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Mr Tristan Kathage  
Director  
IPND Review Section  
Department of Broadband, Communications  
and the Digital Economy  
GPO Box 2154  
CANBERRA ACT 2601

[IPND.Review@dbcde.gov.au](mailto:IPND.Review@dbcde.gov.au)

Dear Mr Kathage,

**DISCUSSION PAPER: REVIEW OF THE INTEGRATED PUBLIC NUMBER DATABASE (IPND)**

Thank you for your invitation to make a submission in relation to the abovementioned discussion paper.

The Research Industry Council Australia (RICA) represents both business and professional bodies in the social and market research industry. Our constituent bodies are the Association of Market and Social Research Organisations (AMSRO), representing businesses, and the Australian Market and Social Research Society (AMSRS), representing individual research professionals.

The market and social research industry turns over \$750 million annually and employs over 12,000 people and over 4,100 of these are full-time professionals.

On behalf of RICA, we write to inform the Department about the social and market research industry's position on the issues set out in the discussion paper.

Please see our following submission.

Yours sincerely,

Martin O'Shannessy & Szymon Duniec  
On behalf of the RICA Council

**Contact:** Sarah Campbell  
RICA Council Member  
M: 0417 665 144  
[sarah@amsro.com.au](mailto:sarah@amsro.com.au)

Elissa Molloy  
RICA Council Member  
M: 0417 155 325  
[elissa@amsrs.com.au](mailto:elissa@amsrs.com.au)



## **RICA SUBMISSION - DISCUSSION PAPER: REVIEW OF THE INTEGRATED PUBLIC NUMBER DATABASE (IPND)**

### **Key Points**

- As acknowledged in the current IPND access framework, there is a strong public interest case for allowing the research industry access to the IPND.
- Overly-restrictive conditions for IPND access, combined with increases in the number of households without fixed landlines, are seriously impacting the accuracy of market and social research.
- The potential economic impact of inaccurate market and social research data is significant – thousands of public, not-for-profit and private sector organisations depend on accurate research data to inform critical investment and resource allocation decisions.
- RICA proposes a new (self managing) framework and process for access to the IPND by the research industry.
- RICA's proposed model would provide greater privacy protection to Australian households than the existing IPND access arrangements for researchers and would ensure the industry continues to provide accurate research to benefit the Australian public.

### **Overview**

RICA welcomes this review of the IPND. We agree with the Department that the review is timely and appropriate. In addition to the reasons provided in the Discussion Paper, the review is timely because it offers the Australian Government the opportunity to address an important emerging threat to economic efficiency in Australia.

RICA submits that there is a strong public interest in ensuring that telephone survey research of Australian households (whether it be health research, public policy research, electoral research or research to inform commercial or not-for-profit sector decisions) is able to be conducted efficiently and to produce accurate results. In the private sector, as well as in many government and not-for-profit sector contexts, such research provides a critical input to decision making that drives product and service innovation, productivity increases and economic efficiency.

The ability of the market and social research industry to conduct efficient and accurate telephone surveys is being seriously eroded by the increasing proportion of Australian households without a landline telephone connection.



Allowing broader, more economically efficient and more timely access by the research industry to IPND data would address this problem by enabling appropriately regulated telephone survey researchers to access comprehensive lists of geographically-tagged mobile and VoIP telephone numbers.

To achieve this, RICA proposes that a standing authorisation IPND access model be introduced for the research industry along the following lines:

- AMSRO and AMSRS would jointly apply once for a standing authorisation from ACMA for access to the IPND.
- The ACMA authorisation would allow a database administrator appointed by AMSRS and AMSRO to obtain quarterly updates from the manager of the IPND of a limited subset of **de-identified** IPND data (telephone number, matching postcode of service and directory address, type of service – i.e. landline, mobile or VoIP – and whether the number is classified as residential, business, government or charity), subject to ACMA being satisfied that the database administrator has appropriate information security and privacy protections in place.
- The appointed database administrator would be permitted to provide extracts of its IPND-derived database to AMSRS and AMSRO members for use for appropriate research purposes without the need for individual ACMA authorisation of each research project.
- Researchers would be provided with IPND-derived data by the database administrator if they undertook to use the data only for research:
  - conducted in accordance with the standards and codes of conduct issued by AMSRS and AMSRO;
  - conducted in accordance with the *Privacy Act 1988* (Cth); and
  - that does not involve contacting persons to conduct sales, promotional or fundraising activities.
- AMSRO and AMSRS would cover the costs of this model relating to the database administrator and the IPND Manager's costs for quarterly updates.

RICA notes that its proposed access model provides greater privacy protection to Australian households than the existing access model for researchers, which enables researchers to access identity information and specific address details of individual telephone service subscribers.



