

GUIDELINES FOR MYSTERY SHOPPING

Applicable in Europe and Africa

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1 INTRODUCTION

The Mystery Shopping Professionals Association (MSPA) is dedicated to improving service and promoting excellence in the mystery shopping industry. An important aim of the Association is to ensure that Ethics and Standards are maintained, and that Guidance, Best Practice and Advice is available to all its members. This document provides guidance in the operation of Mystery Shopping.

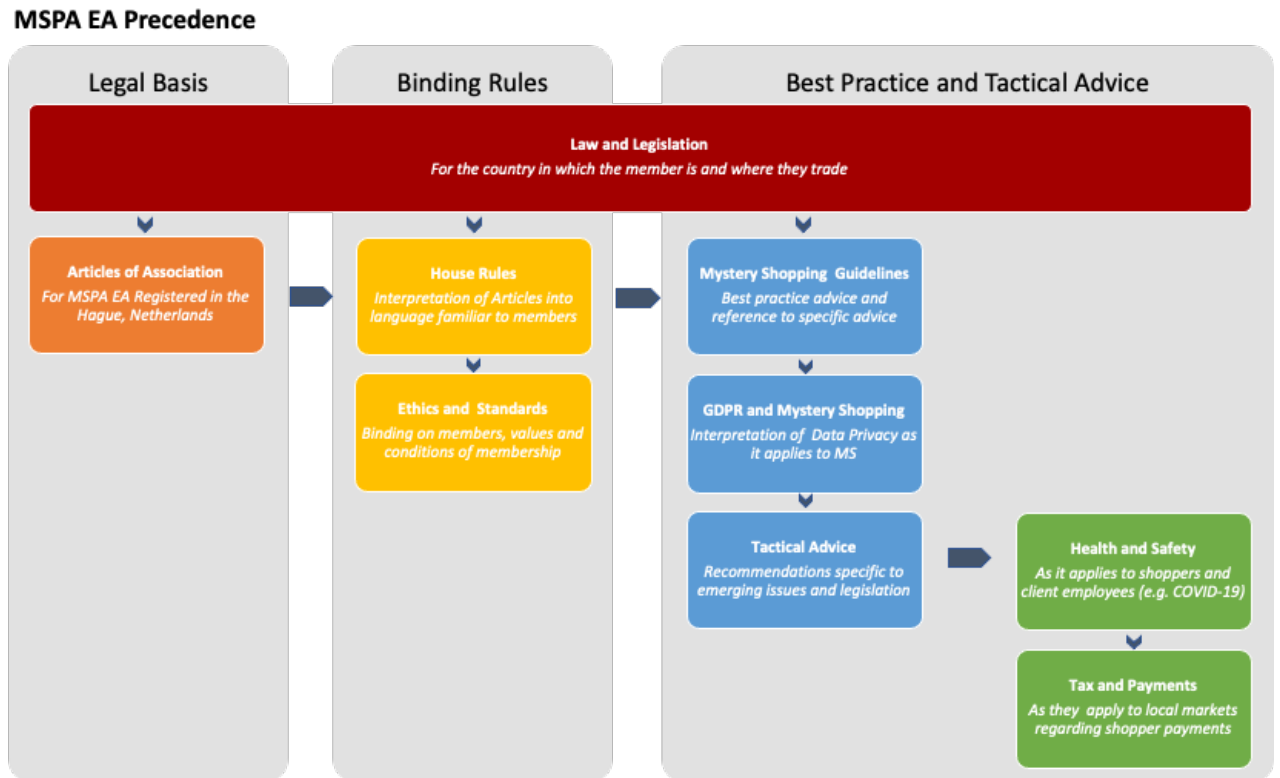
Our objective is to continually improve the value, reputation and use of mystery shopping services. Therefore, it is important that information about mystery shopping services is accurately communicated to the business community and to the public, ensuring that clients, members and shoppers comply with applicable government laws and regulations.

This set of Guidelines is designed to take MSPA Members and their colleagues through the key stages of Mystery Shopping implementation and will help provide the basic information to deliver effective programmes of value to clients, members, their employees and mystery shoppers.

If you have any questions, suggestions or recommendations to improve this document please contact info@mspa-ea.org.

