Public Policy and Ethics in Marketing Research for Organizations:
Concerns, Strategies, and Initiatives

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ABSTRACT

Companies conduct marketing research to generate customer insights. Marketing research involves public policy and ethical issues. The objective of the study is to analyze such issues. The methodology adopted is a conceptual analysis of the various public policy and ethical issues. The issues relate to intrusions on consumer privacy, consumer data security, and misuse of research findings. The discussions focus on technoethics involved in data collection in the digital age. Responsibilities of governments and companies for consumer privacy, measures to protect consumer privacy and to ensure technoethics, consumer data protection, and ensuring ethics for marketing research are discussed. The discussions will allow academicians and practicing managers to adopt initiatives and strategies which are effective. Policy makers and authorities may analyze the various aspects and implement rules and regulations which are effective in consumer privacy, consumer data security and protection, in preventing misuse of research findings, and in ensuring ethics in marketing research.

1. INTRODUCTION

Companies require understanding customer requirements and preferences to serve them well (Min, Yun, & Geum, 2018). Companies should analyze what is of value to customers and should try to incorporate the values in their offerings (Gaulė & Jovarauskienė, 2022). Customer value cannot be analyzed unless companies collect information about customers and understand their requirements and preferences. Marketers should gain insights about customers and about the marketplace based on the analysis of the information (Mandal, 2020). Companies develop and manage information about marketplace elements viz. customers, competitors, products, and marketing programs (Joanna, Marek, & Władysław, 2020). Companies need to have the necessary expertise to transform marketing information from a slew of new sources into fresh customer insights that will help them engage customers and deliver greater value to them (Du, Netzer, Schweidel, & Mitra, 2021). Consumers

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require conducting marketing research to achieve the purpose. Previously, marketing research was limited to employing traditional techniques (Sahebi, Kordheydari, & Aghaei, 2022). At present, marketing research is not limited to applying traditional techniques. Marketers now-a-days employ new digital, online, mobile, and analytical techniques that enhance the abilities of the marketers to gather, analyze, communicate, and to gain insights from data about consumers and markets (Remigious Ezeugwu, Achi, & Ezeugwu, 2022).

Market research benefits the company and its customers. However, the collection of data about the business environment and the analysis of data may involve various public policy issues (Pauwels & Perry, 2022). Moreover, in the digital age, the issues related to data and information have become more critical than ever. Such public policy issues may also give rise to ethical issues. Such issues, if unattended, will result in consumer mistrust and will affect the relationships between customers and companies in the long run. In some cases, intervention by governments and regulatory bodies may be required to control the issues.

The issues are critical and require analysis. However, few researchers focus on the public policy issues and ethics involved in marketing research. Such issues should be analyzed properly so that rules and regulations may be formulated to control such issues. The study aims to address this research gap.

The objective of the study is to understand the various issues which may be related to marketing research. The study focuses mainly on analyzing the various public policy issues and ethics involved in marketing research. The study also focuses on technoethics involved in marketing research in the digital age.

The methodology adopted is a conceptual analysis of the various aspects related to data collection and analysis and the public policy issues and ethics involved in marketing research. The study also focuses on conducting a conceptual analysis of technoethics related to marketing research in the digital age. Primary data is not collected and empirical analysis is not done.

The novelty and the contributions of the study lie in the fact that an in-depth conceptual analysis of the various public policy and ethical issues related to marketing research is done. Technoethics in marketing research is becoming an important issue in the digital age and with advancements in technological developments. Issues related to technoethics are discussed. Consumer privacy, consumer data security and protection, and misuse of research findings are discussed. Both academicians and practicing managers will be benefited from the discussions. Academicians may analyze the various aspects of public policy and ethical issues related to marketing research, consumer privacy, consumer data security, and technoethics and suggest better ways to utilize marketing research and to generate consumer insights by staying within ethical domains. Practicing managers may understand and realize the importance of ethics, technoethics, consumer privacy, consumer data security, and proper usage of research findings. They may evaluate the existing initiatives and strategies in their organizations and suggest initiatives and strategies which will be effective in future. Based on the analysis, governments and policy makers may implement rules and regulations which may protect consumers and may instill trust and belief in the minds of consumers.