## Response to Specific Discussion Questions

***(3) Is the disclosure regime for IPND data adequate, too broad or too narrow? Why?***  
***(13) Are the categories of permitted research purposes too broad, adequate or narrow?***

- **The current disclosure regime is too narrow.**
- **Specifically, the categories of permitted research are too narrow – but we believe that privacy concerns driving tight restrictions can be effectively addressed by a different, less detailed model of data disclosure.**

RICA submits that the current categories of permitted research purposes are too narrow. While health, electoral and public policy research are obviously in the public interest, broader market and social research that is used to inform commercial and not-for-profit sector decisions is also (albeit less obviously) in the public interest. In the absence of accurate market and social research information, private and not-for-profit sector decisions would be sub-optimal, reducing economic efficiency and the ability of organisations in these sectors to provide services and products that meet the needs of their customers. In the private sector, as well as in many government and not-for-profit sector contexts, market research provides a critical input to decision making that drives product and service innovation, productivity increases and economic efficiency.

Moreover, the public interest case for expanding the research industry's access to IPND data is now compelling due to the increasing difficulty faced by the industry in sourcing representative sample lists for telephone surveys of Australian households.

Telephone surveys of Australian households represent an important form of data collection for the market and social research industry and its clients. The ability of the market and social research industry to conduct efficient and accurate telephone surveys is being seriously eroded by the increasing proportion of Australian households without a landline telephone connection.

The industry's ability to conduct accurate and efficient telephone survey research with households depends on the availability of sample lists of telephone numbers that cover a representative cross-section of households and that are linked with geographic location data. Currently, with the exception of the IPND, adequate, geographically-tagged sample lists are only available for landline telephone numbers. Accordingly, most general telephone surveys of Australian households are currently conducted using these landline lists.



However, the accuracy of this approach is being eroded by the increasing proportion of Australian households without a landline telephone connection. The ACMA has recently reported<sup>1</sup> that the proportion of Australian adults with access to a landline at home declined from 89% in June 2008 to 81% in June 2011. In addition, ACMA reported that 37% of people aged 18–24 years and 36% of people aged 25–34 years were without a fixed-line telephone in their home in June 2011.<sup>2</sup>

Furthermore, many landlines are used to provide home broadband internet connectivity, with voice calls being made or received via a mobile phone or VoIP service. This means that the proportion of households contactable via landline telephone surveys is lower than the landline access proportion.

Allowing broader, more economically efficient and more timely access by the research industry to IPND data would address this problem by enabling appropriately regulated telephone survey researchers to access comprehensive lists of geographically-tagged mobile and VoIP telephone numbers. Adequate lists of this kind are not currently available commercially and this situation is not likely to change in the foreseeable future.

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<sup>1</sup> ACMA (2011), *Communications Report, 2010-11 Series, Report 2 – Converging communications channels: Preferences and behaviours of Australian communications users*, p.7

<sup>2</sup> Ibid, p.8.



***(14) What high-level principles should govern the addition or removal of permitted categories of research?***

***RICA submits that the following principles constitute an appropriate basis for establishing permitted categories of research:***

- ***the research must be conducted in accordance with the standards and codes of conduct issued by AMSRS and AMSRO;***
- ***the research must be conducted in accordance with the Privacy Act 1988 (Cth); and***
- ***the research must not involve contacting persons to conduct sales, promotional or fundraising activities.***

To protect an individual's right to privacy and preserve the industry's capacity to operate with integrity and longevity, the market and social research industry is committed to ensuring that, at all times, personal and sensitive information obtained is handled appropriately.

To achieve this, the industry is governed by strict professional standards such as:

- The AMSRS Code of Professional Behaviour;
- The Market and Social Research Privacy Principles (M&SRPP);
- International Standard for Market, Opinion, and Social Research (ISO 20252);
- International Standard for Access Panels in Market Opinion and Social Research (ISO 26362); and
- The Qualified Practising Market Researcher scheme (QPMR).

The industry is also guided by and adheres to, the recently revised ACMA *Telemarketing and Research Calls Industry Standard 2007*, which stipulates regulatory requirements on market and social researchers who conduct telephone surveys in relation to calling times, disclosing information and responding to a respondent's request for information.

Membership of the industry's professional and industry bodies is contingent on individuals and companies adhering to these standards.

Market and social research organisations have demonstrated their commitment to privacy by being one of the few industries to have proactively registered a Privacy Code with the Federal Privacy Commissioner. Industry members choose to either subscribe to the Market and Social Research Privacy Code or operate under the National Privacy Principles (NPPs).



Most major research organisations (and therefore the vast majority of research contacts) operate within the framework of the approved industry code, which sets standards for information handling that are significantly more stringent than the NPPs in a number of respects.

The industry operates under this specialised code and continues to acknowledge and support a privacy regime that assures the public that its privacy is being protected, whilst enabling it to carry out research practices necessary for the conduct of quality research.

This specialised privacy code is working well for the market and social research industry, providing research participants with clear and immediate opt-in or opt-out options, recognising the right to privacy and helping market and social researchers to differentiate themselves from other industries, such as telemarketing and door-to-door salespeople, with less stringent data protection practices.

We submit that researchers that do not operate under these strict controls should not be granted access.