1.1 Order of precedence

These Guidelines form part of a range of documents represented in the chart below, which are available to members in the MSPA EA Website Members Area:-



1.1.1 Law and Legislation

All MSPA members are required to comply with the appropriate data protection, privacy, legal, social, tax and ethical issues applicable to each country in which they are conducting mystery shopping programmes, wherever the country of origin of the agency may be located.

1.1.2 Articles of Association

These are registered in the Hague, Netherlands, and form the legal basis on which the MSPA EA operates, including the rights of members, voting and election/rotation of officials.

1.1.3 House Rules

These describe the Articles in terms that represent the way the Association works day to day, including the description of membership types.

1.1.4 Ethics and Standards

These Guidelines should be read in conjunction with the MSPA Ethics and Standards Code and be applied in relation to the relevant National laws and regulations of the country of operation. The Ethics and Standards are the conditions that members agree to and are upheld by the Association through Education, Communication, Arbitration and implementation of Dispute Resolution as a last resort.

1.1.5 Guidelines (This Document)

The main aim of these Guidelines is to promote professionalism in the conduct of mystery shopping, to ensure quality for clients and consistency of understanding amongst MSPA members. These guidelines step through all the stages of Mystery Shopping set up and delivery.

1.1.6 Supporting Documents and Advice

From time-to-time Ethics, Standards and Guidelines are supplemented with important advice and interpretation as it applies to Mystery Shopping. These cover issues such as Data Protection, local tax interpretation and health and safety. These are introduced as required.

1.2 Reference to other docs and Order of Precedence

The MSPA EA tries to use simplicity and structure to ensure that all of these documents above can be read in order and any unclear elements are resolved. They are presented in the above order so that laws take highest precedence above articles, codes, guidance and advice.

2 APPLICATION AND PURPOSE OF MYSTERY SHOPPING

The use of Mystery Shopping to measure business performance at the point of customer contact is now an established technique.

These guidance notes are designed to recognise the variety of objectives and methodologies that include but are not limited to the following:-

- Customer Experience delivery
- Employee Engagement, performance and training
- Third party channel (dealer/Franchisee/reseller) performance
- Product availability
- Product display and conditions
- Pricing
- Age verification
- Legal adherence
- Health and safety compliance
- Accessibility and inclusion

At any or all of the following channels:-

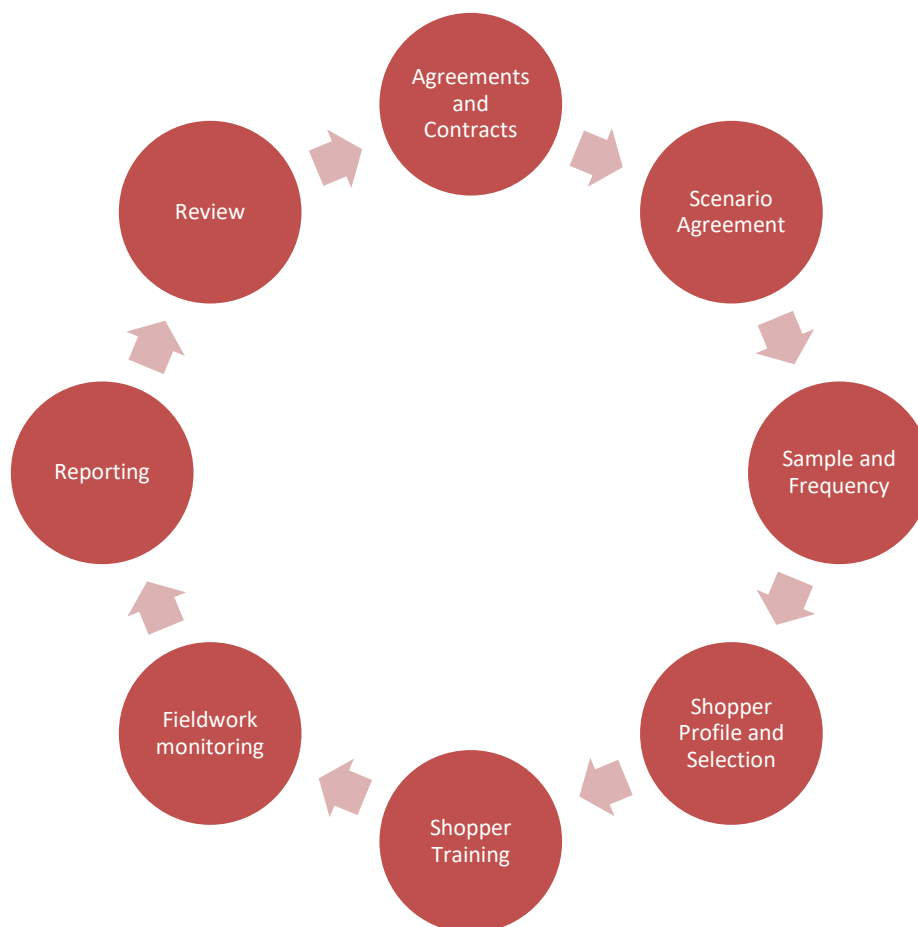
- On-line and e-commerce
- Email
- Social media
- Call Centres
- Physical Premises
- Delivery of products and services

