



## Draft Version 4

Adopted:

Common Codes of Professional Standards and Ethical Conduct

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## 第 4 版草案

已通过：

# 专业标准与道德行为通用守则

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

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

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

### 第一章：MSPA 专业标准与道德行为通用守则

MSPA 会员、区域管理委员会与全球咨询委员会（以下统称“MSPA”）认为需要在全全球范围内管理与执行专业标准与道德行为的通用守则，以保障每位会员在行业协会中的投资，并维护全体会员与协会的声誉以及 MSPA 品牌的形象、信誉和诚信度。

因此，MSPA 的专业标准与道德行为通用守则采用统一协作方式，致力于在 MSPA 框架内审查与解决 MSPA 会员和/或管理委员会之间的争议，从而共同确保 MSPA 会员与管理委员会的卓越与诚信。

#### Section I: The Mission and Value Statements of MSPA

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

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

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

As MSPA is dedicated to improving service and promoting excellence in the mystery shopping industry and related services offered by its members, a fundamental aim of the association is to ensure that

consistent professional standards and ethical behaviors are maintained, consistent with its mission and value statements.

### 第一节：MSPA 的使命与价值陈述

MSPA 是一个由专业人士组成的全球协会，通过共同的努力与行动来促进神秘顾客研究行业的发展。MSPA 的存在是为了提高和促进神秘顾客研究服务的接受程度、表现、声誉与应用。

因此，MSPA 履行使命的主要宗旨是：

- 制定专业标准与最佳实践；
- 管理道德行为；
- 培育供应商及其员工、客户与独立承包商，从而提高服务质量；
- 树立行业形象；以及
- 提升会员产品与服务的价值。

由于 MSPA 致力于为神秘顾客研究行业及其会员所提供之相关服务改善服务质量并实现卓越，该协会的基本目标是，通过践行共同的使命和价值观，来确保会员维持一致的职业标准与道德守则。

### Section II: The MSPA Values Statement

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

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

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

To increase the value of membership, protect the reputation and credibility of the brand, and stimulate the use of mystery shopping and related services, it is important that all member companies, regional governing boards and the Global Advisory Committee throughout all regions of the world comply with all

applicable governmental laws, regulations and ordinances, as well as with a uniformly agreed upon MSPA common code of professional standards and ethics in dealing with each other, the business community and the public at large.

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

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

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

## 第二节：MSPA 价值观声明

MSPA 坚持并要求其会员在商业行为中坚持以下核心价值观。这些价值观体现了 MSPA 作为一个整体所深信与主张的观念，以及每位成员、区域管理委员会和全球咨询委员会在日常业务中处理所有事务和问题时应采用的方式。

因此，MSPA 会员、区域管理委员会和全球咨询委员会中的每个实体和个人参与者应秉持以下核心价值观：

开放	我们欢迎大家提出意见和给予反馈，并鼓励所有会员贡献意见与反馈
明晰	我们采用开放并负责的方式运营
遵守道德规范	我们要求会员遵守道德规范
尊重	我们公正平等地对待每个人（不分性别、年龄、种族、宗教、国籍和性取向）
创新	我们鼓励根据发展趋势提供创新的解决方案
团结	我们作为一个团队进行工作

为了提高会员的价值，保护品牌的声誉与信誉，并促进神秘顾客研究和相关服务的应用，世界各地所有会员公司、区域管理委员会与全球咨询委员会在与彼此、商界和公众交涉时，均应遵守所有适用的政府法律法规和条例，并一致同意遵循 MSPA 专业标准与道德行为通用守则，这一点至关重要。

MSPA 期望其会员、区域管理委员会与全球咨询委员会遵循诚实、专业、公平和保密的原则，维护公众与客户的利益，从而促进良好的商业行为，并保护和发展 MSPA 品牌及其会员公司的信誉和认知价值。

MSPA 专业标准与道德行为通用守则由 MSPA 全球咨询委员会制定并授权，作为所有会员、区域管理委员会与全球咨询委员会的管理规则和争议解决程序，为在全球范围内开展业务提供了一系列共同认可的统一标准。

