

# STATEMENT OF ETHICAL PRACTICE FOR THE BRITISH SOCIOLOGICAL ASSOCIATION – VISUAL SOCIOLOGY GROUP

**December 2006**

(Adapted from the **BSA Statement of Ethical Practice March 2002**)

<http://www.britisoc.co.uk/equality/63.htm>

## **Statement of Intent**

- The purpose of the statement is to make members aware of the ethical issues that may arise throughout the research process and to encourage them to take responsibility for their own ethical practice.
- BSA – Visual Sociology encourages members to use the Statement to help educate themselves and their colleagues to behave ethically.
- The Statement is based on the Statement of Ethical Practice of the British Sociological Association March 2002 (with 2004 additions), which is available at <http://www.britisoc.co.uk/equality/63.htm>. The BSA - Visual Sociology Group supports the BSA Statement of Ethical Practice and uses some of its wording in this document.
- The statement does not represent a core method for resolving ethical choices or dilemmas, but aims to give direction and stimulate consideration of ethical factors in sociological research utilizing visual methodologies/methods.
- The statement is not an exhaustive list of ethical considerations, but rather a guide to ethical practice in professional activities.
- The strength of this statement rest ultimately on active discussion, reflection, and its continued use by sociologists. In addition, the statement will help to communicate the professional position of sociologists to others, especially those involved in or affected by the activities of sociologists.

## **Professional Integrity**

1. Members should strive to maintain the integrity of sociological inquiry as a discipline, the freedom to research and study, and to publish and promote the results of sociological research including making data available for the use of researchers in the future.
2. Members have a responsibility both to safeguard the proper interests of those involved in or affected by their work, and to report their findings accurately and truthfully. They need to consider the effects of their involvements and the consequences of their work or its misuse for those they study and other interested parties.

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3. While recognising that training and skill are necessary to the conduct of social research, members should themselves recognise the boundaries of their professional competence. They should not accept work of a kind that they are not qualified to carry out.
4. Social researchers face a range of potential risks to their safety. Members should strive to not place themselves or others in danger. To this end, actions of the researcher(s) should take into consideration the impact they have on themselves and others. For instance becoming involved in research which puts the researcher(s) and the community in danger should be avoided (e.g.. research in violent settings). In such instances, the member(s) should liaise with a professionally recognised ethics board or equivalent and/or the relevant authorities in order to create a strategy which reduces risk to the researcher(s) and others.
5. In terms of research incorporating visual data, researchers should consider the potential risk of the dissemination of their results to themselves, the discipline and the individuals in the setting. For example, using politically sensitive images of right wing groups or youth violence may put the researchers and the individuals depicted in the visual data in danger of retaliation. Risk to personal safety should be taken seriously in the strategy and design of any given research project.
6. In their relations with the media, members should have regard for the reputation of the discipline and refrain from offering expert commentaries in a form that would appear to give credence to material that, as researchers, they would regard as comprising inadequate or tendentious evidence.

## **Legal Considerations**

7. Sociologists should note that there are national laws and administrative regulations (for example Data Protection Acts, the Human Rights Act, Copyright and Libel laws) which may affect the conduct of their research, data dissemination and storage, publication, rights of research subjects, of sponsors and employers. Of particular pertinence to the researcher(s) using visual methods are duties under UK Copyright Law. When using participants' own photographs, the researcher(s) should make the participant aware that, as creators of images, they (the image-makers(s)) are legally the owners. Thus the researcher(s) must have the participants' permission to use the photographs in publication (including publications on websites).
8. Researchers may want to discuss the status of the images with participants in order to clearly explain the dissemination strategy of the research project. In certain circumstances, the researcher(s) may want to create a written or verbal contract guaranteeing the participants ownership of the images produced. Under UK law copyright can be waived by participants and given to the researcher(s); however it is recommended that researchers read the current legislation or seek legal advice if taking this option (please note that the date of the creation of the image affects the legal status).
9. Similarly, in the use of archives or participants' own photo albums it is important to make clear your intended use of the document and obtain the relevant permissions to use the image.
10. The appropriate clearance for audio copyright should also be sought by members, where relevant.
11. All copyrighted images should be presented with the formal identification of copyright. See <http://www.patent.gov.uk/copy.htm> for further details or contact your publishing body (if relevant) who should have guidelines of the use of copyrighted images in publication.
12. Although sociologists, like other researchers, are committed to the advancement of knowledge, that goal does not, of itself, provide an entitlement to override the rights of others. When dealing with vulnerable groups in society, members should take particular care to explain the status and use of visual imagery in the research and the participants' own legal rights under UK law.

