

How The Research House in the UK is

PLANNING FOR A BREXIT



The Research House
A SCHLESINGER COMPANY



On 29 March 2019, the UK will automatically leave the European Union, unless a delay for withdrawal is agreed. At The Research House we have been following the twists and turns of the withdrawal negotiations and attempting to assess the impact on conducting marketing research in the UK and how we will process personal data after this date.

At this time, the terms of the future relationship with the EU have not been agreed. We do not expect projects in the UK to be heavily impacted as we have been closely monitoring bodies such as The Market Research Society, Gov.uk and the Information Commissioner's Office. This allowed us to plan even for a possible 'No-Deal Brexit'.

Research Conducted in the UK

Whether there is a deal or no deal, there will be no immediate change to UK data protection standards and The Research House will continue to abide by the UK **Data Protection Act, 2018**. This Act already provides a comprehensive data protection framework to the same high standard of GDPR for UK citizens. The **EU Withdrawal Act** will incorporate the GDPR into UK law to sit alongside the Data Protection Act.

Research Conducted in the UK and the Transfer of Data to the EEA

Even in a 'no deal' situation, the UK Government has stated its intention to enable data to flow from the UK to European Economic Area (EEA) countries without requiring any additional measures. Standard GDPR compliance still applies.



Research Conducted in Europe and the Transfer of EU Data to the UK

If the current withdrawal deal is approved:

Personal data will continue to flow freely until 2020 while a longer-term solution is put in place.

In the event of a ‘no deal’:

Transfers of personal data from the EEA to the UK will be affected. The UK will highly likely become a ‘third country’. In terms of the EU General Data Protection Regulation (GDPR), the extra territorial jurisdiction of the GDPR will apply to all UK companies and so The Research House and our UK clients will need to comply with the GDPR for the processing of data when collected on individuals in the EU – applying additional measures for the transfer of personal data from the European Economic Area (EEA) to the UK.

How will ‘EU Adequacy’ apply?

The good news is that the European Commission has stated that if it deems the UK’s standard of personal data protection is essentially the equivalent standard to that of the EU, it would make an adequacy decision allowing the transfer of personal data to the UK without restrictions. The Data Protection Act and the EU Withdrawal Act are expected to be sufficient for EU Adequacy, so we expect data transitions will be able to continue uninterrupted in the longer term.

Note: The US is deemed by the EC to have only ‘Partial Adequacy Decision’ status. It is more limited in scope in the form of the voluntary ‘US Privacy Shield’.

What if no adequacy decision has been made at time of exit from the EU?

The EC will not make an adequacy decision until we have officially become a third country. There is currently no timetable for such a decision and therefore if no adequacy decision has been made at the time of exit, The Research House will put an alternative safeguard in place. Our safeguard is an alternative legal basis for transfer of data in the form of standard contractual clauses (as we already have in use for countries such as the US) which clarify contractual obligations on the EU data exporter and the UK data importer.

As the Research House has sister companies in Germany (Schmiedl Marktforschung), France (ConsuMed Research) and Spain (BDI Research), UK clients can continue to work directly with them and their local Data Protection Officer to put in place standard contractual clauses and support compliance on a project-by-project basis until an adequacy decision is in place.

Who will be supervising our compliance?

In accordance with extra territorial jurisdiction, we are appointing a **European Representative**. **Christian Holdt, Director of Operations** for **Schlesinger Europe**, based in Germany will assume the role to ensure we comply with Article 27 of the GDPR; to act as a liaison with EU data subjects and to maintain records of processing which may need to be made available to the data protection authority (DPA).



Research Conducted in UK & the Transfer of UK Data to the US (Or Other Countries without EU Adequacy)

Extra-terrestrial scope must be maintained post Brexit. The Research House will continue working with our US clients under the same controls and procedures we currently have in place as EU members.

UK Clients Travelling from the UK for Research in our European Locations

The European Commission has stated that there will be no visa system imposed for travel to Europe. Instead, it has confirmed that UK citizens will pay approx. €7 for a travel permit, as part of the European Travel Information and Authorisation Scheme (**Etias**). This would be similar to the US Esta visa-waiver system: To obtain Etias authorisation (valid for three years) travellers will register their details and pay the fee in advance of travel (at least 72 hours prior to departure is advised).

The government also recommends that UK travellers have at least six months remaining on their passports on arrival in an EU country.

So we expect no major impact on EU researchers traveling to the UK for research – just some minor online admin every 3 years and perhaps allowing for a little more time at customs.

EU Clients Travelling From the EU to the UK for Research

If a deal is in place, it is expected that nearly all of EU law will continue to apply to the UK during the transition period until 2020, including travel law and regulations.

In the event of a 'no deal', the government already has plans in motion to keep people moving. This includes the European Commission's no-deal contingency action plan - with measures ensuring air services between the UK and EU on a temporary basis. The UK government would also need to reciprocate the non-visa system, something which it has stated it would do to promote business and tourism in the UK.

How will Brexit Impact The Research House Teams?

Whether there is a deal or no deal outcome, free movement of people will no longer be in place between the UK and the European Union. Therefore, non-UK citizens will be required to obtain permission to remain in the UK. A transition period until the end of 2020 is part of the deal negotiations. If no deal is obtained, then the transition period may be much shorter. Either way, in relation to The Research House team, we do not expect our talent pool to be impacted in any way.

What's Next?

At The Research House and Schlesinger Europe, we remain highly committed to data protection standards and to the ease of working with The Research House. We have prepared and for now, it is business as usual. We will continue to keep a close watch on developments and guidance issued by leading authorities and we will update this document and our processes accordingly. In relation to post-Brexit regulations, we will manage them as we do all other legal changes and guide our clients through them for a seamless research experience.

The Impact on Research Revenue in the UK

We remain positive about the outlook for marketing research in UK and do not expect business levels to be impacted by Brexit. More than ever, brands will need to engage with their customers across different UK markets to gain insights into changing experiences, opinions and behaviors in a new UK trading, economic and political environment and we will be ready to support their objectives here in the UK and through our friends in the EU.



The Research House

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Planning Research Studies

Our key contacts on this topic are:

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[See our Guide to GDPR](#)

Important Note

This document seeks to state our current understanding and planning in relation to Brexit for both a deal and 'no-deal' scenarios. It should in no way be considered legal advice and our clients are advised to seek their own counsel in relation to their legal responsibilities.