The study is structured as follows:

Public policy issues related to marketing research are highlighted in section 2. Section 3 discusses about the various aspects related to intrusions on consumer privacy. Intrusions on consumer privacy and technoethics are related to each other in the digital age and this is highlighted in section 4. Governments and businesses have responsibilities towards protection of consumer privacy and adopt various measures and initiatives to protect consumer privacy and to ensure technoethics. These aspects are discussed in sections 5 and 6 respectively. Various aspects related to consumer data security and protection are discussed in section 7. Research findings may be misused, misinterpreted, and misrepresented for the benefits of researchers and companies. Such issues are highlighted in section 8. It should be ensured that ethics is maintained in marketing research and this aspect is discussed in section 9. The salient points of the discussions are highlighted in section 10 with sub-sections 10.1 and 10.2 highlighting the theoretical implications and the managerial implications of the study respectively.

Section 11 concludes the study with sub-sections 11.1 and 11.2 highlighting the limitations of the study and the avenues of future research respectively.

2. MARKETING RESEARCH AND PUBLIC POLICY ISSUES

Marketing research conducted by companies benefit both the sponsoring company and its consumers (Möller & Halinen, 2022). In the digital age, it is easier and convenient for companies to conduct marketing research and to generate customer insights (Gibson, Hsu, & Zhou, 2022). Marketing research allows companies to gain insights about customer requirements and preferences. However, marketing research may be misused by companies. It is easier for companies to misuse, misinterpret, and misrepresent the marketing research findings in the digital age (Mandal, 2019). Companies should gain insights to deliver satisfying products and services to customers and to develop strong customer relationships. However, the misuse of marketing research and its findings can harm or annoy customers (Mandal, 2019). There may be various public policy issues related to marketing research conducted by companies. Such public policy issues may also result in ethical issues (Mandal, 2018a). Three major public policy and ethical issues in marketing research relate to intrusions on consumer privacy, consumer data security and protection, and the misuse of research findings (Mandal, 2021).

3. INTRUSIONS ON CONSUMER PRIVACY

Consumers are positive about marketing research and believe that marketing research serves a useful purpose (Vahdat, Hafezniya, Jabarzadeh, & Thaichon, 2020). They enjoy responding to customer surveys and providing opinions to researchers. However, there are customers who strongly resent or even mistrust marketing research. They worry that companies collect customer information, store the information in databases, and analyze the information. The databases may be full of personal information about customers. Customers also fear that researchers might use sophisticated techniques to probe and to analyze their deepest feelings (Mandal, 2019). Customers fear that researchers may keep a track of their internet usage and mobile device usage. Researchers may observe and analyze the behavior of consumers when they shop and then apply this knowledge to manipulate the buying behavior of consumers (Saritas, Bakhtin, Kuzminov, & Khabirova, 2021). Recent surveys indicate that more than 90 percent of Americans feel that they have lost control over the collection and use by companies of their personal data and information they share on social media sites (Mandal, 2019).

A classic example of misuse of consumer data is Target. Target used the buying histories of consumers to understand whether their female customers were pregnant or not (Mandal, 2021). Target also tried to accurately estimate the gender of the child and the due date of delivery (Mandal, 2021).

Target provides every customer with a Guest ID number, tied to his or her name, credit card, or email address. Target also tracks the purchase details of customers, along with demographic details from other sources (Martin, 2022). Target studied the buying histories of women who had previously signed up for its baby registries. Based on the information collected, Target developed a *pregnancy prediction score* for each customer. This score was based on the purchasing patterns of the female customers across 25 product categories (Hill, 2012). The company then used the score to predict which females might be pregnant. Based on the prediction, Target started sending personalized books of coupons for baby-related items to expectant parents. The coupons were keyed to their pregnancy stages (Duhigg, 2012).