13. Members should be aware that they have some responsibility for the use to which their data may be put and for how the research is to be disseminated. Discharging that responsibility may on occasion be difficult, especially in situations of social conflict, competing social interests or where there is unanticipated misuse of the research by third parties. This is further complicated for researchers using visual data in the context of UK Copyright law.
14. Images depicting illegal activities, including criminal damage, sexual violence and hate crime do not have the privilege of confidentiality. The BSA – Visual Sociology Group believe that members have a responsibility and duty to give images depicting serious crime (including sexual violence, terrorism or child abuse) to the relevant authorities. Furthermore, the members have a professional responsibility to assist the police in matters of criminal activity. This is as much to protect the researcher, as it is to protect vulnerable individuals in society.
15. Particularly, images of a sexual activity should not be taken, disseminated or published without explicit consent from participants and a ethics clearance from a recognised ethnics board.
16. Consent for the use of such images should be made at all stages of the research process and initial consent should not be considered as indicative of continuous consent.
17. If members are found to be using sexually inappropriate or illegal images (as defined by UK law) by the BSA – Visual Sociology Group the individual will be excluded from participation or attendance at any of the group's events or those of any organization with which the group has an affiliation or relationship.
18. Moreover, such images and behaviours will be reported to the relevant authorities (in the first instance the police) recognized by duties under UK law. The Group is committed to aiding the police and investigative bodies in their inquiries and will liaise with these authorities if necessary.
19. Those not familiar with UK legislation on the creation, use and circulation of indecent images should seek legal advice or contact a police authority.
20. Research data given in confidence do not enjoy legal privilege that is they may be liable to subpoena by a court and research participants should be informed of this. Retaining images of serious crime (including child abuse, sexual violence and hate crime) is deemed criminal under British law and researchers should therefore contact the relevant authority and hand over any materials to the relevant authorities in such cases. If the researcher(s) is unaware as to which is the relevant authority to call, it is best to contact the research body that the research is being carried out for, or a higher level researcher on the team.

## **Relations with and Responsibilities towards Research Participants**

21. Sociologists have a responsibility to ensure that the physical, social and psychological well-being of research participants is not adversely affected by the research. They should strive to protect the rights of those they study, their interests, sensitivities and privacy, while recognising the difficulty of balancing potentially conflicting interests. Visual data which at one point may have been everyday can become extremely sensitive; in such instances members should not put the publication of the research before the physical, social and psychological well-being of participants.
22. Sociologists, when they carry out research, enter into personal and moral relationships with those they study, be they individuals, households, social groups or corporate entities. The researcher should endeavour to retain an ethical conduct if participants later repeal initial consent. Members should respect participants'

decisions and never pressurize them into giving consent, and should treat such instances with sensitivity and understanding.

