ACTITO
AGILE MARKETING AUTOMATION

CHECKLIST FOR MARKETERS: REMAIN GDPR COMPLIANT IN 10 STEPS

The EU-wide General Data Protection Regulation (GDPR) which became law on May 25, 2018 introduces some fairly tough controls on the collection, use and accountability of personal data. GDPR undoubtedly changes how you do marketing. However, in providing the right assurances to customers that their data is safe and respected, GDPR also creates a real opportunity for marketers to engage more closely with their customers. It shows how seriously you take their data and sets you apart from competitors.

STEP 1

GET BUY-IN FROM THE TOP

GDPR culture needs to be driven from the top. Due to budget implications, board-level commitment is imperative. Start by designating a senior person, such as your chief information officer (CIO) or corporate solicitor to take responsibility for driving the process forward.

STEP 2

CHAMPION BUSINESSWIDE GDPR CULTURE

GDPR is clearly not solely a marketing responsibility. Everyone in your organization needs to be educated to instinctively do everything possible to protect personal data in everything they do. Make sure that key stakeholders and cross-departmental decision makers understand the implications of GDPR and bring this knowledge to the entire workforce, including sales, marketing, IT and trading partners. Instill a sense of personal responsibility for data and spread the word across the organization with eye-catching posters, informal lunchtime workshops and internal newsletters.

STEP 3

GET INVOLVED IN THE SEARCH FOR A DPO

Companies who process vast quantities of personal data or process sensitive data such as race or religion must designate a data protection officer (DPO) to take responsibility for data protection compliance. Even if your company falls outside this requirement, having a DPO is going to make the process of compliance more accountable and easier to implement. It could take a bit of time to find the right person, and they are in demand. So start and get involved in the recruitment process as soon as possible. Make sure your marketing voice gets heard.

STEP 4

CREATE A SINGLE VERSION OF THE TRUTH

Under GDPR individuals now have the right to oppose profiling, to know what data you hold and why, and to have their records erased on request. If you want to continue building marketing intelligence and creating user profiles for targeted promotions, you need to create one version of the truth so that you can answer customers' queries and requests accurately and immediately. Open up a spreadsheet and map the purpose, use and origin of every single marketing data asset you hold and process. Make this your GDPR bible, a living document. Remember to include information shared with trading partners and other third parties inside and outside the EU. GDPR compliance is, after all, as much their responsibility as it is yours!

STEP 5

FOLLOW THE RULES FOR DATA GOVERNANCE

GDPR requires every business in the EU to have a robust and compliant system to detect, manage, report on and notify any personal data breach in just 72 hours. GDPR-compliant processes need to run the length and breadth of the organization, and be genuinely effective 24 hours, 7 days a week, 365 days a year. Marketing is no exception. Individuals can challenge the legitimacy of your actions in respect of their data. Fines alone can run to several million euros, and then there's the cost of cleaning up and restoring customer confidence.

STEP 6

COMMUNICATE CLEARLY ABOUT DATA PRIVACY

GDPR has impacted the way marketers collect and use customer data. Therefore, review all your terms and conditions and privacy notices and create consistent, GDPR-compliant statements across all digital and print communications channels. You need to prove that your customers know exactly what you do with the data you might collect at events, on websites, in emails and so on.

STEP 7

REVIEW PROCESSES FOR OBTAINING CONSENT

Under GDPR, opt-in is compulsory. Switching from opt-out to opt-in across all customer interactions guarantees compliance and will avoid alienating customers who fail to notice tick boxes and tiny unsubscribe links in emails. Make sure any on-site forms (current and future) are made compliant. And remember, compliance extends beyond including an option to opt-in. Forms must be deployed and hosted in a way that complies with all the principles of GDPR. Marketers are no longer able to add event attendee lists to a campaign, just from the business cards dropped in a competition box. You need to show evidence for opt-in, such as asking visitors to complete an opt-in form on the stand. If you're operating in the under 16 market, make sure you gain a parent or guardian's consent for data processing.

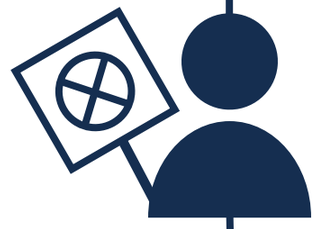
STEP 8

MAKE SURE YOU HAVE A LEGITIMATE INTEREST

GDPR accepts that if you have a legitimate interest (the data you collect is relevant and appropriate), you can regularly communicate with your customers provided you offer them the option to unsubscribe. To establish whether you have a legitimate interest, question whether you a) truly need the data to carry out a transaction to the customer's satisfaction and/or b) whether you could do things differently. As a marketer, you can no longer just collect everything just in case you might need it in the future. GDPR demands that we collect just the data we need and no more.

STEP 9

RESPECT YOUR CUSTOMER'S RIGHTS



Consumers have the right to inspect any data you hold about them, ask for it to be permanently erased and oppose its use for personal profiling commonly used for market segmentation. You need to set up procedures to address all the rights that customers have from now on. This includes building processes into your CRM databases and marketing platforms to manage their requests to have their data erased. It is no longer be enough to flag someone's record as not to be contacted – all personal details would have to be deleted, wherever they are stored. It's simple. If you don't respect the customer's data, they can now simply claim it back and take their business elsewhere.

STEP 10

PUT YOUR DATA IN SAFE HANDS

Make sure that all marketing agencies, contractors, consultants and tech suppliers that you work with inside or outside the EU are ready and prepared for GDPR compliance, with measures in place to store and process, and integrate data appropriately. Ask suppliers to detail how they store/process data to ensure GDPR compliance and establish a chain of command and a process to manage any data breaches. Be sure your supplier makes a downloadable copy of all the data that relates to your customers available in an instant, and has a process for deleting data if you stop using them.

HOW DOES **ACTITO** COMPLY WITH **GDPR**?

1 We manage our technical infrastructure ourselves in secure data centers around Europe, guaranteeing complete redundancy. No data of any kind is shared beyond Europe.

2 In our software development framework, we apply specific methodologies that allow us to limit the risk of data loss.

3 We implement a Zero Client SaaS Philosophy to mitigate the risks associated with browser plug-ins and downloads, notorious for creating security risks.

4 We are constantly evolving our software to address new and emerging security risks. We deploy a product upgrade every two weeks, supported by emergency hot fixes for the instant resolution of actual or potential security risks.

5 We track infrastructure and processes in real time and trigger alert systems at the merest hint of data breach.

6 We have mechanisms and procedures for the timely erasure of data as requested by individuals and partners, and when contracts come to an end.

7 We facilitate the necessary sharing of data, while maintaining the highest levels of security. Our Transfer Box app has been developed specifically for the secure exchange of data.

8 We conduct regular risk assessments and take appropriate measures to ensure and demonstrate GDPR compliance.

9 We provide clients with up-to-date information about the legislation that applies and templates for standard clauses. We also help them prepare impact assessment documents on personal data protection and/or organize training courses for their employees.

10 Our director and co-founder Benoît De Nayer is a legal expert specializing in personal data protection. Once a researcher in consumer law and a lawyer, he is using his considerable expertise to steer the development of our platform and train staff in vital aspects of IT and data security.

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