



Draft Version 4
Adopted:

**Common Codes of
Professional Standards
and
Ethical Conduct**

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PART ONE: The MSPA Common Codes of Professional Standards and Ethical Conduct

The MSPA members, regional governing boards and the Global Advisory Committee (collectively “MSPA”) recognize the necessity to administer and enforce a common code of professional and ethical behaviors around the world in order to protect each member’s investment in the trade association; the reputation of the members collectively as well as the association; and the image, credibility and integrity of the MSPA brand.

As a result, the **MSPA Common Codes of Professional Standards and Ethical Conduct**, a unified and collaborative approach to a common commitment of ensuring excellence and integrity among MSPA members and governing boards, exist to examine and resolve the circumstances of disputes among MSPA members and/or governing boards within MSPA.

Section I: The Mission and Value Statements of MSPA

MSPA is a global association of professionals united as a common body for the purpose of strengthening the mystery shopping industry through combined efforts and actions. MSPA exists to improve and stimulate the acceptance, performance, reputation and use of mystery shopping services.

As such, the primary goals of MSPA in fulfilling its mission are to:

- **Establish** professional standards and best practices;
- **Regulate** ethical behavior;
- **Educate** providers and their employees, clients and independent contractors in order to improve quality of service;
- **Foster** the image of the industry; and to
- **Promote** the value of member products and services.

As MSPA is dedicated to improving service and promoting excellence in the mystery shopping industry and related services offered by its members, a fundamental aim of the association is to ensure that consistent professional standards and ethical behaviors are maintained, consistent with its mission and value statements.

Section II: The MSPA Values Statement

MSPA upholds and requires member adherence to the following core values in their own business conduct. These values represent what MSPA as an entire entity believes in and stands for, as well as how each member, regional governing board and the Global Advisory Committee is expected to approach all matters and issues in its ordinary course of business.



As such, the core values expected of MSPA members, regional governing boards and the Global Advisory Committee are that each collective entity and individual participant thereof is to be:

Open	We welcome input and feedback and encourage all our members to contribute
Clear	We are open and accountable in the way we operate
Ethical	We require ethical behavior by members
Respectful	We treat people fairly and equally (regardless of gender, age, race, religion, nationality, sexual preference)
Innovative	We encourage creative solutions to evolving trends
Collaborative	We work as a team

To increase the value of membership, protect the reputation and credibility of the brand, and stimulate the use of mystery shopping and related services, it is important that all member companies, regional governing boards and the Global Advisory Committee throughout all regions of the world comply with all applicable governmental laws, regulations and ordinances, as well as with a uniformly agreed upon MSPA common code of professional standards and ethics in dealing with each other, the business community and the public at large.

MSPA expects its members, regional governing boards and the Global Advisory Committee to follow principles of honesty, professionalism, fairness and confidentiality to guard the interests of the public and our clients in order to promote good business practices, and to protect and grow the credibility and perceived value of the MSPA brand and its member companies.

The **MSPA Common Codes of Professional Standards and Ethical Conduct** were created and authorized by the MSPA Global Advisory Committee as the governing rules and dispute resolution process for all members, regional governing boards and the Global Advisory Committee to provide a unified and commonly agreed upon series of standards for conducting business throughout the world.

This **MSPA Common Codes of Professional Standards and Ethical Conduct**, its dispute resolution processes and corresponding sanctions, as well as the application of any such processes and sanctions, are at all times governed by, and under the auspices of, the Global Advisory Committee. The **MSPA Common Code of Professional Standards and Ethical Conduct** requirements and terms, as are presently drafted or as may be subsequently properly amended, remain in effect and binding upon all members, regional governing boards and the Global Advisory Committee at all times of active membership.

Section III: The Common Code of Professional Standards

MSPA's Common Code of Professional Standards has been established to ensure that MSPA members, regional governing boards and the Global Advisory Committee conform to the following principles:

1. Commit, in principle, to the purposes of the association: improving service and promoting excellence in the mystery shopping industry and related services;
2. Conduct mystery shopping and related services in an honest and ethical manner;
3. Conduct mystery shopping and related services according to industry procedures and regulations set forth and agreed to by MSPA members;
4. Instill confidence in the mystery shopping industry;
5. Instill confidence in the business community that mystery shopping is performed in a professional and fair manner;
6. Respect clients, client employees, member employees, independent contractors, fellow MSPA members, MSPA governing boards, business associates and the general public;
7. Act with fairness towards other members, within boundaries commonly understood to be professional, while conducting commerce using ethical and good business practices;

Section IV: The Common Code of Ethical Conduct

MSPA's Common Code of Ethical Conduct has been established to ensure that MSPA members, regional governing boards and the Global Advisory Committee shall refrain from all of the following behaviors:

1. Intentionally falsifying or misrepresenting data or reports;
2. Misleading independent contractor applicants about opportunities regarding mystery shopping and related services offered;
3. Asking or encouraging anyone to break confidentiality agreements with other firms for whom he or she has conducted mystery shopping assignments;
4. Using any MSPA media to publish complaints against independent contractors, vendors, clients, other members, regional governing board, the Global Advisory Committee, the MSPA brand or any component thereof;
5. Refusing to pay, or making a deduction from an independent contractor's pay, for failure to perform any function which was not explicitly described in written instructions;
6. Requiring an independent contractor to pay for access to information about independent contractor assignments;
7. Use the MSPA trademark and/or logo in any media without explicit MSPA authorization or in some unauthorized manner which may, at the sole discretion of MSPA, potentially harm the association or the MSPA brand;
8. Using or violating any competitive member's intellectual property and/or signing up as an unauthorized independent contractor, directly or through an agent, in any other MSPA member's database to gain information;
9. Misusing any position or authority granted within the Association for personal/company benefit/gains; and
10. Any other activities and behaviors which reasonably may be deemed as unethical or contrary to the stated mission and values of MSPA or the **MSPA Common Codes of Professional Standards and Ethical Conduct**; or any such activities or behaviors which may reasonably lead to the conclusion that such activities and behaviors have materially harmed, or may yet materially

harm, the credibility, image or functionality of MSPA, another member, a regional governing board or the Global Advisory Committee in violation of the spirit of the **MSPA Common Codes of Professional Standards and Ethical Conduct**, whether such activities or behaviors are specifically detailed within this document or not.

The **MSPA Common Codes of Professional Standards and Ethical Conduct** is binding upon the Global Advisory Committee and its members, regional boards of directors and their members, and each individual member of MSPA, including all of its employees. When there is reference to either a regional board of directors or the Global Advisory Committee, the reference applies to the group as a whole as well as each individual member.

Members agree to be bound by the **MSPA Common Codes of Professional Standards and Ethical Conduct** upon joining any MSPA association as a condition of their membership application acceptance. All members are deemed to have acknowledged and accepted the requirements, responsibilities and potential sanctions for violations are outlined within the **MSPA Common Codes of Professional Standards and Ethical Conduct**, and it shall not be a valid defense for consideration to an alleged violation to claim that a party was unaware of neither rules or procedures outlined herein this **MSPA Common Codes of Professional Standards and Ethical Conduct** nor the operation of being bound by such as a condition of acceptance of membership within any region of MSPA.

The process and protocols for enforcing and adjudicating alleged violations of the **MSPA Common Codes of Professional Standards and Ethical Conduct** are contained within the document entitled **MSPA Violations and the Unified Dispute Resolution Process**.

PART TWO: Professional Standards and Ethical Conduct – Applying the Codes

This section is intended to help members interpret and apply the **MSPA Common Codes of Professional Standards and Ethical Conduct** in practice. Any questions about how to apply the **MSPA Common Codes of Professional Standards and Ethical Conduct** in a specific situation should be addressed to Executive Director at the MSPA administration office in each region.

Responsibilities to Clients

MSPA Members will:

- Ensure that each project is conducted according to the client's specifications. Procedures will be implemented to verify that client specifications are being followed.
- Observe confidentiality with regards to all techniques or methodologies and with information considered confidential or proprietary. Information will not be revealed that could be used to identify clients or respondents without proper authorization.
- Ensure that companies involved in mystery shopping, as well as their employees and subcontractors, take all reasonable precautions so that client confidentiality is protected.
- Do not cause major disruption of client's normal operation.

- Report mystery shopping results accurately and honestly. The mystery shopping process should be described in enough detail that a skilled researcher could repeat the project if necessary. Results will be presented clearly and fairly, including any that seem contradictory or unfavorable.
- Not misrepresent themselves as having qualifications, experience, skills or facilities that they do not possess. Only legitimate academic degrees, clients and other qualifications will be claimed.

Responsibilities to Data Collectors

MSPA Members will:

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

Responsibilities to the Business Community

MSPA Members will:

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

Responsibilities to Other Members

MSPA Members will:

- Operate with integrity relative to other Members, their companies and their employees.
- Not disclose any confidential and proprietary information shared by other members.
- Honor all policies and procedures which govern MSPA members.

PART THREE: Professional Standards and Ethical Conduct – Best Business Practices

Security - Keep questionnaires, products and information secure.

- Obtain non-disclosure statements from all employees and subcontractors;
- Return materials to the client within a reasonable time frame, or as requested;
- Do not destroy materials without client authorization;
- Do not allow your employees and/or third party collaborators free access to your databases. You do not know how they will use the information or what they will do next;

- Put security measures in place to prevent the possibility of copying and downloading information; and
- Protect this critical business asset and do not rely too much on an NDA to protect you from harmful actions!

Clear Communication - Provide effective communication with clients, contractors and sub-contractors.

- Provide bids in writing;
- Provide payment procedures and cancellation terms as part of a proposal or cost estimate;
- Inform clients, contractors and sub-contractors immediately of any inability to complete projects;
- Do not schedule more work than can be effectively completed;
- Communicate company business policies to clients up front;
- Agree upon acceptable reporting procedures in advance;
- Send written confirmation of project specs;
- Advise clients of MSPA affiliation and intent to abide by Code of Professional Standards; and
- Obtain release statements from clients if their employees are to be recorded (audio or video).

Professionalism - Promote respect and trust.

- Abide by contracts;
- Supply responsible and realistic costing and timing;
- Notify the client as early as possible of a cancellation or postponement;
- Provide concise, clear, written instructions; and
- Notify the data collector of changes in project specifications as they occur.

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

- Provide communities with positive information regarding the potential benefits of mystery shopping;
- Help educate industries about mystery shopping;
- Avoid activities harmful to the mystery shopping industry;
- Fairly compensate employees and subcontractors;
- Insist on compliance with standards and encourage continuous improvement; and
- Provide communities with positive information regarding the benefit of affiliation to MSPA.

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

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