The strategy worked initially for Target because it had a good marketing sense. Based on the prediction, Target could identify the parents-to-be and based on the subsequent offers, Target tried to build relationships with such customers, and tried to convert them into loyal customers as their families developed (Hill, 2012). However, Target had to face the backlash from angry customers. An angry man accused that his high school-aged daughter was receiving Target coupons for cribs, strollers, and maternity clothes (Martin, 2022). "Are you trying to encourage her to get pregnant?" he

demanded. The Target store manager apologized. However, when he called again to apologize after a few days, he learned that Target's marketers had, in fact, known about the young woman's pregnancy before her father did (Hill, 2012). Many other customers also complained that Target knew about their pregnancies even before they themselves revealed about their pregnancies to even family and close friends. Such customers also started wondering what other information Target might be keeping track of. They were also worried that based on the data collected and the prediction done, Target might be developing their profiles (Duhigg, 2012). As one reporter concluded: "The store's bull's-eye logo may now send a shiver … down the closely-watched spines of some (Target shoppers)" (Hill, 2012). Clearly, critics and customers themselves are worried about consumer privacy and security of the information collected by companies from them.

Marketers should be careful and cautious that they do not cross over the privacy line during collecting, storing, and mining customer information. They should understand that there is a fine line of demarcation between what is ethical and what is unethical.

4. INTRUSIONS ON CONSUMER PRIVACY AND TECHNOETHICS

Marketers find it difficult to draw a line when it comes to marketing research and privacy related to technical data (Mandal, 2021). For example, it is difficult to answer whether it is a good or a bad thing when some retailers use mannequins with cameras hidden in one eye to record customer demographics and shopping behavior. Marketers argue that such recording is done to understand customers better and to serve them better (Najafi, Heidarzadeh Hanzaee, & Khounsiavash, 2021). Similarly, companies monitor posts made by consumers on Facebook, Twitter, Instagram, YouTube, or other social media to be more responsive (Bhandari & Bansal, 2018). Companies also track the mobile phone usage of individuals. Such tracking may be done to issue location-based information, offers, and advertisements (Ashok, Madan, Joha, & Sivarajah, 2022).

SAP provides Consumer Insight 365 service which helps mobile service providers to "extract data about subscribers (and their) mobile-centric lifestyles" (Plattner & Leukert, 2015). It keeps track of more than 300 mobile web surfing, text messaging, phone calls, and other mobile events per day for each of its 20 to 25 million mobile subscribers across multiple carriers (Christl, Kopp, & Riechert, 2017). Marketers can generate customer insights based on the data. According to one analyst, by combining the mobile data with other information, the service can tell businesses "whether shoppers are checking out competitor prices on their phones or just emailing friends. It can tell them the age ranges and genders of people who visited a store location between 10 a.m. and noon, and link location and demographic data with shoppers' web browsing histories. Retailers might use the information to arrange store displays to appeal to certain customer segments at different times of the day, or to help determine where to open new locations" (Kaye, 2015). Such information allows marketers to understand customers and their requirements and preferences better. However, such information might be *a little close for comfort* for those customers who respect privacy (Plattner & Leukert, 2015).

Market researchers should ensure consumer privacy. Increasing concerns about consumer privacy is a major issue for the marketing research industry (Brough, Norton, Sciarappa, & John, 2022). Companies require to collect, store, and analyze sensitive customer data to generate customer insights. However, it becomes difficult for companies to always maintain consumer trust when it comes to collection and analysis of data in marketing research. Consumers desire personalization. Personalization requires collection and analysis of huge amount of customer data. However, customers are worried about privacy. Consumers should make a trade-off between personalization and privacy (Gouthier, Nennstiel, Kern, & Wendel, 2022). Consumers want to receive relevant and personalized offers that meet their needs. However, they worry about or resent the fact that companies may track them too closely. Companies should be cautious about when they cross the line in gathering, using, and in analyzing customer data (Mandal, 2019).

5. RESPONSIBILITIES OF GOVERNMENTS AND BUSINESSES FOR CONSUMER PRIVACY

Companies and businesses should try to ensure consumer privacy. Otherwise, failure to do so may result in angry and frustrated customers and increased government intervention (Libaque-Sáenz, Wong, Chang, & Bravo, 2021). Consequently, the marketing research industry considers several options for responding to issues related to intrusion and privacy. For example, the Marketing Research Association has undertaken initiatives like *Your Opinion Counts* and *Respondent Bill of Rights* to educate consumers about the benefits of marketing research. The initiatives also enlighten consumers to distinguish marketing research from telephone selling and database building (Mandal, 2018a).