23. Because sociologists study the relatively powerless as well as those more powerful than themselves, research relationships are frequently characterised by disparities of power and status. Despite this, research relationships should be characterised, whenever possible, by trust and integrity.
24. Members should endeavour not to abuse the trust of research participants, or use their position to encourage or lead participants to become involved in indecent or illegal activity.
25. In some cases, where the public interest dictates otherwise and particularly where power is being abused, obligations of trust and protection may weigh less heavily. Nevertheless, these obligations should not be discarded lightly.
26. As far as possible participation in sociological research should be based on the freely given informed consent of those studied. This implies a responsibility on the sociologist to explain in appropriate detail, and in terms meaningful to participants, what the research is about, who is undertaking and financing it, why it is being undertaken, and how it is to be disseminated and used. Here again clarity about the status and ownership of visual data will benefit the participants and the reputation of the discipline.
27. Members should note that in various cultures, certain visual research methods may offend the research setting and participants. For instance; the use of photo-documentary in aboriginal communities, or the use of write-and-draw techniques to explore notions of deity in Islamic communities. In these cases the researcher(s) should subject the research strategy to a high level of critical scrutiny and seek advice or comment from a professionally recognized ethics board. Issues that may arise include risks of censorship, threats to freedom of academic speech and offending a community.
28. Research participants should be made aware of their right to refuse participation whenever and for whatever reason they wish and this decision should be respected by the researcher(s).
29. Research participants should understand how far they will be afforded anonymity and/or confidentiality and should be able to reject the use of data-gathering devices such as tape recorders and still and video cameras.
30. Sociologists should be careful, on the one hand, not to give unrealistic guarantees of confidentiality and, on the other, not to permit communication of research films or records to audiences other than those to which the research participants have agreed.
31. Where there is a likelihood that data may be shared with other researchers, the potential uses to which the data might be put must be discussed with research participants and their consent obtained for the future use of the material. When making notes, aurally or visually recording for research purposes, sociologists should make clear to research participants the purpose and, as precisely as possible, to whom it will be communicated. It should be recognised that research participants have contractual and/or legal interests and rights in data, recordings and publications. For further details contact your publication body (where relevant) or seek legal advice.
32. Interviewers should clarify whether, and if so, the extent to which research participants are allowed to see transcripts of interviews and field notes and to alter the content, withdraw statements, to provide additional information or to add glosses on interpretations. It is preferable that participants will be able to see the visual data created by/of them and have some opportunity to reflect upon it.

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33. Clarification should also be given to research participants regarding the degree to which they will be consulted prior to publication; especially in cases where the participants own the copyright to the visual data. Where possible, participants should be offered feedback on findings, for example in the form of a summary report.
34. It should also be borne in mind that in some research contexts, especially those involving field research, it may be necessary for the obtaining of consent to be regarded, not as a once-and-for-all prior event, but as a process, subject to renegotiation over time. In addition, particular care may need to be taken during periods of prolonged fieldwork where it is easy for research participants to forget that they are being studied.
35. In some situations access to a research setting is gained via a 'gatekeeper'. In these situations members should adhere to the principle of obtaining informed consent directly from the research participants to whom access is required, while at the same time taking account of the gatekeepers' interest. In terms of visual research methods, access into the research setting does not necessarily constitute consent from participants, therefore visual data recording should not be undertaken until consent is confirmed. Lastly, since the relationship between the research participant and the gatekeeper may continue long after the sociologist has left the research setting, care should be taken not to compromise existing relationships within the research setting.
36. It is, incumbent upon members to be aware of the possible consequences of their work. Wherever possible they should attempt to anticipate, and to guard against, consequences for research participants that can be predicted to be harmful. Members are not absolved from this responsibility by the consent given by research participants.
37. In many of its forms, social research intrudes into the lives of those studied. While some participants in sociological research may find the experience a positive and welcome one, for others, the experience may be disturbing. Even if not harmed, those studied may feel wronged by aspects of the research process. This can be particularly so if they perceive apparent intrusions into their private and personal worlds, or where research gives rise to false hopes, uncalled for self-knowledge, or unnecessary anxiety. Members should consider carefully the possibility that the research experience may be a disturbing one and should attempt, where necessary, to find ways to minimise or alleviate any distress caused to those participating in research. It should be borne in mind that decisions made on the basis of research may have effects on individuals as members of a group, even if individual research participants are protected by confidentiality and anonymity.
38. Special care should be taken where research participants are particularly vulnerable by virtue of factors such as age, disability, or their physical or mental health. Researchers will need to take into account the legal and ethical complexities involved in those circumstances where there are particular difficulties in eliciting fully informed consent. In some situations proxies may need to be used in order to gather data. Where proxies are used, care should be taken not to intrude on the personal space of the person to whom the data ultimately refer, or to disturb the relationship between this person and the proxy. Where it can be inferred that the person about whom data are sought would object to supplying certain kinds of information, that material should not be sought from the proxy.
39. Research involving children requires particular care. The consent of the child should be sought in addition to that of the parent. Ability for the children to give consent should be discussed in detail with a professionally recognised ethics committee. Researchers should use their skills to provide information that could be understood by the child, and their judgement to decide on the child's capacity to understand what is being proposed. Specialist advice and expertise should be sought where relevant. Researchers should have regard for issues of child protection and make provision for the potential disclosure of abuse. The relevant police clearance should be sought by the researcher(s), especially in the use of methods involving photographing the children; see <http://www.crb.gov.uk/> for further details.

