than required.

In some Member States, Copyright Acts require that the contract should set out explicitly, for each mode of exploitation, the author's remuneration, the geographical scope and the duration of the transfer.

Once the right-holder has been established, it is necessary to decide what kind of rights the parties want to agree upon. An agreement can (and in some Member States has to) refer to:

- the transfer (assignment or licence) of rights where possible
- an exclusive or non-exclusive licence
- a limited or unlimited period of time (within the terms of intellectual property protection, for example 70 years after the author's death for copyright)
- geographical limits (e.g. reproduction and distribution only within the EU)
- exploitation rights,
- moral rights (not to be renounced generally in any of the Member States but may be waived to some extent in some of the Member States)
- remuneration in all possible forms
- amount of remuneration
- mode and term of payment
- to be on the safe side, licence agreements should be made in written form.

What a contractual agreement should cover

- preamble (parties, subject matter, purpose = intended use)
- rights (assignment of rights, non-exclusive or exclusive licences)
- description of the material (format, quality)
- extent of use (in economic terms)
- description of (technical) necessary acts, e.g. digitisation
- possible alterations (e.g. size, format to meet online needs)
- possible combination with other material
- possible future changes
- duration of contract/period of licence (including notice of – extraordinary – cancellation)
- place of exercise/possible geographical restrictions (less probable for Internet use)
- updates
- moral rights clause
- warranty clause (licensor guarantees to be the author of the respective material and is lawfully entitled to fulfil the contractual obligations)
- indemnification (licensor will have to pay for any damage caused by the fact that the material agreed upon infringes the rights of a third party)
- waiver of liability (e.g. for intention)
- choice of law
- jurisdiction
- amount and form of remuneration (e.g. lump sum, equitable, proportional)
- in an online situation the content of a contractual agreement should be checked carefully because of the danger of precipitation.

It should also be noted that the principle of good faith has to be regarded for all contractual agreements and that in concluding a contract the Principles of European Contract Law may be incorporated.

6.10 What about employment contracts?

Most Member States provide for exceptions to the basic rule that authorship implies ownership, the so called 'creator doctrine'. One of these cases is work made under an employment situation. Where works are created within an employment situation, copyright stays in principle with the employee.

The Copyright and Related Rights Acts of most Member States contain no provision regulating the ownership of works created under employment, with the exception of the provision concerning the creation of a computer program or a database in the course of employment. Nevertheless, employment contracts play an important role: many of them will – explicitly or implicitly – transfer or assign rights to the employer – although in most Member States there are limits to the extent to which moral rights can be transferred.

The precise situation for employed researchers varies from Member State to Member State. When in doubt, the most effective solution is to draw up an explicit transfer/assignment of rights in writing which can be included in the employment contract.

6.11 Authorship and attribution

In addition to the various legal requirements of Member States, a number of conventions exist within the research community which have dictated a normative model of good practice, a model which is often made explicit in the wording of the codes of practice adopted by various professional associations around Europe. Some of these concern the manner in which authorship is to be attributed (see RESPECT Code of Conduct).

In principle, authorship is reserved for those researchers who have made a significant intellectual contribution to a research project or another academic or scholarly piece of work. Seniority and position in a research institution's hierarchy alone is not sufficient for authorship. Honorary



authorship is unacceptable. In cases where several individuals collaborate on a research project or publication, the questions of authorship should be discussed and consensus achieved among participating researchers despite, and if necessary against, unequal hierarchical positions. In this process, the order of authors listed should also be discussed and decided on (*eg* according to the size of their contribution, in alphabetical order, preferential treatment of younger researchers, *etc.*). Listed authors bear responsibility for the contents of the respective publications and the presentation of data and findings in these publications.

Any material, including data, sources, information, ideas and quotes, *etc.* drawn from the work of others must be clearly identified and clearly attributable to their original authors. This should be the case regardless of whether or not the respective content is protected by copyright law. Moreover, this holds for every form of presentation of the original information (*ie* lectures, articles, interviews *etc.*). The only exception arises when the original author (for various reasons) intends to remain anonymous. In such instances, it must be made clear that the information was provided by an anonymous person. Failure to acknowledge the original authorship of any material as well as knowingly presenting ideas and research findings of others in ways that may lead observers to suppose that they are one's own is regarded as plagiarism and is unacceptable.

seven Data Protection, Security and Confidentiality

7.1 Introduction

One of the most far-reaching consequences of the information revolution has been the ease with which it has become possible to transform enormous amounts of information into a digital form, enabling it to be analysed, reanalysed and transmitted almost effortlessly around the globe.

Social research has always used personal information as its raw material but in the past this was normally stored in forms that were relatively secure and analysed using slow and time-consuming methods. In a world in which it was easy to keep paper questionnaires in a locked filing cabinet, data protection was not a major issue.

The situation is now radically different. Data protection is a major issue of public concern, new legislation has been drafted and socio-economic research is in the front line. Socio-economic researchers have a duty to comply with the law but often do not have a complete understanding of the new duties imposed on them by Directive 95/46/CE and the national legislation of most of the current Member States of the European Union that implement it. Researchers' new duties are summarised in the RESPECT Code of Practice (see the beginning of the report).

In this chapter we summarise the issues which research users should be aware of.