Enlightened companies consider consumer privacy to be a serious issue. Such companies try to protect the privacy of consumers (Quach, Thaichon, Martin, Weaven, & Palmatier, 2022). Companies like Facebook, American Express, Apple, IBM, Microsoft, and even the U.S. government have appointed a chief privacy officer (CPO). The major responsibility of CPO is to safeguard and to ensure the privacy of consumers (Mandal, 2018a). The CPO of IBM claims that her job requires *multidisciplinary things and attitude*. She needs to coordinate with all the departments in the company, from technology, legal and accounting to marketing and communications. She needs to ensure that all the departments work together towards the common goal of safeguarding customer privacy (Mandal, 2018a).

Consumers do not hesitate to share information if they are convinced that marketing research will provide value in exchange of information. For example, customers of Amazon are not worried when Amazon develops and maintains a database of previous purchases. The customers are assured that Amazon conducts analysis of those purchases to provide future product recommendations and to serve them better. The process also saves time, energy, money, and resources and provides value (Lin, 2022). Similarly, users of Bizrate gladly complete surveys rating online seller sites because they can view the overall ratings of others when making purchase decisions (Duan & Zhang, 2021). Researchers should ask for only the information they require, take responsibility for the customer information collected by them, use it responsibly to provide customer value, and should avoid sharing information with third parties without the explicit consent of customers.

6. MEASURES TO PROTECT CONSUMER PRIVACY AND ENSURE TECHNOETHICS

Companies and various organizations in the marketing research industry adopt initiatives to protect consumer privacy and to ensure technoethics (Mandal, 2021). TRUSTe is an organization which monitors the privacy practices of websites. TRUSTe conducted a survey which revealed that more than 90 percent of respondents view online as a *really* and *somewhat* important issue (Slepchuk, Milne, & Swani, 2022). More than 75 percent of the respondents agreed with the statement, "The internet is not well regulated, and naïve users can easily be taken advantage of" (Slepchuk et al., 2022). Respondents also expressed their desire of not being tracked when they are online. More than 66 percent of the respondents said that they do not want companies to tailor advertisements to their interests (Slepchuk et al., 2022). It is not surprising that lesser number of individuals are willing to reveal personal information on websites.

The marketing research industry adopts several measures to respond to such issues. Several associations have come together and do work in collaboration to protect consumer interests. The European Federation of Associations of Market Research Organizations and European Society for Opinion and Marketing Research (ESOMAR) have recently jointly suggested a range of amendments to the European Commission's Directive 95/46/EC. The directive deals with data protection (Lachapelle, 2022). The research industry also has considered adopting broad standards. These standards are based on the ESOMAR and International Chamber of Commerce worldwide code of ethical practices (the

ICC/ESOMAR International Code on Market and Social Research). The code of ethics outlined here includes the responsibilities of researchers to respondents and to the general public (Madan, Rosca, Dumitru, & Canda, 2022). For example, the code requires that researchers should reveal their names, addresses, and other necessary details to respondents. Respondents should be able to contact the researchers if they feel necessary. It also bans companies and research agencies from representing activities such as database compilation or sales and promotional pitches as research (Madan et al., 2022).

7. CONSUMER DATA SECURITY AND PROTECTION

Companies develop and maintain large customer databases. Such large databases can pose serious data security challenges for companies (Dey-Foy, 2019). Consumers tend to believe that the data shared by them with companies are in safe custody. They believe that companies will adopt sufficient measures to protect the personal data they collect. However, in many cases, data breaches happen. In the recent times, many reputed companies and brands have experienced major consumer data breaches. Sometimes, such data breaches have affected millions of consumers (Negri & Ieva, 2022).

For example, it was reported by Facebook that two separate major data breaches happened. The data breaches affected its users and exposed the personal information of 87 million and 50 million users respectively (Brown & Peterson, 2022). The information related to personalities of users, social networks, and engagement of users on the platform (Brown & Peterson, 2022). Major retailers such as Target, Macy's, and Saks Fifth Avenue have reported data security breaches. The breaches compromised the payment card information for millions of their customers (Nadeem, Tan, Tajvidi, & Hajli, 2021). A massive data breach was reported by credit reporting agency, Equifax. The breach exposed sensitive data of more than 146 million customers. The information contained passport numbers, Social Security Numbers, and driver's license information of the customers (Choi, 2021). Yahoo! also announced a major data breach a few years back. The data breach affected the personal information contained in more than 3 billion Yahoo! accounts (Daswani & Elbayadi, 2021).