本 MSPA 专业标准和道德行为通用守则、其争议解决程序和相应制裁，以及任何此类程序和制裁的应用始终由全球咨询委员会管辖并在其支持下开展。MSPA 专业标准和道德行为通用守则的要求与条款目前正在起草中，随后可能酌情修订，各项要求与条款在会员身份有效期内对所有会员、区域管理委员会与全球咨询委员会均具有效力和约束力。

### Section III: The Common Code of Professional Standards

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

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

### 第三节：专业标准通用守则

制定 MSPA 专业标准通用守则是为了确保 MSPA 会员、区域管理委员会与全球咨询委员会遵守以下原则：

1. 在原则上履行协会的宗旨：为神秘顾客研究行业与相关服务改善服务质量并实现卓越；
2. 以诚实和道德的方式进行神秘顾客研究与相关服务；
3. 依照 MSPA 会员提出并同意的行业程序与规定开展神秘顾客研究与相关服务；
4. 为神秘顾客研究行业灌输信心；
5. 为商界灌输信心，使其相信神秘顾客研究以专业与公平的方式开展；
6. 尊重客户、客户员工、会员员工、独立承包商、MSPA 会员、MSPA 管理委员会、商业伙伴和一般大众；
7. 公平对待其他会员，保持通常认可的专业风格，同时根据道德规范和良好的商业惯例来开展商业活动。

#### Section IV: The Common Code of Ethical Conduct

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

1. Intentionally falsifying or misrepresenting data or reports;
2. Misleading independent contractor applicants about opportunities regarding mystery shopping and related services offered;
3. Asking or encouraging anyone to break confidentiality agreements with other firms for whom he or she has conducted mystery shopping assignments;
4. Using any MSPA media to publish complaints against independent contractors, vendors, clients, other members, regional governing board, the Global Advisory Committee, the MSPA brand or any component thereof;
5. Refusing to pay, or making a deduction from an independent contractor's pay, for failure to perform any function which was not explicitly described in written instructions;
6. Requiring an independent contractor to pay for access to information about independent contractor assignments;

7. Use the MSPA trademark and/or logo in any media without explicit MSPA authorization or in some unauthorized manner which may, at the sole discretion of MSPA, potentially harm the association or the MSPA brand;
8. Using or violating any competitive member's intellectual property and/or signing up as an unauthorized independent contractor, directly or through an agent, in any other MSPA member's database to gain information;
9. Misusing any position or authority granted within the Association for personal/company benefit/gains; and
10. Any other activities and behaviors which reasonably may be deemed as unethical or contrary to the stated mission and values of MSPA or the MSPA Common Codes of Professional Standards and Ethical Conduct; or any such activities or behaviors which may reasonably lead to the conclusion that such activities and behaviors have materially harmed, or may yet materially harm, the credibility, image or functionality of MSPA, another member, a regional governing board or the Global Advisory Committee in violation of the spirit of the MSPA Common Codes of Professional Standards and Ethical Conduct, whether such activities or behaviors are specifically detailed within this document or not.

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

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

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

#### 第四节：道德行为通用守则

制定 MSPA 道德行为通用守则是为了确保 MSPA 会员、区域管理委员会和全球咨询委员会避免以下行为：



1. 蓄意伪造或扭曲数据或报告内容；
2. 误导独立承包商申请者开展神秘顾客研究及相关服务的时机；
3. 要求或鼓励任何人违反他/她与已为其开展神秘顾客服务的其他公司签订的保密协议；
4. 通过任何 MSPA 媒体发布针对独立承包商、供应商、客户、其他会员、区域管理委员会、全球顾问委员会、MSPA 品牌或其任何组成部分的投诉；
5. 由于独立承包商未履行书面指令中未明确描述的任何职能，拒绝支付或扣除其报酬；
6. 要求独立承包商为获取独立承包商任务的相关信息付费；
7. 在 MSPA 未明确授权的情况下，或以某种未经授权的方式，在任何媒体中使用 MSPA 商标和/或标识。MSPA 可自行全权决定此种行为是否为协会或 MSPA 品牌带来潜在损害；
8. 使用或违反任何竞争会员的知识产权和/或直接或通过代理在任何其他 MSPA 会员的数据库中注册为未经授权的独立承包商，从而获取信息；
9. 滥用协会授予的任何职位或权限来谋取个人/公司的利益/收益；以及
10. 任何其他可合理视为不道德或违反 MSPA 或 MSPA 专业标准与道德行为通用守则中所规定之使命与价值观的活动或行为；或任何违反 MSPA 专业标准和道德行为通用守则的精神并基于合理推论已经或可能实质性损害 MSPA、其他成员、区域管理委员会或全球咨询委员会之信誉、形象或功能的活动或行为，无论此类活动或行为是否在本文件中具体详述。

