

AN ENSIGHTEN STRATEGY BRIEF

Drowning in data or diving into opportunity?

The marketer's guide to complying with
GDPR and understanding its benefits



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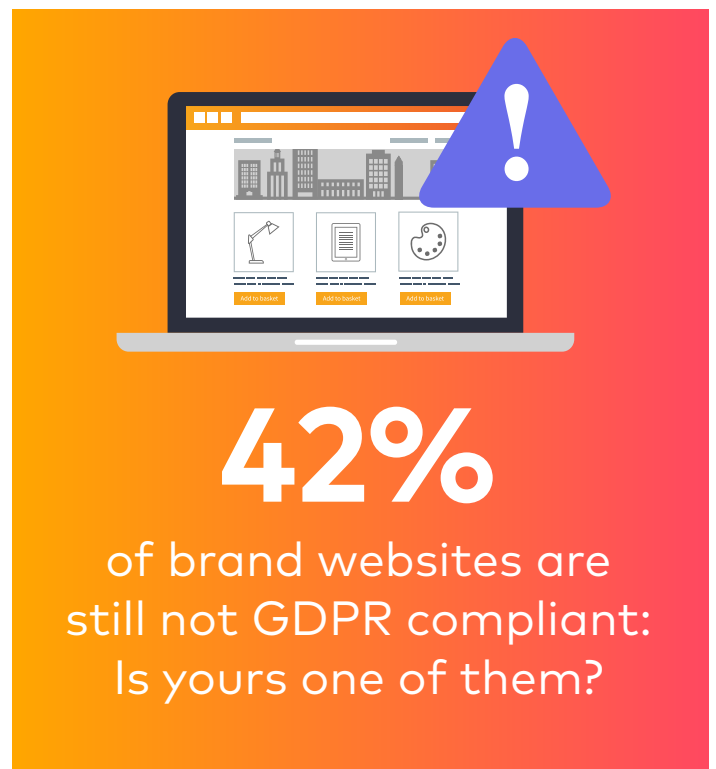
Introduction

As the 25th May 2018 fast approaches, marketers should be getting to grips with the changes that GDPR will mean for them

As the gatekeepers to the majority of customer data the marketer's role in preparations for GDPR (General Data Protection Regulation) is critical to full compliance. However, our research¹ shows that, despite the risks of non-compliance, there are still plenty of marketers who do not fully understand the implications of GDPR for their role or their business. In fact, almost half (48%) don't believe their teams are fully aware of the implications of GDPR and over a quarter admit their websites are unlikely to be compliant by the end of May.

And yet, businesses who do not comply with the new GDPR outlined by the EU will face financial penalties and long-lasting damage to customer trust. But the new rules are about much more than avoiding fines. Customer trust and advocacy are core to any brand today and so the challenge of compliance should be seen as a positive step towards stronger relationships with customers.

This toolkit is intended to aid marketers in understanding their role in compliance, as well as the benefits. It includes an overview of the importance of tag management in GDPR compliance - a critical and simple step towards compliance. Through following these suggestions, marketers can create a solid foundation for a better, more trusted relationship with their customers, as well as remain compliant.



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The state of play

Confused about GDPR compliance? You're not alone

Our recent study into UK marketers' attitudes towards GDPR has found many marketers are still in the dark about their responsibilities, despite the deadline fast approaching:

28%

Only 28% of marketers expect their websites to be compliant by the May 25th deadline next year



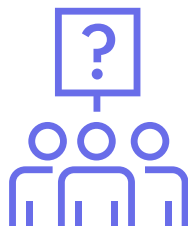
46%

believe their company isn't responsible for data collection across all its digital properties



48%

Almost half don't believe their teams are fully aware of the implications of GDPR



What will change in May?

At the moment the way in which tags gather and share information about their customers is fairly ad hoc and unrestrained. That is all about to change with the introduction of GDPR.

GDPR outlines new rules for collecting and recording consumer consent to be contacted, making requests for personal information much more transparent. Given that the last major update to data protection was back in 1995, it is not surprising that current guidance no longer sufficiently protects customers' interests, as everyone's digital footprints continue to expand.

To comply, businesses must meet strict new requirements. The GDPR mandates can be grouped into four categories: Data Collection, Data Storage, Data Transfer and Internal & External Oversight. There are four main components that impact your website(s): Notify consumers, receive consent, prevent unauthorised data collection and provide an audit trail of compliance. More information about the regulations can be found on the EU's official site: <http://www.eugdpr.org/>

It isn't just companies in the EU that are affected. Any business with customers in the European Union must adhere to GDPR rulings, or face the same financial penalties and negative publicity as European companies should they fail to comply. Despite Brexit, the UK has already made it clear it intends to uphold the regulations for its citizens.