***(4) How can the disclosure regime for IPND data be simplified?***

***(15) Should the ACMA authorise ongoing access for particular organisations? If so, what protections should be put in place to ensure that the privacy of subscribers is upheld?***

- ***The scheme can be simplified without harming the privacy of individuals.***
- ***The ACMA should authorise ongoing access to appropriately regulated entities. Protections to be put in place or already in place are detailed below.***

The existing project-by-project access to the IPND for permitted research purposes is inefficient and raises significant barriers to access for researchers. The current high fees charged for access by the IPND Manager (generally \$4,000 per quarter and \$0.01 per record accessed per annum) coupled with high system set-up costs required to receive IPND data make access prohibitively costly for many research projects. Moreover, there are significant time delays involved in obtaining approval and arranging data provision. These delays make use of the IPND impractical for many potentially eligible research projects (e.g. research to inform most government program evaluations).



The research industry is therefore seeking more economically efficient and timely access for researchers to IPND data than is available under the current access arrangements. To achieve this, RICA proposes that a standing authorisation IPND access model be introduced for the research industry along the following lines:

- AMSRO and AMSRS would jointly apply once for a standing authorisation from ACMA for access to the IPND.
- The ACMA authorisation would allow a database administrator appointed by AMSRS and AMSRO to obtain quarterly updates from the manager of the IPND of a limited subset of **de-identified** IPND data (telephone number, matching postcode of service and directory address, type of service – i.e. landline, mobile or VoIP – and whether the number is classified as residential, business, government or charity), subject to ACMA being satisfied that the database administrator has appropriate information security and privacy protections in place.
- The appointed database administrator would be permitted to provide extracts of its IPND-derived database to AMSRS and AMSRO members for use for appropriate research purposes without the need for individual ACMA authorisation of each research project.
- Researchers would be provided with IPND-derived data by the database administrator if they undertook to use the data only for research:
  - conducted in accordance with the standards and codes of conduct issued by AMSRS and AMSRO;
  - conducted in accordance with the *Privacy Act 1988* (Cth); and
  - that does not involve contacting persons to conduct sales, promotional or fundraising activities.
- AMSRO and AMSRS would cover the costs of this model relating to the database administrator and the IPND Manager's costs for quarterly updates.

RICA notes that its proposed access model provides greater privacy protection to Australian households than the existing IPND access model for researchers, which enables researchers to access identity information and specific address details of individual telephone service subscribers.



***(6) Are the current restrictions on what data elements IPND users can access appropriate? If not, what changes should be made?***

- ***This submission seeks access to IPND data for a broader group of research users, but to a much narrower, less detailed sub-set of the data than is available under the current arrangements.***

As outlined above, RICA submits that researchers should be permitted access to a limited subset of **de-identified** IPND data: telephone number, matching postcode of service and directory address, type of service (i.e. landline, mobile or VoIP) and whether the number is classified as residential, business, government or charity. Unpublished numbers (particularly mobile phone numbers and VoIP numbers) must be included in this data set to enable efficient sample selection for telephone surveys and to ensure the accuracy of survey results. The de-identification of these numbers would provide adequate privacy protection to subscribers.

Research indicates that Australians understand the value of genuine research because people are willing to participate in research, in spite of having registered their phone number on the Do Not Call Register (DNCR) or having an unlisted or silent number.<sup>3</sup>

During July and August 2009, Newspoll asked 4,805 participants in a series of Newspoll Omnibus surveys whether their phone number was listed on the DNCR and whether their number was unlisted or 'silent'. This question was asked only of people who fully completed the relevant survey.

Newspoll found that the proportions of responses from unlisted numbers and households on the DNCR who completed Newspoll surveys was approximately equal to the proportions of these types of households believed to be present in the broader population.

This evidence is consistent with the view that people generally, including those on the DNCR or with silent numbers, understand the difference between telemarketing and research and are willing to participate in research.

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<sup>3</sup> **Details:** In July and August 2009, Newspoll tested this concept in a survey of 4,805 people (four rounds of 1200 surveys). Households with unlisted numbers participating in the survey were equivalent to 11% of households after weighting (501 un-weighted = 10%). Households that were listed on the DNCR that participated were equivalent to 34% of households after weighting (1643 un-weighted = 34%). The survey was weighted to ABS estimates of household size and population within area. These questions were asked only of respondents who had completed the whole Newspoll omnibus survey for that week.



## Conclusion

RICA submits that there is a strong public interest in allowing broader, more economically efficient and more timely access by the research industry to IPND data. To achieve this, RICA proposes that a standing authorisation IPND access model be introduced for the research industry that would allow access to a limited subset of **de-identified** IPND data. This model would provide greater privacy protection to Australian households than the existing IPND access model for researchers and would ensure the industry continues to provide accurate research to benefit the Australian public.

Martin O'Shannessy & Szymon Duniec

On behalf of the RICA Council

**Contact:**

Sarah Campbell  
RICA Council Member  
M: 0417 665 144  
[sarah@amsro.com.au](mailto:sarah@amsro.com.au)

Elissa Molloy  
RICA Council Member  
M: 0417 155 325  
[elissa@amsrs.com.au](mailto:elissa@amsrs.com.au)