The following sections take you through each of the key stages in implementation.

3 SALES AND CLIENT RELATIONSHIPS

This section deals with the key components to be included in the contractual relationship with clients who commission mystery shopping programmes. They are listed to cover all the important things to consider and are there to remove any ambiguity and protect all parties involved (Client, Client staff, intermediaries, intermediary staff, Agency and Mystery Shoppers).

It is normal to expect proposals or estimates for work to cover all the key elements of a programme and consider a section and detail on the following, which should ensure that all elements are understood. Each section in parts 4,5 and 6 goes in to more detail, in essence they are as follows, shown as a circle of activity:-



3.1 Agreements and Contracts

There is a variety of best practice in this area, however we would say that there should always be at least a written agreement to proceed and a mutually agreed statement of works outlining the components above. When working with any organisation that pays you for your services you should consider each of the following in your agreements.

3.1.1 Working Directly with a Client

When working directly with a client the following are always advantageous, as though they may be time consuming to prepare, they will protect all involved.

Proposal or statement of works – comprising the elements in detail that will be delivered

Detailed pricing – explaining quantities, frequencies, assumptions, currency conversions (if applicable), valid period, duration

Letter of intent or Purchase order – legally binding order from a client to proceed

Agreed Contract – in client or agency format, to include at a minimum:-

3.1.1.1 Interested parties

Who the contract is between, specifically the commissioning and providing parties and either of their designates

3.1.1.2 Scope and Statement of work to be delivered

Covering all the stages of delivery above, specifically, scenario, frequency, profile, rotation, purchase and return, field delivery, reporting and review

3.1.1.3 Subcontracting where it applies

The agreements governing authorisation to subcontract and passing on of contract terms to subcontracting parties

3.1.1.4 Standards and penalties if applicable

Typically agreements on fieldwork timings and reporting timings, completion rates and appeal rates and any agreements on repeat failures, penalties and termination rights

3.1.1.5 Pricing agreement

Quantities, frequencies, rates, currency(s), duration, all relating to the elements specified in the Scoping statements

Payment terms and impact of late payments on the continuation of supply and interest charged as a result

3.1.1.6 Change management process

Methods by which changes to Scope are recorded, agreed and contract changes (specifically to Price and Standards) are made

3.1.1.7 Termination clauses and impact

Typically covering early termination and notice periods, rights to terminate by each party and penalties and obligation as a result, covering, Force Majeure, failure of either party to meet standards, changes of either parties' ownership and conflict of interest

3.1.1.8 Data Protection obligations and GDPR Compliance (or equivalent)

Agreement on the storage and handling of any Personal or Sensitive Data by any party as a Data Controller or Data Handler

Applicable to any or all of the following data subjects - Client, Client staff, intermediaries, intermediary staff, Agency and Mystery Shoppers

These obligations can be handled as a separate document specifying all the agreements and obligations on all parties as Data Owners and Data Processors.

We recommended reference to “- GDPR and Mystery Shopping – Guidance for Mystery Shopping Providers” – available to members as a certified Training Course from MSPA Europe Africa and as a document in the members area of the MSPA EA website

3.1.1.9 Governing law and order of precedence

Under which jurisdiction contracts are agreed, and how these sit in precedence, for example

1. local law, 2. EC regulation, 3. Contractual agreement

3.1.1.10 Rights to publicise

Permissions to name the client and case studies within private or public communication, requiring agreement or prohibited

3.1.2 Working with another Agency

It is common practice on occasion for one MS provider to subcontract all or part of a contract to another party. This should be done so with the knowledge and agreement of the client and rights to sub-contract should be documented, together with the obligations from the main contract to the sub-contracting party.

