

CONFIDENTIALITY AND CO-OPERATION BETWEEN RESEARCHERS

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Privacy is everybody's business in survey research. Our strong organizational commitments to protecting the confidentiality of survey data now serve to inhibit cooperation between research institutions. Yet, our shared concern should make confidentiality an area where uniform standards can be achieved and joint actions taken which would have considerable benefit to all survey organizations.

Briefly, I would like to review some of the ways in which the concern for confidentiality inhibits cooperation between survey facilities, and then indicate how steps can be taken toward standardizing procedures which should facilitate increased cooperation.

To begin with, let's talk a minute about the nature of privacy and how it is related to the idea of fully informed consent. Privacy, as I shall use it, is the control that a person has over what others know about him as an individual. Privacy has been called one of man's great privileges - with the stipulation that "it should only be surpassed by its invasion by the perfect person at the most auspicious moment." Obviously, the survey interviewer is not always the perfect person, nor, as our call records testify, does he always ring the bell at the most auspicious moment. However, our experience has been that more often than many realize the survey interviewer does approach these ideals. Most people have few opportunities in their lives when they can voluntarily express their feelings and reveal themselves without fear of what may result from this relaxation of their control over information regarding themselves. Responses to the interviewer's questions, while lacking the legal status of "privileged communications," are communications made by individuals who feel they have been released from many privacy considerations by the promise of anonymity and by the non-evaluative style of the interviewer. In essence, the respondent trusts the researchers to perform part of the task of guarding his privacy. For many this release makes the interviewer the perfect person; however, it is no simple matter for a researcher to promise confidentiality. One difficulty is that what an individual wishes to keep private varies tremendously from person to person, therefore researchers must assume that everything regarding a respondent that has become known to them in the course of gaining the interview must be guarded. This includes not just answers to questions, but also such facts as who granted an interview; the information that no one was home when a call to interview was made, or even how the house was decorated and furnished.

Another difficult concept to operationalize is that of fully informed consent. Speaking only from the standpoint of privacy, informed consent means:

1. that the respondent understands he is not obliged to answer,
2. that the researcher is obliged to guard

all information obtained from the respondent. While the information may be published or shared with colleagues, this will be done in such a way that the linking of response to him is impossible,

3. that the respondent understands what risk is involved in giving information even under these conditions. This includes the risk that the respondents' answers, taken together, may reveal more than he intended, and that despite every reasonable effort by the researcher some compromise of confidentiality may occur.

Obviously, there are other aspects to informed consent beyond the focus of this discussion which I will not go into now.

These are heavy responsibilities which no survey organization can afford to take lightly and, as we know a violation of confidentiality can have serious consequences not only for the organization directly involved, but the repercussions from a widely publicized incident would be detrimental to the profession as a whole.

In order to maintain confidentiality a survey organization must:

1. be able to have a high degree of trust in all persons who could possibly link information with individual respondents,
2. be prepared to support employees against pressures brought to bear on them to divulge respondent information.
3. be in a position to discipline persons if they divulge information,
4. have an active program to instruct and remind all those with access to respondent information of the importance of confidentiality,
5. destroy linking information as soon as practical, and maintain barriers to identification as long as the link exists.

Trustworthiness is essential because close supervision of survey workers, especially interviewers, is impossible. As the Pentagon papers incident has demonstrated, no security system is perfect if a person with access to sensitive information wishes to breach confidentiality.

Agreements to cover the legal and other expenses of employees who refuse to hand over respondent information if subpoenaed are one type of support an organization can give employees. The existence of statements of professional ethics is another, and although at first pass it may not seem supportive, a written policy of dismissal in case respondent information is disclosed also strengthens an employee's bargaining position in dealing with attempts to force disclosure.

It is the necessity of knowing that the

promise you give respondents can be backed up that inhibits cooperation between survey organizations at the present time. While there is no question in my mind of the commitment of all of us to respecting the rights of respondents and maintaining confidentiality, I do not have enough familiarity with the field interviewers of other organizations to have the same assurance of trustworthiness that I have with my own organization's interviewers. I imagine each of you shares some of these feelings of disquietude when you use unfamiliar interviewers, but trust is only part of the picture. I am not in the same position of offering support and sanctioning persons who do not work directly for my organization. This is most difficult when data is gathered for researchers outside the organization, particularly when their study design requires linking the data we gather with other information they have. Another instance in which control is lessened is that of the researcher who leaves the organization, taking his data with him. Unless particular attention is paid to the problems of confidentiality which may arise in such circumstances, an organization may suddenly discover that the pledge of confidentiality given respondents has been violated, and there is very little the organization can do about it. The likelihood that confidentiality will be violated increases with the number of people who have access to the information and as control over them becomes weak.

There are several ways in which campus based survey groups may cooperate at the data gathering stage. Some are relatively free from problems of confidentiality; others are much more susceptible. Those that are free are:

1. Replication: Two or more organizations coordinate the design, conduct and analysis of a study so that each follows essentially the same course, but since each organization performs its own analysis there is no transfer or sharing of data files.
2. Independent Complementation: Two or more organizations study different populations following the same design and procedures. Analysis is conducted independently within each organization so that data files are not merged, each organization reports on its own sample, for example, independent state election studies, or Organization A studies blacks and Organization B studies whites, or Organization A does a national study and Organization B ties in intensive local studies.
3. Development: One organization handles developmental phases, doing pre-testing, pilot studies or methodological investigations -- the results of which are fed to others for final data gathering.

The types of cooperation which require greater safeguards are:

1. Archiving: When an organization makes individual level data available to others for analysis, after destroying identifi-

cation and links.

2. Division of Services: The phases of a single study are split up among several organizations, for example, one does sampling and interviewing and another does coding and data processing.
3. Staff Sharing: An interviewer's pool is formed for common sample areas.
4. Supplementation: More than one organization gathers data which are fed to a single organization for analysis. For example, several organizations do regional or local studies using the same design and instruments, turning over the raw data to one organization for analysis; or two organizations do large parallel national surveys, merging the data from both samples to obtain a number of cases larger than either could easily produce independently.

Although we have at one time or another worked with other organizations in most of these ways, this cooperation has typically not been something well thought out in advance and sought; but more nearly something accepted as the best means of accomplishing the job.

I believe that there are benefits to be gained from greater cooperation, which should be planned for and sought. I realize that there are many other barriers to undertaking joint research efforts than those associated with maintaining confidentiality, but this is one obstacle which could easily be eliminated. In fact, if a formal set of standards and procedures regarding confidentiality were agreed to by academic survey organizations, there would be benefits in addition to the greater possibilities for joint research efforts.

Compared to what any of us can do singly, the profession as a whole can do a better job of educating the public in how survey information is protected:

1. We can work more effectively toward securing the status of privileged communication for survey interview data;
2. We can discourage attempts by sponsoring agencies to have data turned over to them in ways which may violate confidentiality;
3. A statement by the profession supports those who may face citations for contempt if data are subpoenaed. I realize the codes of professional ethics of many of our disciplines cover the treatment of subjects, but survey research is interdisciplinary and has interests extending beyond a single society.

In conclusion I would like to mention that over the last several months I have been working with a committee of the Institute for Social Research toward the development of such a statement for our own organization. I expect that this statement will be ready for distribution within the next month or so.