Marriott International reported that its Starwood Reservation system was breached by hackers. Hackers stole the personal information of more than 500 million customers of Marriott International (Shukla, George, Tiwari, & Kureethara, 2022).

Marriott-owned Starwood hotels comprise of Sheraton, Westin, W Hotels, St. Regis, Aloft, and others. The hotels are a rich source of information about guests. The information may contain combinations of names, mailing addresses, phone numbers, email addresses, credit card numbers, Starwood Preferred Guest (SPG) account information, dates of birth, gender arrival and departure information, reservation dates, and communication preferences. The information may also contain travel histories and passport numbers of some guests (Aryee, 2020). The data breach involved customers who booked reservations for Starwood hotel brands from early 2014 to September 2018. Marriott was prompt and took immediate steps when the data breach was discovered. However, it was too late and the damage had already been done to Marriott's reputation (Paraskevas, 2020). One data privacy advocate said, "They can say all they want they take security seriously, but they don't if you can be hacked over a four-year period without noticing" (Paraskevas, 2020).

Failures to secure data may harm consumers. Moreover, data breaches may affect and damage the reputation and images of companies and brands. Firstly, data breaches and data theft can be costly (Kumar, Kumar, & Amin, 2022). For example, Equifax reported recovery costs of $400 million from the data breach incident. Marriott had to experience lawsuits and recovery costs. The data breach for Marriott was of a long duration and was massive. Marriott faced hefty fines in Europe under the EU's General Data Protection Regulation (GDPR) (Barrett, 2019). Such incidents of data breaches and data thefts will require government intervention. Governments should enforce rules and regulations so that such types of incidents do not happen. Also, the massive data security lapses erode consumer

trust. Customer-brand relationships which are built and developed over a long period of time may be destroyed. Thus, companies must take security of consumer data seriously.

8. MISUSE OF RESEARCH FINDINGS

Market researchers can employ research studies as a powerful persuasion tool (Tarrahi & Eisend, 2021). Companies often use the results of research studies to substantiate their claims in advertising and promotion. However, marketers may misuse, misinterpret, and misrepresent research findings (Mandal, 2021). Research results may be used as vehicles for pitching the products of sponsors. In many cases, research surveys and studies are designed in such a way that they support the claims which marketers want to make (Mandal, 2021). For example, a Black Flag survey once asked, "A roach disk … poisons a roach slowly. The dying roach returns to the nest and after it dies is eaten by other roaches. In turn these roaches become poisoned and die. How effective do you think this type of product would be in killing roaches?" As expected, 79 percent of the respondents said that the process will be effective (Mandal, 2021).

Another example is of the UK phone and broadband service provider TalkTalk which claimed that customers could save €160 per year (Chapman, Chinnaswamy, & Garcia-Perez, 2018). They urged individuals through their television advertisements, to join the community of customers *who are already saving an average of over £140 (€160) a year* (Yang, Lee, Hwang, & Shin, 2013). Competitors of TalkTalk reacted strongly to such claims. They accused that such claims were misleading exaggerations because they were based on average savings of TalkTalk customers and not on savings that could be achieved by new target customers (Chapman et al., 2018). TalkTalk argued that the on-screen text of their claims was surrounded by question marks. So, the claim was more of a question than a definitive statement. Nevertheless, the marketing tactics of TalkTalk were severely criticized by the UK Advertising Standards Authority. The authority accused that TalkTalk was misleading the public with information which was not true (Chapman et al., 2018).

There are marketers and advertisers who openly rig their research designs or blatantly misrepresent the research findings. Most abuses tend to be more subtle stretches. In many cases, disputes arise regarding the validity, reliability, interpretation, and use of research findings. Again, any research result can be interpreted in the way the researchers want to interpret. So, research results are dependent to a large extent on the biases and viewpoints of the researchers.

9. ENSURING ETHICS FOR MARKETING RESEARCH

Critics and experts believe that ethics should be ensured in marketing research (Kolb, 2022). Several associations recognize that marketing research can be abused, misinterpreted, and misused. Associations like the American Marketing Association, the Marketing Research Association, and the Council of American Survey Research Organizations (CASRO) are of the opinion that codes of ethics should be developed and enforced for marketing research (Hopkins, Ferrell, Ferrell, & Hopkins, 2021). Such organizations have developed codes of research ethics and standards of conduct. For example, the CASRO Code of Standards and Ethics for Survey Research outlines the responsibilities of researchers to respondents. Such responsibilities include confidentiality, privacy, and avoidance of harassment. It also outlines major responsibilities in reporting results to clients and the public (Council of American Survey Research Organizations, 2001).