40. The research should not use language or construct images which aim to discriminate against specific groups. For instance the Office for Disability Issues has published a website focusing on disablism and the representation of Disabled people at <http://www.imagesofdisability.gov.uk/>

### **Covert Research**

41. There are serious ethical and legal issues in the use of covert research but the use of covert methods may be justified in certain circumstances. For example, difficulties arise when research participants change their behaviour because they know they are being studied. Researchers may also face problems when access to spheres of social life is closed to social scientists by powerful or secretive interests.
42. However, covert methods violate the principles of informed consent and may invade the privacy of those being studied. Covert researchers might need to take into account emerging legal frameworks surrounding the right to privacy.
43. In such studies it is important to safeguard the anonymity of research participants. Ideally, where informed consent has not been obtained prior to the research it should be obtained post-hoc. There are however, major difficulties in anonymizing data in research using visual methodologies especially; in the use of photographic data. Special consideration should be given to the outcome of the study, and the potential harm that the research could bring the researched and the researcher(s). Before undertaking this form of research it is advisable for the member(s) to liaise with a professionally recognised ethics board.

### **Anonymity, privacy and confidentiality**

44. The anonymity and privacy of those who participate in the research process should be respected. Personal information concerning research participants should be kept confidential. In some cases it may be necessary to decide whether it is proper or appropriate even to record certain kinds of sensitive information.
45. Where possible, threats to the confidentiality and anonymity of research data should be anticipated by researchers and discussed in full with research participants.
46. Appropriate measures should be taken to store research data in a secure manner. Members should have regard to their obligations under the Data Protection Acts (See <http://www.foi.gov.uk/datprot.htm> ). Where appropriate and practicable, methods for preserving anonymity should be used including the removal of identifiers, the use of pseudonyms and other technical means for breaking the link between data and identifiable individuals. Members should also take care to prevent data being published or released in a form that would permit the actual or potential identification of research participants without prior written consent of the participants. Potential informants and research participants, especially those possessing a combination of attributes that make them readily identifiable, may need to be reminded that it can be difficult to disguise their identity without introducing an unacceptably large measure of distortion into the data. The extent to which the research will have to adapt visual data/material will depend on the level of confidentiality agreed with participants.
47. Guarantees of confidentiality and anonymity given to research participants must be honoured, unless there are legal duties and obligations not to do so; for example in the case of serious crime (including sexual violence and child abuse). Other people, such as colleagues, research staff or others, given access to the data must also be made aware of their obligations in this respect.
48. There may be fewer compelling grounds for extending guarantees of privacy or confidentiality to public organisations, governments, officials or agencies than to individuals or small groups. Nevertheless, where

guarantees have been given they should be honoured, unless there are clear and compelling public interest reasons not to do so.