MSPA 专业标准与道德行为通用守则对全球咨询委员会及其成员、区域董事会及其成员以及 MSPA 的每位会员及其所有员工均具有约束力。当提及区域董事会或全球资讯委员会时，既涵盖该组织，亦涵盖组织中的每位成员。

在加入任何 MSPA 组织时，作为接受会员申请的条件，申请者必须同意接受 MSPA 专业标准与道德行为通用守则的约束。所有会员均视为已承认并接受 MSPA 专业标准与道德行为通用守则中规定的要求、责任和潜在违规制裁。对于涉嫌违规行为，声称当事方并不知晓本 MSPA 专业标准与道德行为通用守则中规定的规则或程序，或者不知道在 MSPA 的任何区域成为会员后其业务的开展应接受本守则之规则或程序的约束，不应视为有效的辩护理由。

《MSPA 违规和统一争议解决程序》文件中包含了关于执行和裁定涉嫌违反 MSPA 专业标准与道德行为通用守则之行为的程序和协议。

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

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

### Responsibilities to Clients

MSPA Members will:

- Ensure that each project is conducted according to the client's specifications. Procedures will be implemented to verify that client specifications are being followed.
- Observe confidentiality with regards to all techniques or methodologies and with information considered confidential or proprietary. Information will not be revealed that could be used to identify clients or respondents without proper authorization.
- Ensure that companies involved in mystery shopping, as well as their employees and subcontractors, take all reasonable precautions so that client confidentiality is protected.
- Do not cause major disruption of client's normal operation.
- Report mystery shopping results accurately and honestly. The mystery shopping process should be described in enough detail that a skilled researcher could repeat the project if necessary. Results will be presented clearly and fairly, including any that seem contradictory or unfavorable.
- Not misrepresent themselves as having qualifications, experience, skills or facilities that they do not possess. Only legitimate academic degrees, clients and other qualifications will be claimed.

### Responsibilities to Data Collectors

MSPA Members will:

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

### Responsibilities to the Business Community

MSPA Members will:

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

## Responsibilities to Other Members

MSPA Members will:

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

## 第二章：专业标准与道德行为-应用守则

本章旨在为会员解释 MSPA 专业标准与道德行为通用守则，并帮助他们在实践中应用本守则。有关如何在特定情况下应用 MSPA 专业标准与道德行为通用守则的任何问题，请向各地区 MSPA 行政办公室的执行主任提出。

### 对客户的质量

MSPA 会员将：

- 确保每个项目均按照客户的规范执行，并执行相关程序验证客户规范是否得以满足。
- 对所有技术或方法以及视为机密或专有的信息进行保密。未经正规授权，不得披露可用于识别客户或受访者的信息。
- 确保涉及神秘顾客研究的公司及其员工和分包商采取一切合理的预防措施来保护客户的机密信息。
- 不对客户的日常运营造成严重的干扰。
- 准确诚实地报告神秘顾客研究的结果。神秘购物流程应予以足够详细的描述，以便资深研究人员在必要时可重新执行该项目。清楚公正地呈现研究结果，包括任何看似矛盾或不利的结果。
- 不谎报自己不具备的资格、经验、技能或设施。仅要求合法的学位、客户和其他资历。