Rules and regulations are enforced to prevent unethical behavior in marketing research. However, rules and regulations may not be sufficient to prevent unethical behavior. Companies and market researchers should accept responsibility for policing the conduct and for the reporting of their own marketing research. They should work towards protecting the best interests of consumers as well as their own.

10. DISCUSSIONS

Marketers require gaining insights about customers and marketplace. Companies develop and manage information about important marketplace elements which include customers, competitors, products, and marketing programs. The marketing information and research industry is undergoing a major transformation. Traditional marketing research is giving way to an onslaught of new digital, online, mobile, and analytical technologies. Such technologies enhance the abilities of marketers to gather, analyze, communicate, and to gain insights from data about consumers and markets. Conducting marketing research involves several ethical issues. The digital age gives rise to issues related to technoethics. All organizations need to act responsibly concerning major public policy and ethical issues surrounding marketing research. Such issues include intrusions on consumer privacy, consumer data security and protection, and misuse of research findings. Responsibilities of governments and companies to ensure consumer privacy, measures adopted to protect consumer privacy and to ensure technoethics, and measures to ensure ethics in marketing research are discussed. The study has several theoretical and managerial implications.

10.1. Theoretical Implications

Academicians may study and analyze the various aspects of collection and analysis of customer data. They may study the various aspects of ethics and public policy issues involved in marketing research. In the digital age, technoethics involved in marketing research is a major concern. They may study and analyze all these aspects and the measures adopted by governments, regulatory bodies, and companies to ensure ethics in marketing research. They may suggest models which will help companies to prevent misuse, misinterpretation, and misrepresentation of research findings and to ensure ethics in marketing research. Technoethics is an important aspect which is gaining importance at present with the collection of digital data. Academicians may analyze the evolving aspects related to technoethics and suggest improvements.

10.2. Managerial Implications

Public policy and ethical issues related to marketing research are of concern to companies and practicing managers. Technoethics has become an important aspect of marketing research with the collection and analysis of customer data with the help of digital and technological tools. Technological developments are taking place at a fast pace and the issues related to technoethics have already started gaining importance. The discussions will sensitize companies and practicing managers about the various aspects of public policy and ethical issues related to marketing research. They will realize and understand their responsibilities towards protection of consumer privacy and should adopt measures to protect consumer privacy and to ensure technoethics. They will ensure consumer data security and prevent misuse, misinterpretation, and misrepresentation of research findings. Overall, they will ensure that ethics is maintained in marketing research. They will investigate which measures are already in place in their organizations and will suggest effective measures which will help organizations to ensure ethics in marketing research.

11. CONCLUSION

Companies and businesses should investigate the various public policy and ethical issues related to marketing research. In the digital age, companies should also be concerned about technoethics. Companies should explore intrusions on consumer privacy and technoethics, responsibilities of governments and companies for consumer privacy, and consumer data security and protection. Companies should adopt measures to protect consumer privacy and to ensure technoethics. They should also ensure that research findings are not misused, misinterpreted, and misrepresented. Overall, they should ensure ethics in all aspects of marketing research.

11.1. Limitations

The study focused on conducting a conceptual analysis related to various public policy and ethical issues in marketing research. In the digital age, technoethics is also gaining importance. A conceptual analysis of the various issues related to technoethics is done. However, primary data is not collected and empirical analysis is not done. Also, the study focused on conducting the analysis mainly with respect to the markets in the United States.

11.2. Avenues of Future Research

Researchers may collect primary data and conduct empirical analysis to investigate the various aspects related to public policy and ethical issues in marketing research. Technoethics is also an important issue with the collection and analysis of customer data in the digital age. Researchers may analyze the various ethical issues related to collection and analysis of data with the help of technological tools. Empirical analysis may provide relevant insights which may be practical and implementable. Also, researchers may conduct both conceptual and empirical analysis in markets other than that of the United States and arrive at relevant customer insights.

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