Specific attention should be paid **by both parties** to:-

- Scope of Work – these should be consistent and agreed
- Timings – specific schedules and impact on timings further down the delivery process
- Penalties for failure to meet agreed standards
- Payment terms and impact of failure to meet obligations
- Data handling and GDPR
- Right to publicise or otherwise

In addition to the specifics above, the elements in 3.1.1 apply in any contract between companies.

It is worth reminding all members of their agreement to our Ethics and Standards - a copy of which is available on the MSPA Website and a Certified Training course is available to all members and their staff on the website.

4 PROJECT GUIDELINES

This section deals with a Mystery Shopping project's basic guidelines that should be taken into consideration in the project design process. There are several stakeholders in the project guidelines since they involve the client's objectives, the provider's input and finally the mystery shopper team's clear understanding of the guidelines for a successful Mystery Shopping engagement.

4.1 Set up

Project set up is essential and should cover a clear documentation and agreement of all the elements below. Careful consideration should be given to agreeing timelines and specifications, and noting any variances which are agreed from the original scope of work. Elements typically involve agreement of the following (covered in detail later)

- Scenario, questionnaire and briefing preparation in accordance with the client's objectives
- Shopper training and required certifications (MSPA or others)
- Digital platform set-up for questionnaire collection and reporting purposes
- Shoppers recruitment, briefing and scheduling

All set up agreements should be communicated with the client in detail, specifically when there are variations in cost. That creates a clear expectation from the client's side and enhances the transparency between your organisation and the client.

4.1.1 Scenario

As a general rule, the scenario should be straightforward and a natural practice for the mystery shopper, reducing the requirement to fabricate or act in order to fulfil the scenario.

In this way the mystery shopper can easily understand and apply the scenario during the interaction. Good practice is that the scenario clearly follows the customer journey and covers the points to be measured where the consumer meets the brand.

Scenarios can range from product enquiries to purchases and returns processes, service enquiries, face to face or online interactions, telephone calls and online chats. More detail on the subject matter for a Mystery Shopping interaction is covered in the Questionnaire section, any issues that are important for a client to measure to maintain their brand and product delivered through people can be measured provided it is legal and ethical to do so.

Therefore, scenarios used for mystery shopping should be legal, ethical and safe so that neither the shopper or client employee are compromised in anyway.

The scenario **can** look to measure a client's ability to adhere to legal compliance for any of the following:-

- Accessibility and reasonable adjustment (for example for disability rights)
- Hygiene and Safety (for example for Covid-19 protocols)
- Data protection and compliance (for example GDPR legislation)
- Consumer rights (for example rights to return or terminate contracts)
- Observation of Fraud or theft (if seen in the process of an interaction)

The scenario **should not** create situations that are unethical or illegal, for example:-

- Attempted theft
- Encouragement of bribe or inducement
- Misrepresentation of age or personal credentials
- Abusive behaviour by the Shopper

Mystery Shopping Competitors

It is essential that scenarios reflect local legislation regarding GDPR and Competition. **In some markets it is illegal** to Mystery Shop a competitor's business, and in all markets it is **against GDPR best practice to gather the name** or contact details of a competitor's employee. This is because you have no consent to do so and no reason to gather this data.

It is recommended as best practice that scenarios are tested and checked for viability.

4.1.2 Profile of shoppers

When selecting Mystery Shoppers it's standard practice to have first created a profile of appropriate candidates, taking into account the client's target prospect or customer profile and the client's requirements. Additionally, Mystery Shoppers should have a level of familiarity with the product field that is appropriate to the scenario that they are required to follow. Things you can take under consideration when creating the shopper profile:

- Age, location, income
- Relevant product holding if applicable (who they bank with, what car they drive for example)
- Gender, diversity (avoiding discrimination, only where it is acceptable to specify without prejudice)
- Level of familiarity with the brand or otherwise as required
- Mystery shopping experience
- Mystery Shopping assignment history (to prevent, if required, repeat assignments at a local or brand level)
- Mystery Shopper training history
- Mystery Shopper quality rating

Many providers store a significant amount of personal and sensitive data about a Mystery Shopper. Whilst this is acceptable they must understand the shopper's rights as a data subject under GDPR. Please refer to MSPA EA GDPR advice and training as required

4.1.3 Privacy and disclosure of Shopper Personal Information

We recommend that all members have a clear Privacy Policy that their shoppers are aware of and that this is accepted as part of the Shoppers terms and conditions as a member of their panel.