The responsibilities of research users

- Research evaluators and reviewers should make sure that researchers are aware of their responsibilities and that projects are designed within the framework of the law
- Research managers should ensure that their staff are aware of their responsibilities and, where necessary, provide the necessary training
- Research funders should ensure that data will be collected, used and stored in accordance with the law, that the responsibility for collecting and holding data is clearly specified in contracts and that suitable arrangements are made for the deletion of personal data when the purpose is achieved or its secure storage once a project is over (if the applicable law authorises such storage and if all the conditions for this longer storage are fulfilled). They should also refrain from improperly requesting information which has been supplied to researchers in confidence
- Research hosts should be aware of the data protection implications of allowing access by researchers to individuals within their organisations
- Research publishers should ensure that no information is published that could lead to the identification of any participant in the research, the only exception being where permission has explicitly been given in advance by research subjects who have been fully informed of this use.

The RESPECT project carried out a review of the data protection legislation as it applies to socio-economic research across Europe and the detailed results are available on the project website. It should be noted that some countries have not yet implemented all the requirements of the Directive in full, so it may be necessary to continue checking with national authorities to verify the current situation in any given country. As with any complex legal issue, there may remain situations where it is necessary to take specialist advice about the legality of particularly problematic forms of processing.



An important concept in the Directive is that of the *purpose* for which data are being analysed. This chapter is based on the assumption that analysis is being carried out for *scientific or statistical purposes*. We do not cover issues relating to processing data for commercial, marketing and medical purposes

7.2 Key principles

The key principles relevant to the processing of personal data were first established by the Council of Europe, and further implemented in Directive 95/46/CE of the European Union. The Directive has two purposes: to allow the free flow of personal data between Member States and to protect the fundamental rights and freedoms of individuals (or 'natural persons'), and in particular their right to privacy with respect to the processing of personal data.

The term 'personal data' is sometimes interpreted as referring only to intimacy – to people's private lives or to sensitive data such as their religion, health or political opinions. In fact the definition embodied in the Directive goes much further than this. It deals with the protection of *all the data related to natural persons* including data relating to their public or working lives (such as their job title, telephone number at work, etc.).

The Directive defines specific conditions and restrictions guaranteeing the protection of data subjects, but the Member States are not allowed to restrict or prohibit these flows to a greater extent than permitted in the framework of the Directive. A specific regime regarding the transfer of personal data to non-EU countries has been put in place to protect data subjects whose data are exported outside the territorial scope of the application of the Directive.

7.3 Key concepts

In order to understand the relevance of data protection legislation to any given research project and ensure that it is carried out lawfully, it is important to understand the key concepts used in the Directive.

7.3.1 Personal data

According to Article 2.a of the Directive, the term 'personal data' refers to '*any information relating to an identified or identifiable natural person ('data subject')*'. An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity'. This is interpreted differently in the laws of certain Member States so it is wise to check the national legislation when in doubt. In general, to be considered as personal data, the data:

- might concern any information regarding the data subjects such as their name, their email address, an opinion, a sound or an image, or their personal circumstances, whether these relate to the data subject's private, professional or public life. This does not just include *direct* information but also *indirect* information (such as information which would make it possible to work out an individual worker's productivity)
- must relate to natural persons. Data strictly relating to companies, public bodies, etc. are not normally regarded as personal data, except in Austria, Italy and Luxembourg where 'legal persons' are also included. Nevertheless, data relating to companies may be protected by other types of legislation.
- might concern persons that are alive or dead at the moment of the processing (again, whether deceased people are covered varies between Member States).

- must allow the direct or indirect identification of the data subject. In most of the Member States, even if a person is not identified, the fact that there is a possibility of identifying them (by any person) is enough to render the data 'personal data'. This might be the case, for instance, if the data include an individually identifiable attribute such as an IP address, if they are coded in a manner which is reversible, or if the sample size is small enough to enable individual identities to be deduced.

7.3.2 Data subject

The data subject is the person to whom the personal data relate.

The data subject – points a researcher should take into account

- whether they are natural or legal persons. This may impact on the *applicability of data protection legislation*
- whether they are dead or alive. This may impact on the *applicability of data protection legislation*.
- their location. This might affect the *applicable law*.
- whether they are still under a statute of minority or not. This might affect the *conditions of the processing*.

7.3.3 Anonymous data

There is no specific definition provided of this term in the Directive. In the RESPECT project, anonymous data were defined as data that cannot be qualified as personal data, since they no longer allow direct or indirect identification of the data subject. The processing of anonymous data is not subject to legal data protection requirements. However, the processing carried out to render data anonymous is considered to be the same as processing personal data. Until the moment the data are rendered anonymous the controller must comply with all the legal requirements for the processing of personal data.

7.3.4 Sensitive data

This term, used in the Directive, refers to specific categories of data revealing sensitive information about a data subject. Despite some differences between national laws, the data considered as being sensitive may be broadly categorised as follows:

- data revealing racial or ethnic origin
- data revealing political opinions, religious or philosophical beliefs
- data revealing trade union membership
- data concerning health (including mental health) or sex life
- data relating to offences, criminal convictions or security measures, and data relating to administrative sanctions or judgements in civil cases.

7.3.5 Processing

The concept of processing is very broad and again varies to some extent between Member States. It concerns any operation or set of operations that are performed upon personal data, whether or not by automatic means. Data processing is considered to be the collection, recording, organisation, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available (*eg* by allowing the inspection of data retrieval by a third party), alignment or combination, blocking, erasure or destruction of personal data.

The processing operations covered by data protection legislation are not limited to electronic files or databases, but also include the processing of data in a manual paper file as soon as this is structured according to certain criteria.