49. During their research members should avoid, where they can, actions which may have deleterious consequences for sociologists who come after them or which might undermine the reputation of sociology as a discipline.
50. Members should take special care when carrying out research via the Internet. Eliciting informed consent, negotiating access agreements, assessing the boundaries between the public and the private, and ensuring the security of data transmissions are all problematic in Internet research. Members who carry out research online should ensure that they are familiar with ongoing debates on the ethics of Internet research, and might wish to consider erring on the side of caution in making judgements affecting the well-being of online research participants. Furthermore, researchers should be responsible in dissemination of online research projects using forums and chatrooms, on which many individuals post photographs (sensitive and not) of themselves and can thus be readily identified.

### **Relations with & Responsibilities towards Sponsors and/or Funders**

51. A common interest exists between sponsor, funder and sociologist as long as the aim of the social inquiry is to advance knowledge, although such knowledge may only be of limited benefit to the sponsor and the funder. That relationship is best served if the atmosphere is conducive to high professional standards.
52. Members should ensure that sponsors and/or funders appreciate the obligations that sociologists have not only to them, but also to society at large, research participants and professional colleagues and the sociological community. The relationship between sponsors or funders and social researchers should be such as to enable social inquiry to be undertaken professionally. In research projects involving multiple funders or inter-disciplinary teams, members should consider circulating this Statement to colleagues as an aid to the discussion and negotiation of ethical practice.
53. Research should be undertaken with a view to providing information or explanation rather than being constrained to reach particular conclusions or prescribe particular courses of action.
54. Members should clarify in advance the respective obligations of funders and researchers where possible in the form of a written contract. They should refer the sponsor or funder to the relevant parts of the professional code to which they adhere. Members should also be careful not to promise or imply acceptance of conditions which are contrary to their professional ethics or competing research commitments.
55. Where some or all of those involved in the research are also acting as sponsors and/or funders of research the potential for conflict between the different roles and interests should also be made clear to them.
56. Members should also recognise their own general or specific obligations to the sponsors whether contractually defined or only the subject of informal and often unwritten agreements. They should be honest and candid about their qualifications and expertise, the limitations, advantages and disadvantages of the various methods of analysis and data sources, and acknowledge the necessity for discretion with confidential information obtained from sponsors. They should also try not to conceal factors that are likely to affect satisfactory conditions or the completion of a proposed research project or contract.
57. Members should not accept contractual conditions that are contingent upon a particular outcome or set of findings from a proposed inquiry. A conflict of obligations may also occur if the funder requires particular methods to be used.

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58. Members should clarify, before signing the contract, how far they are entitled to be able to disclose the source of their funds, the personnel, aims and purposes of the project.
59. Members should also clarify their right to publish and disseminate the results of their research.
60. Members have an obligation to ensure sponsors grasp the implications of the choice between alternative research methods.
61. Members are frequently furnished with information by the funder who may legitimately require it to be kept confidential. Methods and procedures that have been utilised to produce published data should not, however, be kept confidential unless otherwise agreed.
62. When negotiating sponsorships members should be aware of the requirements of the law with respect to the ownership of and rights of access to data.
63. In some political, social and cultural contexts some sources of funding and sponsorship may be contentious. Candour and frankness about the source of funding may create problems of access or co-operation for the social researcher(s) but concealment may have serious consequences for colleagues, the discipline and research participants. The emphasis should be on maximum openness.
64. Where sponsors and funders also act directly or indirectly as gatekeepers and control access to participants, researchers should not devolve their responsibility to protect the participants' interests onto the gatekeeper. Members should be wary of inadvertently disturbing the relationship between participants and gatekeepers since that will continue long after the researcher(s) has left.
65. Members have a responsibility to notify the sponsor and/or funder of any proposed change to the details of the agreed contract
66. A research study should not normally be undertaken where it is anticipated that resources will be inadequate.
67. When financial support or sponsorship has been accepted, members must make every reasonable effort to complete the proposed research on schedule, including reports to the funding source.
68. Members should, wherever possible, disseminate their research findings as widely as possible and where required make their research data available to other researchers via appropriate archives.
69. Members should normally avoid restrictions on their freedom to publish or otherwise broadcast research findings.

## **End of Statement**