A privacy policy is a statement or legal document that discloses some or all of the ways your organisation gathers, uses, discloses, and manages Mystery Shoppers' data. Personal information can be anything that can be used to identify an individual, not limited to the person's name, address, date of birth, marital status, contact information, ID issue, and expiry date, financial records, credit information, medical history, where one travels, and intentions to acquire goods and services. In the case of a Mystery Shopping provider, it is often a statement that declares the organisation's policy on how it collects, stores, and releases personal information it collects. It informs the mystery shoppers what specific information is collected, and whether it is kept confidential, shared with partners, or made available to the client, other firms or enterprises.

The exact contents of each member's Privacy Policy will depend upon the applicable law and may need to address requirements across geographical boundaries and legal jurisdictions. Most countries have their own legislation and guidelines of who is covered, what information can be collected, and what it can be used for. In general, data protection laws in Europe cover the private sector, as well as the public sector. Their privacy laws apply not only to government operations but also to private enterprises and commercial transactions.

For the best and latest interpretation of what you should follow please refer to MSPA EA's "GDPR and MS Guidelines" for more information.

4.1.4 Sample and Rotation

The sample is the definition of how many assignments and what profile is applied to each point of contact. The rotation or frequency defines how often each sample point is assessed and how frequently the same shopper may visit the same unit, cluster, region or brand.

Complex - For example, in extreme cases it may be that every point of contact in each channel in a network is assessed once per week by each of three different customer profile types, covering weekday and weekend day slots and three time of day slots.

Quota Cell Sampled - Or that a sample of each channel is taken as representative, with quota cells representing customer profile, day slot and time of day slots.

The difference in these two examples is significant in terms of complexity and volume. The former often used when robust local level data is required for reward and recognition purposes, the latter where objectives are about research or trends in compliance.

There are advantages to both, though the former complex type of work requires extremely robust allocation and follow up processes to ensure 100% completion.

4.1.5 Questionnaire

It is essential that questionnaires are not too lengthy, to ensure that a Shopper can capture findings in a logical flow from memory. As with scenarios, questionnaires should be tested for flow and memorability.

Objectivity

The questionnaire that the Mystery Shopper completes can be focused purely on objective questions, with the majority aimed at gathering factual information. The primary aim should be to document precisely what happened at the point of contact. A clear core of Objectivity will help ensure consistency across all of the evaluations conducted and should be the focus of scored or marked elements. Typical objective measures to include (but not limited to) are:-

- Premises – Presentation, signage, cleanliness
- Product – Availability, presentation, merchandising and price tagging
- People – Availability, presentation, greeting, friendliness, knowledge, sales skills, up-sell and cross-sell
- Process – Payments, returns, delivery

Subjectivity

However, subjective ratings, such as the perceived skills of staff and the mystery shopper's overall satisfaction with the way their enquiry was handled, may be included and can be useful when interpreting the results and providing coaching. It is not recommended that subjective ratings are scored, but used as background.

It is recommended that any subjective questions are clearly defined and are best if they are contextual, for example:-

Rating of a specific element (staff skills, product display, purchase process)

Verbatim – What did you like most

Verbatim – What can be improved

Verbatim comments must always be quality checked and controlled to ensure that acceptable non prejudicial comments or inadvertent personal data disclosure is removed.
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4.2 Field Management

This section deals with the operation of Mystery Shopping fieldwork and the key guidelines to follow. There is not one universal methodology to follow and members will have their own operating model to follow that suits them and their market. Nonetheless there are some essential to consider to make you efficient, effective and professional that we recommend.

4.2.1 Allocation

It is important to have a robust allocation process that effectively takes the shopper profile specified and creates a shortlist of potential shoppers from your database based on client specifications such as location, proximity to the assignment (if physical), product holding, training, quality rating and so on.

This potential allocation can then be made as an open offer to your shopper database or assigned manually by email or phone interview for a more qualified approach.

4.2.2 Offer

The offer process should be monitored regularly with gaps kept in view and diversion to manual allocation or subcontracting in open assignment where you have not been able to allocate.

4.2.3 Training

There may be a requirement for shoppers to be trained prior to assignments, this can either be online through distance learning, face to face (with or without client) or using a video conferencing tool as required.