According to Group 29, the concept of processing also includes the



operations performed by Internet software and hardware without the knowledge of the data subject, and hence invisible to them, such as the use of cookies. The exchange of information related to the use of browser software should also be considered as processing.

7.3.6 Controller/ co-controllership/ processor

According to the Directive, the *controller* is the natural or legal person who alone, or jointly with others, determines the purposes and means of the processing of personal data. It is important to identify who the controller of any processing is, since this controller is the one liable for the legality of the processing and the fulfilment of the obligations towards the national data protection authority and the data subjects.

When researchers are carrying out a research project in the context of the work they perform under the authority of an institute or a university the controller will normally be the institute or the university, despite the fact that the researcher will be the one actually conducting the research and applying the data protection requirements. For example, if a research project involves the collection of personal data it will generally be the researcher working for the controller who will take the necessary steps to ensure the appropriate notification of the data subject as required under data protection law.

However in the case of research carried out on the researcher's own account, the researcher will normally be the controller.

Where the work is performed for the benefit of a funder, such as the European Commission, a government, or a company, the funder can only be considered to be the controller if this funder is the one deciding on the purposes and means of the processing. In most situations this will not be the case, because the researcher, whether a university or a consultant, generally remains free to organise the work and define the purposes and means of the processing necessary to carry out the research.

Where several legal or natural persons carry out a research project together, for example as a research consortium, it is important to determine who is responsible for which processing. This can be specified in the contractual documents.

In some cases, the controller may also be directly identified by regulations when a specific law regulates the processing. It is necessary to check this when the processing is conducted by, or for, a public or statutory body.

The *processor* is the natural or legal person, public authority, agency or any other body that processes personal data on behalf of the controller. This will typically be a specialised third-party company that is entrusted by the controller to conduct the technical aspects of the processing, such as the sorting or the combination of the personal data.

There are some differences in the terminology and criteria used by the Member States to define the concepts of controller and processor.

In the case of commissioned research, it is important that the research funder and the researcher reach a clear understanding in advance of the roles of controller and processor to avoid any later confusion.

7.3.7 Purpose

The term 'purpose' is a key concept in data protection regulation, defining the scope of the processing and assessing whether it is lawful or not. The purpose refers to the aim pursued by the specific use of personal data.

The Directive and the national laws refer to 'scientific and statistical purposes' as particular categories of purpose. They provide specific rules when processing is carried out for these purposes. This chapter is based on the assumption that the research is being carried out for *scientific or statistical purposes* (the category into which most socio-economic research falls).

It is important for research funders to be aware that the precise purpose of a specific project has to be defined in advance by the controller.

The data subject needs to be given sufficient information in order to assess and anticipate what the data collected will be used for. Therefore, when defining the purpose of the processing, the researcher must describe the main object of the research. In order to comply with the law, the purpose(s) should be *determined, specific and legitimate*.

The National Data Protection Authority must be notified of the purpose when this is required by the applicable national law.

7.4 Which laws are applicable to the processing?

Most of the EU Member States have adopted criteria of application similar to the rules defined in the Directive.

The first principle is that the national law applies to processing carried out in the context of the activities of an establishment on its territory.

This means that the application of the law does not take into consideration the origin of the data. For example, Belgian law would apply to the processing of data collected in an African country, provided that the processing is carried out in the context of the activities of a controller established on the Belgian territory, such as a Belgian University.

The second principle is that the national law also applies to processing carried out by a controller who is not established on a territory of one of the EU Member States but makes use of equipment, automated or otherwise, situated on the territory of a Member State, unless the equipment is only used for the purposes of transit through the territory of the EU.

In the event of the involvement in a project of a controller located outside EU territory but using equipment in the EU, one or several national laws

will apply to this processing. Examples of equipment are personal computers, terminals and servers, which may be used for nearly all kinds of processing operations.

Group 29 considers that the installation of cookies or other applications, such as javascript, banners or spyware on computers, located on the EU territory with the intention to process personal data, corresponds to the use of equipment as described here that renders the national law applicable.

Three important principles must be kept in mind in this context:

- a** Several national laws may apply concurrently due to the fact that there are several controllers involved in the processing and that they are established in different Member States.
- b** Several national laws may apply concurrently due to the fact that Member States did not adopt the same criteria for the application of the national laws. For example, if a controller processes personal data relating to persons established in Greek territory for the purposes of a study carried out for a Belgian University, both Belgian law and Greek law will apply to the processing.
- c** National laws other than Member States' laws may apply to processing already regulated by Member States' national laws. Indeed, if a foreign legislation adopts the origin of the data as criteria for the territorial application, this national law will apply concurrently to the EU Member States' law that applies by virtue of the criteria of the establishment of the controller. This could be the case, for example, when the data relates to data subjects located outside of the EU, and a controller located in Belgium carries out the processing.

Because there are some differences between the Member States' legislation, when in doubt it is best to seek professional advice.



7.5 Which data may be collected?

- Any personal data that the controller needs to process for the purposes of research must be collected for specified, explicit and legitimate purposes.
- This principle means that, prior to processing personal data, the controller has to define clearly the purpose(s) for which the data are to be processed and communicate it to the data subject and to the national data protection authority. A legitimate purpose means that interest in the research must outweigh the interest of the data subject in excluding their data from the processing.
- All the personal data collected must be adequate and relevant and cannot be excessive in relation to the purposes for which they are collected.