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The cost of doing nothing

As UK supermarket chain Morrisons found out, the UK regulator is already taking this matter very seriously. Morrisons were fined £10,500 last year for sending 130,671 emails to people who had previously opted out of receiving marketing related to their Morrisons More card.

This type of penalty is nothing in comparison to what will happen after GDPR comes in, if companies continue to ignore regulations. For the most serious violations of the law, the ICO will have the power to fine companies up to twenty million Euros or four per cent of a company's total annual worldwide turnover for the preceding year - for some organisations non-compliance could be financially fatal.

Businesses can't fail to take note of the damage brands suffer when hit by regulatory fines, or the indignities of privacy breaches that make the front pages of newspapers around the world. Beyond the financial cost, reputational damage is not something that can be recouped with a few quarters of growth.

What kind of data are we talking about?

While all employees have a role in complying with GDPR, marketers have more responsibility than most. The marketing function has a primary role in influencing customer behaviour, communicating with customers and influencers, growing loyalty and generally understanding their brand's audience. And so every role in the department is affected, from content marketers to social media managers and customer insight specialists. Even public relations teams will need permission from the journalists on their database to get in touch.

Our investigation into UK marketers' attitudes to GDPR revealed a significant lack of awareness around what kind of data companies will need to protect when the new laws come into play. Alarming, we found that:

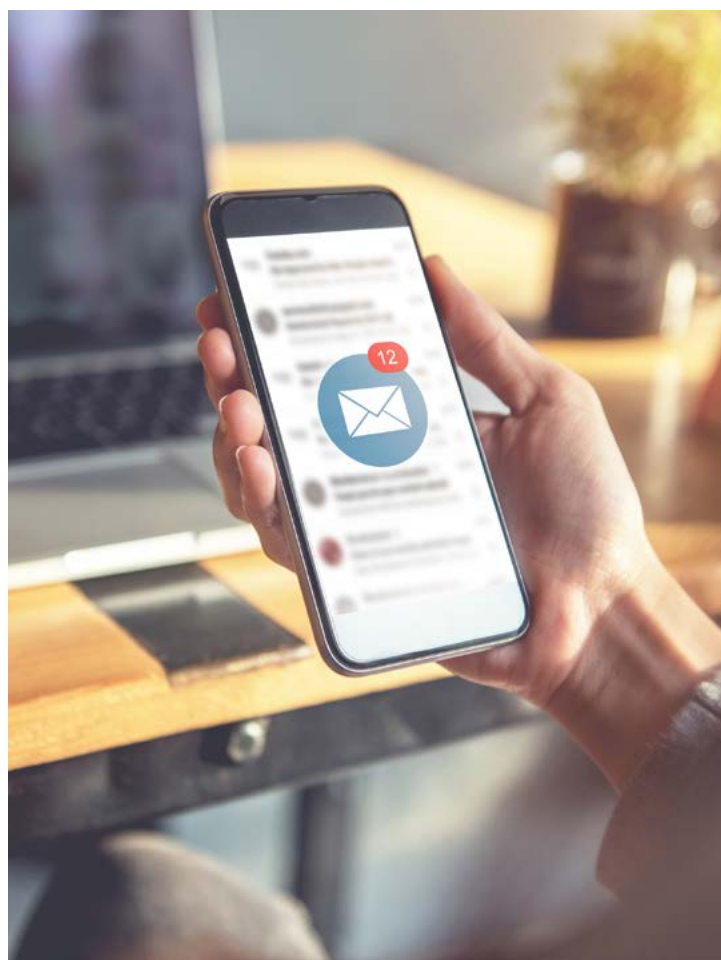
1 in 4

marketing professionals do not regard payment details, phone numbers or addresses as personal data