4.2.4 Briefing notes and terms and conditions

Briefing notes should be available by email and online to all those that accept assignments to ensure a full understanding of the task ahead. Hotline phone, email and chat should be available at all times during the fieldwork period. These should cover at a minimum the following:-

- The scenario
- The questionnaire
- Eligible assignment dates and times
- Assignment location (online, phone, webchat, visit)
- Purchase requirement and receipts needed (if applicable)
- Returns process (if applicable)
- Follow up monitoring (if applicable)
- Data handling agreements (what will happen with shopper data)
- Confidentiality clauses
- Anticipated time to be spent in preparation, conducting the assignment and returning results
- Agreed fee
- Payment terms (including terms for withholding payment due to lateness or results quality)

4.2.5 Quality control of results

It is best practice to quality control all results and second sample a proportion to quality check your editing process.

Quality control should be largely automatic in the checking of missing responses, with questionnaire input prompting for missing data and routing the responses.

Manual Quality Control is a skilled task and editors must themselves be fairly managed and quality controlled with spot checking the time in editing, speed and accuracy.

Each result should be check for:-

Completeness

Scores, ratings and verbatim consistency and prevention of contradiction

Verbatim language

Irregular or prohibited verbatim content

4.2.6 Quality control of shoppers

Once a result is quality checked it can be released for reporting. During the process the system you use may record the number of corrections or amount of editing required in a result for a shopper, as well as a shopper rating. These should be recorded on file electronically for the shopper and may form part of a shopper rating.

4.2.7 Payment of shoppers

Shopper payments should be prompt and as agreed. Agreements should be clear before the outset regarding payment dates and reasons where some or all of any payment may be withheld. If any payments are to be withheld then this must be clearly communicated to the shopper with an explanation.

Payment to subcontractors for fieldwork should also be honoured in a timely way, recognising their obligation to pay their shoppers promptly.

It is essential that each member understands Shopper tax regulations based on the legislation applied to the Shopper's local country, this may not necessarily be the location of the member company.

A Note on Tax on payments

Care must be taken to be clear in your agreement with Shoppers about where the liability for tax applies and who records this information. Independent Contractor status and rules regarding payments using non cash or transfer methods (vouchers, stored value systems) do not generally remove the responsibility for tax. Our recommendation is that each member is comfortable with the legislation that applies in the markets where they conduct fieldwork. Keep a regular view on MSPA EA news and use local WhatsApp member groups where they exist to share best practice.

4.3 Reporting

Several online software providers have created applications that are especially designed for the Mystery Shopping industry. These applications have two main procedures, one is for the Mystery Shopping Process management and the other is for reporting. Most software providers also have mobile apps for the users so the application can be used both on desktop devices as well as tablets and mobile phones.

A software application for Mystery Shopping will contain a lot of personal data so the Mystery Shopping Provider needs to make sure that the access to the system is correct and based on legitimate need for each user.

Each employee in the Mystery Shopping Providers company should have an individual login so all updates in the system can be tracked. Each mystery shopper has a shopper id so their profile and results can be reviewed and followed up. The shopper-id may be visible in reports but never the Mystery Shopper's name, unless it is agreed on beforehand by the Mystery Shopper.

A good rule is to plan for how the data should be used to meet the objectives set out at the outset (see section 2) and to stimulate action on the part of the Client and their channels.

This will help define how reports and dashboards should look before definitively deciding the questionnaire, scenario, and starting the fieldwork, so you have the chance to make necessary adjustments in good time if needed.

Clients can decide how they want the online reports to be accessed by their employees, for example:-

What employees should have access to which reports and to what data?

Should personal data be hidden for some and only available for some users?

The data access must be defined in a GDPR-agreement between the client and the MS provider. The client also has to provide the MS provider with continuous updates when access to online reports should be changed.

Reporting typically is set up for the following audiences:-

4.3.1 Company level

All data for the company can be presented in aggregated reports, totally and if applicable per country, region, city etc. These should trend key aspects and help identify specific key points for action or recognition.

Access to these reports are most common for the executive management team.

4.3.2 Channel, Regional and or Location level

Reflecting the hierarchy of an organisation, the relevant unit manager usually has access to the report for the units they are responsible for. The purpose is to enable the unit manager to:-

Celebrate success and recognise improvement

Identify areas for improvement and to take action to correct what is wrong.

Typically software applications also have procedures for action planning based on the results and monitor progress.