The data must have a logical link with the declared processing purpose(s). The controller should avoid the use of personal data when the scientific work can be performed without it. Furthermore, even when the purposes can only be achieved by the processing of personal data, the controller should seek to keep the use of these data to the minimum required to carry out the research.

Additionally, the data cannot be excessive, meaning that they cannot create a disproportionate risk of undermining the data subject's interests. Useful data that are not indispensable for the research have to be considered as excessive.

7.6 What is 'legitimate' processing?

Even when personal data is not defined as sensitive, to qualify as legitimate the processing needs to correspond to one of the social justifications laid down by law. A processing of personal data for research purposes is therefore not always legitimate.

The most common social justification is that the data subject has unambiguously given consent. The form in which this consent must be given and the exceptions to this condition vary from country to country. When in doubt, national regulations should be checked.

The processing of sensitive data is subject to very restrictive conditions indeed. Here, the controller should check under which circumstances the processing can be carried out. The conditions vary from one Member State to another, and depend on the category of sensitive data concerned. For example, the processing of health data is allowed under different circumstances than the processing of racial or ethnic data.

7.7 Can data be re-used?

In principle, the re-use of personal data for incompatible purposes is not allowed.

When a controller intends to conduct processing by using data for a purpose that is distinct from the purpose(s) for which they were initially collected, it is first necessary to check whether or not this new purpose is compatible with the initial one(s) taking account of the context and the general philosophy of the secondary processing, as well as any other relevant criteria such as the information originally provided to the data subject.

If it is intended to reuse data originally collected by the controller for another purpose that is compatible with the initial ones, the data may be kept and further processed for the purposes of this second project. However the controller will have to conduct a new analysis of the adequacy and relevance of the personal data processed with regard to the purpose of the new processing. Any personal data not necessary to achieve the second purpose should be destroyed or rendered anonymous. The data must not be excessive, and the new processing must still be lawful and fair.

If the controller intends to use data obtained from a third party for another purpose that is compatible with the initial ones, there is a right to receive and process the personal data under the same conditions as those relating to the re-use of the data that the controller collected himself. However, since the controller is distinct from the one who collected the data, there is a need to inform the data subject of the processing according to the principles applicable in the case of secondary collection. Moreover, the controller will have to notify the national data protection authority as well as respecting any restrictions imposed by the supplier of the data.

The Directive grants the possibility to the Member States to consider the further processing of personal data for historical, statistical or scientific purposes as generally not incompatible with the purposes for which the data have previously been collected. However this exemption is subject to the adoption of adequate safeguards, such as the prohibition to use the personal data in support of measures or decisions regarding particular individuals. In order to comply with the conditions for enjoying this possibility and to know the formalities which are obligatory, the controller must refer to the relevant national law.

7.8 What information should be given to data subjects?

Personal data can either be obtained directly from the data subject (primary collection) or obtained from a distinct alternative source of data (secondary collection).

Primary collection covers all situations where the personal data are collected directly from the data subject, including those where the data subject ignores or is unaware of the fact that personal data are being collected. This includes the use of software to monitor a data subject's use of a website. Similarly, when the controller collects data through observation, it is considered that these data are collected directly from that person.

In the case of primary collection, the controller (or the controller's representative) must provide specific information relating to the processing.

When data collection is by questionnaire (online or offline), information should be included with it. When the data is collected over the telephone, information should be provided at the beginning of the telephone call.

The exact basic information it is necessary to provide may vary between Member States. However, under most national laws, the basic information to be provided to the data subject is:

- the identity of the controller or controllers and, if relevant, the identity of their representative
- the purposes of the processing
- under some circumstances, additional information such as who will receive the data, whether questions are obligatory, the existence of rights of access or the right to rectify inaccurate data

The controller should check in the relevant applicable law whether other additional information is imposed or whether there are any additional obligations in terms of information to be provided at times other than the point of data collection.

Group 29 issued specific recommendations regarding the collection of personal data over the Internet. These recommendations detail the specific information to be provided, and the manner in which to provide them to the data subject (which goes further than the basic and additional information specified above) and for implementing other rights and obligations. Furthermore, Group 29 considers that the Internet user should be informed of invisible processing performed by software or hardware on the Internet, regardless of whether such processing concerns personal data, *ie* whether the information processed could be related to an individual.



In the case of secondary collection, most Member States provide for an exemption from the information duty, when the processing is carried out for scientific or statistical purposes. Generally, the condition is that the provision of such information is impossible or would involve a disproportionate effort. However, once again, it is important to check whether this exemption applies in any given case or whether it is subject to the fulfilment of specific conditions.

7.9 **How – and for how long – may data be processed and stored?**

Once the data are collected, the controller has a duty to keep them accurate and, where necessary, up-to-date. The controller also has a duty to process the data fairly and lawfully.

Furthermore, the controller has the obligation to ensure the security of the personal data processed, *ie.* that the data are not lost, altered, or accidentally destroyed. To ensure the confidentiality of personal data, unauthorised access to, or disclosure of, the personal data must be prevented.

Member States' national laws generally provide that the controller should implement appropriate technical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, in particular where the processing involves the transmission of data over a network, and against all other unlawful forms of processing. An example of an organisational measure would be the appointment of a data protection officer in charge of data protection issues. Technical measures include restricting access to the database to authorised persons, and the use of software protecting the system against viruses or hacking.

National laws also provide specific criteria governing the appropriate level of protection to be ensured, and generally refer in this regard to the requirement of the state of the art, the cost of implementation, the risks

represented by the processing, and the nature of the data to be protected (for example, sensitive data require higher protection).