### 对数据收集员的质量

MSPA 会员将：

- 不同意或要求其他人故意违反本守则的任何事项。
- 与每位客户沟通，告知客户负责适当合法地使用 MSPA 会员所提供的秘密购物信息。

- 通知客户所有请求必须遵守本守则和任何适用的国家、省市和当地的法律、法规及条例。
- 通知客户所有请求必须遵守全部安全规定。
- 从客户那里获取详细的项目规范，以确保数据收集员能够有效地完成项目。这些规范将以书面形式提供给数据收集员，并须在随后确认其执行能力与遵从意愿。

## 对商界的责任

MSPA 会员将：

- 不蓄意滥用商界的信任。在任何时候均不可用神秘顾客研究的信息蓄意误导商界。在商界滥用信息会损害我们行业的信誉。

## 对其他会员的责任

MSPA 会员将：

- 对其他会员、其公司与员工保持诚信经营。
- 不透露其他会员分享的任何机密和专有信息。
- 尊重约束 MSPA 会员的所有政策和程序。

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

Security - Keep questionnaires, products and information secure.

- Obtain non-disclosure statements from all employees and subcontractors;
- Return materials to the client within a reasonable time frame, or as requested;
- Do not destroy materials without client authorization;
- Do not allow your employees and/or third party collaborators free access to your databases. You do not know how they will use the information or what they will do next;
- Put security measures in place to prevent the possibility of copying and downloading information; and
- Protect this critical business asset and do not rely too much on an NDA to protect you from harmful actions!

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

- Provide bids in writing;
- Provide payment procedures and cancellation terms as part of a proposal or cost estimate;
- Inform clients, contractors and sub-contractors immediately of any inability to complete projects;
- Do not schedule more work than can be effectively completed;
- Communicate company business policies to clients up front;
- Agree upon acceptable reporting procedures in advance;
- Send written confirmation of project specs;

- Advise clients of MSPA affiliation and intent to abide by Code of Professional Standards; and
- Obtain release statements from clients if their employees are to be recorded (audio or video).

Professionalism - Promote respect and trust.

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

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

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

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

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

### 第三章：专业标准与道德守则-最佳商业实践

保密 – 对问卷、产品与信息加以保密。

- 获取所有员工与分包商的保密声明；
- 在合理的时间内或根据要求将资料退还客户；
- 未经客户授权，不得销毁资料；
- 不得允许您的员工和/或第三方协作者随意访问您的数据库。您不知道他们将如何使用这些资料或他们接下来会做什么；
- 落实安全措施，防止复制和下载资料的可能性；以及
- 保护关键业务资产，并不过于依赖保密协议（NDA）保护自己免受有害行为的伤害！

清晰沟通 – 与客户、承包商和分包商进行有效沟通。

- 提供书面报价；
- 将付款程序与取消条款作为提案或成本估算的一部分予以提供；
- 如无法完成项目，应立即通知客户、承包商与分包商；

- 不要安排不能有效完成的过多的工作；
- 事先向客户传达公司的商业政策；
- 事先商定可接受的报告程序；
- 发送关于项目规范的书面确认；
- 告知客户 **MSPA** 协会的相关信息及其遵守专业标准守则的意向；以及
- 如需对客户员工进行记录（音频或视频），应向客户获取发布声明。

#### 专业素养 - 促进尊重和信任。

- 遵守合同；
- 提供可靠且实际的成本核算和时间安排；
- 如有取消或延迟情况发生，尽早通知客户；
- 提供简洁明了的书面说明；以及
- 在项目规范更改时通知数据收集员。

#### 公共关系 - 成为行业与 **MSPA** 的倡导者。

- 向业界提供有关神秘顾客研究潜在效益的正面信息；
- 帮助向各行业推广神秘顾客研究；
- 避免会损害神秘顾客研究行业的活动；
- 为员工和分包商提供合理的报酬；
- 坚持遵守标准，并鼓励持续改进；以及
- 向业界提供关于加入 **MSPA** 的优势的正面信息。

#### 树立形象 - 数据收集员是本行业面向商界的形象大使并应在开展业务时以此要求自己。

##### 鼓励他们：

- 愉快有礼地展现专业素养；
- 通过外表和行为举止展现对自己和工作的自豪感，并为所有项目诚实地提供信息。