4.3.3 Individual level

If the objective the MS project is to enable managers to give feedback to employees at an individual level, the report needs to contain personal data for identifying the employee.

It is a very powerful tool for managers in training and when using incentive/recognition programmes. Hence, GDPR always has to be considered. Either employees need to give their consent (which they can withdraw at any time) or the employer has to confirm in the GDPR agreement having a legitimate reason for collecting and storing the data.

Please read more about this in the GDPR information provided by MSPA EA. Also beware of which persons will get access to the reports on individual level, that they are aware of their responsibility in handling personal data, and terminate the access when it is no longer required.

Using Mystery Shop Data to Performance Manage an Employee

MSPA EA follow the EU GDPR Regulations as a basis to regulations relating to privacy and use of personal or sensitive data. In these EU regulations the use of personal data should not be used to “cause harm” to the data subject. In this context MSPA EA advise that the use of Mystery Shopping Results (personal and sensitive data) should not be used in isolation as a case for disciplinary process or dismissal. This applies except in cases where Mystery Shopping results clearly identify illegal activity by the employee.

4.3.4 Executive summaries – offline

When executives want to view data offline, e.g. during a board meeting, PowerPoint is commonly used, as well as printed materials.

4.3.5 Client Presentations

The client will want to know the results in their business, where to focus and whether the MS programme really gives their team the motivation to improve and an insight into where a positive outturn or recovery or return on investment can be achieved. Always prepare professionally in advance, from the moment objectives are agreed.

The use of trends, top tips, most improved, rankings, comparisons by geography of timeslot, supportive verbatim and recognition of excellence will add power to your presentation.

Rehearse with other people in your organisation and let them give you suggestions for improvements.

Obviously, when making a presentation for clients, you cannot always be sure that the internet connection will be reliable, so you may need to have all material available offline.

4.3.6 External publication and media relations

If you are going to present data in the public domain, first check that the data is approved for publishing in relation to all parties involved. You cannot publish data that is considered business secrets and personal data about individuals cannot be published unless the data subject has agreed to that in advance.

5 PROGRAMME AND WAVE REVIEW

5.1 Client Satisfaction

We recommend all members to continuously assess whether clients are satisfied and what could be improved. It is valuable to learn if the project went as planned and according to the client's expectations, if the client had good use of the information provided, and ultimately whether initial objectives are achieved. A clear ROI (Return on Investment) from using the service should be established wherever possible and the opportunity for a client case study prepared. Evidence of ROI and case studies can be a huge source for promoting your business and the MSPA.

5.2 Shopper Performance

It is invaluable to have a feature for grading Mystery Shoppers' performance for each visit and report how well they have done. Each MS provider should customise the grading system so that it measures what is important for the future use of the respective mystery shopper. By using a grading system properly, the MS provider can identify training needs, and also if a Mystery Shopper is not suitable for specific assignments.

5.3 Agency Performance

There are a lot of key performance indicators that identify successful projects. Some are common for the industry, and some depend on the MS provider's abilities and priorities. Efficiency measures can be total number of assignments, share of assignments delivered on time, cost/profit per visit and per project, cost for travel per visit, and man hours spent on specific procedures.

Quality measures can be client satisfaction scores, share of results returned to the shopper for completion and share of results challenged by the client.

6 GENERAL GUIDELINES SUMMARY

The essence of this document is to summarise the best practice for the preparation and conduct of Mystery Shopping in Europe/Africa. It is an ever evolving document as best practice changes to reflect new techniques, market changes and legislation.

The summary of this guidance is clearly to provide benefit to clients, agencies and shoppers while protecting the interests of each:-

CLIENTS

<u>Benefits</u>	<u>Protection</u>
Robust actionable results	Quality processes from suppliers
Motivated employees and channels	Data protection and integrity
Improved returns	Reduced appeals and questions

AGENCIES

<u>Benefits</u>	<u>Protection</u>
Efficient, workable programmes	Avoiding complex hard to fulfil projects
Satisfied, Loyal Clients	Compliance with regulations
Profitable sustainable earnings	Employee and shopper disengagement

SHOPPERS

<u>Benefits</u>	<u>Protection</u>
Efficient, workable assignments	Avoiding complex hard to fulfil projects
Satisfied agencies	Compliance with regulations
Profitable activity	Compromising situations

This is an document that will be reviewed annually and all members are invited to add suggested content or changes to info@mspa-ea.org