Personal data should be stored for a limited period of time. In principle, the purpose(s) for which personal data are processed will determine the period of conservation of these data. When the purpose of processing is achieved, and the data are not required any more for this particular purpose, these personal data must be rendered anonymous or be destroyed. Most national laws allow personal data to be stored for a longer term for historical, statistical or scientific use under certain conditions.

7.10 **What are the researcher's duties towards national data protection authorities?**

In order to ensure some kind of publicity and transparency around the existence and scope of any processing, the controller is required, prior to carrying out the processing, to provide the relevant National Data Protection Authority with certain information regarding the processing it is planning to conduct (*ie* a notification duty). The information recorded will then normally be accessible to the data subjects or third parties. Usually, notification is required only once, prior to beginning the processing. However, in the United Kingdom and in Ireland, notification has to be renewed every year. Some national laws also state that any change in any of the information provided in the notification form must be immediately communicated to the national data protection authority.

Notification simply involves providing information, and does not imply that the controller has to obtain prior authorisation for the processing. However, the national data protection authority may, based on the information provided, take measures, depending on its powers granted by the national law, if it finds the processing to be unlawful.

The notification will generally cover the identity of the controller, the purpose of the processing, the categories of data subjects, the recipients,

and transfers to third countries. The exact content of the notification is defined by national law, and further specified by national data protection authorities.

Some national laws allow exemptions to the notification duty. Even when an exemption exists, the controller must make available on request all the information normally communicated to the National Data Protection Authority through the notification procedure.

In addition to notification, some national laws require authorisation to be obtained from the National Data Protection Authority before certain types of processing are conducted. This implies that the National Data Protection Authority will first assess whether the processing can take place.

7.11 What are the rights of data subjects?

Data subjects are generally granted certain rights with regard to the processing of their data:

- a right of access to these personal data
- a right to request that the data are corrected when they are incomplete or inaccurate
- a right to object to the processing of the data under specific circumstances
- in some cases, a right to revoke consent given to the controller for the processing of these data.

The Directive allows Member States to exempt the controller from respecting the data subject's right of access where processing is for the purposes of scientific research, or when data are kept in personal form for a period which does not exceed the period necessary for the sole purpose of creating statistics.

The Directive, however, subjects the granting of such exemption to the conditions that there is clearly no risk of breach of the privacy of the data subject, and that the data are not used in order to take measures or decisions regarding any particular individual.

There are major national variations in the exemptions which apply to these rights. Again, when in doubt, researchers should seek the advice of their national Data Protection Authority.

7.12 How may personal data be communicated to third parties or recipients?

As a general principle, personal data should not be made public in any way.

The transfer or disclosure of personal data to third parties or recipients is a processing operation and, as such, is subject to the legal requirements of processing. Therefore, the controller should check whether or not this transfer or disclosure falls within the scope of the initial purpose or is still compatible with this purpose, in order to determine whether or not the data may be transferred or disclosed. Anonymous data can be transferred without being subject to specific requirements.

Where transfer is allowed, the controller should ensure that the recipient body will process the data for the purposes for which the transfer took place.

Notwithstanding the above principles, some national laws contain specific provisions with regard to the transfer of personal data (or specific categories of data), in particular for scientific research or statistics.



7.13 What about transferring data outside Europe?

The transfer of personal data outside the European Economic Area (EEA) is governed by specific conditions which apply in addition to the conditions related to the transfer of personal data to third parties or recipients.

The controller should refrain from transferring personal data to a recipient, *eg* a university, located in non-EEA countries if the country involved does not ensure an adequate level of protection. At the time of writing, only Hungary, Argentina, Guernsey, Canada, Switzerland, and the United States under some conditions have been acknowledged by the European Commission as ensuring an adequate level of protection. The communication of data to other countries is only allowed where specific exemptions are granted or where a specific authorisation has been granted. The most relevant exemptions contained in most of the national laws with respect to processing for research and statistical purposes are the following:

- the data subject has unambiguously given consent to the proposed transfer.
- the transfer is made from a register which, according to laws or regulations, is intended to provide information to the public and which is open to consultation either by the public in general or by any person who can demonstrate legitimate interest, to the extent that the conditions laid down in law for consultation are fulfilled in the particular case.
- the transfer is necessary or legally required on important public interest grounds.

Even where the transfer is allowed, additional requirements may be imposed on the controller by the national law. National laws may contain other exemptions to the prohibition, subject to certain conditions, particularly when the transfer is carried out exclusively for scientific or statistical purposes.

The European Commission considers that a contract between the sender and recipient of personal data can provide an adequate level of protection and has developed two sets of standard contractual clauses for this purpose (one concerning the transfer of personal data to a controller, the second the transfer to a processor).

7.14 What sanctions are there for non-compliance?

Non-compliance with most of the obligations and conditions for processing data will lead to sanctions such as criminal or administrative sanctions (including, in some legislation, the cancellation of the authorisation of processing delivered by the National Data Protection Authority) and civil liability towards the data subjects. Furthermore, it is essential to meet the requirements for processing from the beginning of the processing, since non-compliance with legal requirements generally renders all further processing unlawful.

7.15 Issues arising in qualitative research

The legal regulations, stringent though they are, are reasonably unproblematic to apply in the case of quantitative research involving large amounts of digitised personal information, much of it involving 'yes or no' answers to specific questions.

In the case of qualitative research, concepts such as 'informed consent' become much more problematic. The raw material for such research is often collected by highly unstructured means and the analytical process often takes the form of an exploratory search for evolving meaning which cannot be predicted in advance. Researchers may spend long periods of time in conversation with, or observing their 'data subjects' without any precise predetermined agenda. Theories of ethnographic research often involve a view of the research process as a developing dialogue between the researcher and the subject, which may bring about changes in the perception of the research process in both parties.

Such a model involves rethinking concepts like 'informing the subject' or 'obtaining consent' not as one-off events but as ongoing processes. Subjects may, for instance, want to change their minds about participating in the research as the implications of what is involved become clear to them. Good practice in qualitative research gives them the right to withdraw at any stage and to ask retrospectively for any data already collected to be destroyed.

The concept of 'informed consent' is particularly problematic when researching vulnerable groups, such as children, the mentally ill or those with limited communication skills. Obtaining the consent of a carer may not always be enough: for instance the carer may not be sensitive to the subject's wishes or be unaware of feelings of violation.

Further issues arise when carrying out research on groups who are likely to resist voluntary participation because their activities are criminal or, if known, might render them vulnerable to social stigmatisation. This might include, for instance, research on people involved in computer hacking, prostitution, drug-dealing, illegal immigration, racist political groups or sexual practices regarded as deviant. In such cases, the public good achieved as a result of the result may over-ride requirements of openness and voluntary participation.

The use of ICT-based techniques has brought many forms of qualitative research more obviously within the scope of the data protection legislation. Such practices create records in a more permanent, easily replicated and easily-accessed form than the private notebooks traditionally used by ethnographers. Examples of this include the use of ethnographic software packages for analysing unstructured text, the increasing use of video for acquiring observational data (and sophisticated programmes for analysing it digitally) and the secondary analysis of Internet material (for instance in research on paedophilia).

It will ultimately be a matter for national authorities to develop guidelines for the application of data protection laws to such cases, which typically go beyond the forms of automatic processing the data protection

legislation was primarily created to address. In the meanwhile, there is a responsibility on researchers to respect the spirit of the law and interpret it in the light of their simultaneous obligations to avoid social harm and uphold scientific standards. There is a large literature on the ethics of qualitative research summarised on the RESPECT website, www.respectproject.org

7.16 Good research practice

Good practice in data protection is summed up in the RESPECT code of practice (see the beginning of the report) drawn up as a synthesis of the provisions of existing professional codes.

Most of these codes concur in emphasising that researchers need to carefully study and comply with the requirements set out in national and EU-wide data protection legislation, as well as be aware of the obligation to obtain informed consent from respondents before actually gathering data, including initial consent for re-interviewing/re-observing respondents if intending to do so. Researchers must also respect the right of respondents to withdraw from an interview/observation and demand the eradication of the entirety or parts of the record obtained by the interview/observation at any time.

In addition to legal and ethical obligations, researchers are also expected to adhere to certain professional practices to make sure that the identity of respondents, participants or research subjects remains confidential and information gathered in the research process cannot be related to an identifiable individual (unless disclosure of a subject's identity is central and relevant to the research and if the individuals in question have agreed to the disclosure of their identity). Such practices require, for instance, that all indications of the identity of respondents, participants or research subjects should as soon as possible be physically separated from the records of the information they have provided. The researcher must ensure that any information that could be related to individuals is stored securely, and separately from the other information provided by respondents,



participants or research subjects, and that the access to such material is restricted to authorised research personnel within the researcher's own organisation (on the other hand, the researcher is expected to keep records for an appropriate period of time). Particular caution is necessary in this context with regard to the risks posed by electronic data processing and data transfer. To preserve an individual's anonymity not only names and addresses but also any other information provided by or about them which could enable them to be identified by any person (*eg* their employer and job title) must be safeguarded. The identity of respondents, participants and research subjects should also be withheld from clients and contractors unless consent has first been obtained. The laws governing the anonymisation of data do vary between countries so it is important to check whether national laws may require even more stringent controls.

When acting in their capacity as researchers, researchers should not undertake any non-research activities, *eg* database marketing involving data about individuals which will be used for direct marketing and promotional activities. Any such non-research activities must always be clearly differentiated from research activities in the way they are organised and carried out.

A sample should not be transferred from one researcher to another (or from one organisation to another), without checking that all the relevant legal conditions have been met, and a written agreement has been made ensuring the security and confidentiality of the data by the recipient.

7.17 The responsibilities of research users

There are many situations where research funders, research hosts, research reviewers and the publishers of research might want to gain selective access to personal data. For instance if research uncovers criminal behaviour in a population under study, such as illegal drug-taking among students or employees, then the research host (for instance the school, college or employer) might be interested to identify the

people involved. Another example might be a research funder or reviewer seeking assurance that interviews have indeed been carried out thoroughly and with the appropriate respondents. Or a journalist writing a story highlighting the research results might want to gain access to selected data subjects for direct quotations to add 'human interest' to the story.

It should be emphasised that none of these stakeholders has any right to such personal data unless this is stipulated in the contract under which the research is carried out. If this stipulation is there, then the researcher has a duty to inform the data subjects in advance, which may have an impact on their willingness to participate. Any such information needs should be anticipated beforehand so that, for instance, in the exceptional cases where this might be justified, respondents can be asked in advance whether they might be prepared to give interviews to the press or allow their personal details to be revealed to funders or hosts.

The correct way to ensure that research is properly carried out is by ensuring that professional researchers are appointed in the first place, with good quality control procedures in place.

It is a fundamental breach of research ethics for funders, hosts or publishers of research to put pressure on researchers to reveal personal information about their data subjects.

eight Professional Conduct

8.1 The role of professional associations

Most European countries have a large number of professional associations representing the interests of the wide range of specialists who make up the socio-economic research community. A directory of such associations can be found on the RESPECT website on www.respectproject.org.

Some of these associations focus on highly specific roles or areas of expertise (for instance the German Evaluation Society). Others are linked to particular disciplines (for instance the Hungarian Psychological Association). In the UK, professionals from a number of different backgrounds and institutional settings have united to form the broader Social Research Association, whilst often also retaining their membership of other, more specialist associations.

Many national associations have come together to form umbrella associations at the European or international level. The International Sociological Association is a well-known academic example. Some of these associations are industry-based. An example of this is the European Society for Opinion and Marketing Research (ESOMAR) which has now extended its membership into 100 countries to form the World Society of Research Professionals.

Professional Associations provide a diverse range of services for their members, details of which can be found by contacting the individual association.

In this chapter we focus only on their role in encouraging good practice.

8.2 Ethics committees and codes of conduct

A large number of professional associations have set up committees or commissions to look into ethical issues. For instance the Société Française de Statistique (French Statistical Society) has a Deontology Commission. In many countries these have drawn up codes of conduct for their members. In some cases, these are *aspirational* codes which set out a series of guiding principles to which researchers should aspire. In other cases they take the form of rules which are binding on members: those who disobey may be charged with professional misconduct and expelled from membership if found guilty.

The RESPECT project carried out a detailed analysis of a wide range of professional codes from inside and outside the EU. Perhaps because of different religious traditions, perhaps because of different political histories, it found that such codes were most prevalent in the Nordic countries, and in the English and German-speaking countries, in other words in countries with a dominant protestant tradition. In other countries, for instance France, a more integrated approach to ethical issues is typically taken, in which research practice is placed in the more general context of social rights, duties and responsibilities. A number of codes can be found in formerly Communist Accession States. These tend to have a somewhat different emphasis from those in Western Europe. For instance they are more likely to include clauses relating to the working conditions of researchers.

In many cases, the origins of these codes can be traced back to the *Nuremberg Code*, developed in 1949 to protect human subjects from involuntary experimentation.

The arguments for a code of practice typically combine two principles:



deontological principles (doing something simply because it is a good thing to do) and *utilitarian* ones (doing something because it produces a benefit). The Nordic countries typically have codes which are strongly deontological in nature, whilst the Anglo Saxon countries (especially the United States) tend towards the utilitarian extreme.¹

A number of utilitarian reasons for a professional and ethical code can be identified:

- to create a level playing field
- to make it possible to 'work with strangers'
- to be able to trust the results of colleagues' work
- to maintain/improve standards
- to increase the public standing of research professionals and general respect for social research

In analysing the different codes, we found that some of these utilitarian arguments were explicitly made. In other cases, they were tacit.

In deontological codes, the assumptions – almost invariably tacit – seemed usually to be that the aim of the code is to ensure that research, and researchers, will help make the world a better place. The general aim of 'being a good person' is supplemented by the more specific one of 'doing good research'.

In attempting to synthesise the different principles found in the various codes of conduct, the RESPECT project produced a code which is *aspirational* but which combines both deontological and utilitarian principles. The project identified three underlying principles which in combination underlie the common stipulations of the codes which were analysed. These are:

- upholding scientific standards
- compliance with the law; and
- avoiding social and personal harm.

In some cases these principles may come into conflict with each other. For instance in carrying out research on criminal behaviour it may be necessary to neglect the obligation to obtain 'informed consent' from the group being investigated. It is ultimately a decision for researchers themselves, with the support of their employers, funders and professional associations, how to balance the very different – and sometimes contradictory – rights and duties imposed on them by these different imperatives.

The full text of the RESPECT code of practice is reproduced at the beginning of this report. On the RESPECT website, additional background information is available to help researchers arrive at an informed decision in any difficult case, linked to the relevant point in the code of practice.

8.3 Using the RESPECT code of practice

The RESPECT code of practice is designed to be used in a number of different ways.

At the most basic level it forms an introduction to the ethical, legal and professional issues which may arise in the course of carrying out social research, forming a starting point for reflection, discussion and further research.

The code is also useful as a starting point for new professional associations, or those which are developing or updating their existing codes of conduct. It can be used too as a point of departure by funding organisations or universities for drawing up the terms of reference for ethics committees. In some countries, such as the UK, such ethics

1 Charles Ess (2003) paper presented to RESPECT Workshop, Budapest.

committees have become widespread in recent years. It is often a condition of research funding that any questionnaires or other research instruments used in research on human subjects should obtain the approval of such ethics committees before the commencement of the research.

More generally, the code gives the research community, including research users, a general idea of what sort of behaviour to expect from professional researchers.

We hope that it will be particularly interesting for researchers with a technological background within the IST programme who are embarking for the first time on collaborative partnerships with socio-economic researchers.

8.4 **What to do if you suspect professional or ethical misconduct**

If any suspicion arises that a researcher is in breach of the code of conduct in any respect, the simplest first course of action is to assume that it may be an honest error and request an explanation from the researcher (or the researcher's manager). As we have seen from previous chapters, legal provisions vary considerably from one country to another, whilst professional norms also vary between disciplines and countries. This creates a situation where many practitioners are unaware of legal requirements or professional norms, or unclear about how they should be applied.

The RESPECT website lists reliable sources of information which can be checked before confronting the perpetrator with a request for an explanation of the suspected breach. The chances are, that he or she has a rational explanation for the suspicious behaviour, or is simply in ignorance of the normal legal, ethical or professional requirements. If this is the case, then action can be agreed to remedy the problem.

If this course of action does not produce any satisfactory results, then it is useful to find out whether the researcher is a member of a professional association. If this is the case, then the professional association(s) can be contacted and asked to supply a copy of their code of conduct and their procedures for dealing with professional misconduct. A list of professional associations (and information as to whether they are known to have codes of conduct) can be searched on the RESPECT website. If the action in question is clearly in breach of the code, and if there is a procedure for dealing with it, then this might be a productive route to take.

If not, there are several other courses of action available. Which one is most suitable will depend on the specific circumstances. They include:

- contacting the researcher's employer
- in the case of a multi-partner project, contacting the lead partner of the project
- contacting the funder
- in the case of breaches of legal requirements, contacting the appropriate national authority

The details of European national data protection authorities are listed on the RESPECT website.

Further advice on data protection and intellectual property law is also available on the site. In the case of suspected breaches of intellectual property rights, it may be necessary to take legal advice.



8.5 Ways to promote and enforce professional standards

Prevention is of course better than cure, and it good practice to anticipate problems by making sure that good preventative measures are in place as well as clear procedures for dealing with professional misconduct.

A number of different stakeholders can play a constructive role here, starting with organisations involved in the education and training of researchers and including research funders and employers as well as professional associations.

8.5.1 The role of education and training agencies

Universities and other education and training agencies involved in training researchers can include information about ethical issues and professional good practice in their course materials and direct students towards sources of advice and further information as well as encouraging them to join professional associations.

In particular, it is useful to encourage all research students to reflect on the social impact of their work and to be aware of the decisions which may arise in carrying it out and the possible consequences of these decisions.

Information about relevant legal obligations (especially in relation to intellectual property and data protection) should also be incorporated into training courses.

8.5.2 The role of employers

Employers should take responsibility for ensuring that their staff are aware of, and abide by, the relevant legal requirements and professional and ethical codes of practice.

Where necessary, they should encourage their staff to attend training courses to update their knowledge. All induction training of new staff should include clear information and advice about professional, ethical and legal good practice.

In some cases (where necessary in consultation with trade unions or professional associations which represent their staff) it may be appropriate to write certain provisions of these codes into contracts of employment so that professional misconduct can be treated as a disciplinary offence. This provides a strong sanction against unethical behaviour. It is of course important that any such agreement also includes a right for researchers accused of misconduct to defend themselves against the claim and be appropriately represented.

8.5.3 The role of research funders

Research funders have an especially important role to play in promoting professional, ethical and scientific standards. There are a number of ways in which they can achieve this, including:

- Careful drafting of calls for tender or briefing documents to elicit explicit information from proposers. It can, for instance be useful to request specific information about how a proposal will address issues of intellectual property, data protection or research ethics. In addition, it may be useful to ask proposers to state whether they are members of a professional association or subscribe to a code of conduct.
- Careful selection of evaluators to ensure that they are suitably qualified to make informed judgements and, where necessary, briefing or training to ensure that they are sensitised to ethical and legal issues.
- Drafting the wording of agreements to ensure that professional misconduct constitutes a breach of contract or otherwise using the threat of withdrawal of funding as a final sanction against misconduct. In Canada, compliance with strict ethical standards is a condition of funding

by the Social Sciences and Humanities Research Council. If a researcher is in breach, not only the individual researcher but the entire university at which he or she is based is barred from further funding for a specified period.

- Setting up ethics committees to review complaints about misconduct and procedures to ensure a fair hearing and informed adjudication
- Generally using their influence to spread awareness of high standards.

Partners in the RESPECT project:



The Institute for Employment Studies (IES),
UK [lead partner]
www.employment-studies.co.uk



Centre de Recherches Informatique et Droit (CRID),
Facultes Universitaires Notre-Dame de la Paix, Belgium
www.droit.fundp.ac.be/crid



Institut fuer Informations-, Telekommunikations- und
Medienrecht Zivilrechtliche Abteilung (ITM),
Westfaelische Wilhelms-Universitaet, Germany
www.uni-muenster.de/Jura.itm



Hoger Instituut voor de Arbeid (HIVA), Belgium
www.kuleuven.ac.be/hiva



Institute for Sociology, Hungarian Academy
of Sciences, Hungary
www.socio.mta.hu/sow



Forschungs- und Beratungsstelle Arbeitswelt
(FORBA), Austria
www.forba.at



The Social Research Association (SRA), UK
www.the-sra.org.uk

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This guide is designed as an introduction to socio-economic research for the broader community of research users. It will be of use to research funders, research hosts, research evaluators and reviewers, legal professionals providing advice to researchers, employers and managers of researchers and those involved, both as teachers and as students, in research training, as well as the broad community of socio-economic researchers themselves.

The RESPECT project involved analysing existing professional and ethical codes to identify the common ground between them, and putting this together with legal interpretations of the new data protection and intellectual property directives in order to produce a summary code of practice. The resulting synthesis was then circulated widely throughout the European socio-economic research community in a broad consultation exercise and further revised in the light of comments received. The code which appears in this guide is the result.