22%

of marketers don't consider email addresses as personal data

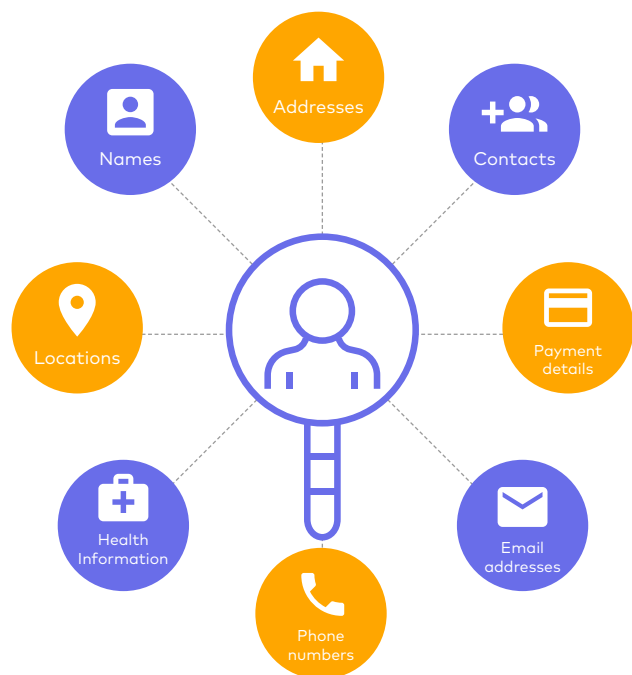


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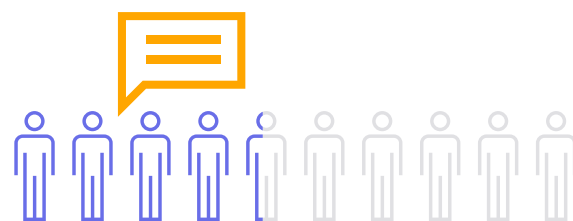
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It's all personal: In fact, any data relating to your customer's digital footprint is covered by the new legislation

This includes customers':



Brands are also responsible for any information stored in relation to their customers from all of their digital marketing channels, regardless of who runs them. It is down to the brand and, in particular, the marketer, who often owns the relationship with many of these suppliers, to ensure that all their suppliers sufficiently protect customer data and do not unauthorisedly contact customers on the brand's behalf.



UK brands work with five marketing suppliers on average, yet less than half of them (43%) have had conversations with their suppliers on impending GDPR



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But here's the good news: GDPR will lead to higher quality marketing

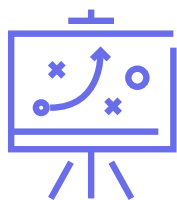
Of course, interacting with your customers in a more targeted, personalised way, rather than bombarding them with unwanted messages and untargeted information, should continually improve their relationship with your business. It will also filter out those who are not interested in your products. And so, despite challenges and confusion, GDPR is actually an important step towards better marketing.

It will force brands to examine how they interact with consumers and create a whole new level of transparent and fulfilling value exchanges. Our research shows that many marketing decision makers see the regulation as an opportunity to reexamine how they interact with consumers and gain more value from their data:



76%

of marketers believe GDPR represents a strategic opportunity for businesses



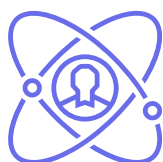
68%

state the regulation will help them better harness big data



75%

believe compliance will modernise customer interaction and engagement



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The virtuous circle of GDPR compliance

One of the first stages of GDPR is to establish which customers genuinely want to hear from you, and on what terms. But, be warned, contacting customers directly about this can be a violation of GDPR if you do not have permission and several companies have already been fined for this.

And so, it is best to start from scratch with all your targeted mailing lists. Think of it like a spring clean. Once you've stripped out those customers who do not want to hear from you, a virtuous circle begins:



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Act now:

Five steps marketers can take to ensure compliance

1. Speak to your digital marketing suppliers about the steps they are taking to protect your customers and update your contracts with them
2. Use a privacy solution that gives a single source of information about outgoing data flow from you website, alongside a single point of control.
3. Introduce crystal clear data consent options to consumers for every communication method
4. Educate your marketing team so they understand their role in remaining compliant and do not unknowingly breach regulations
5. Hire a dedicated specialist to cover GDPR responsibilities or seek legal advice to ensure your particular model of data sharing is legitimate





Quick quiz:

Is your GDPR process fit for purpose?

Take five minutes to answer the below questions to see if your GDPR process is fit for purpose.

1. How do you guarantee that no personal data is collected and/or shared with a 3rd party vendor PRIOR to receiving consumer consent?

2. Do you provide the ability to give personal data access to trusted 3rd parties (whitelists) and exclude bad actors (blacklists)?

3. What EU languages do you support?

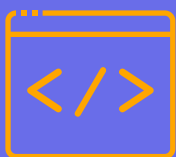
4. Can your solution be deployed via any tag management systems (TMS) without requiring website and/or TMS modifications?

5. How long does it take to install and deploy your solution?

6. Can changes (by the brand or the consumer) be made easily and in real-time?

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Enlighten privacy tool

The marketer's secret weapon in GDPR compliance

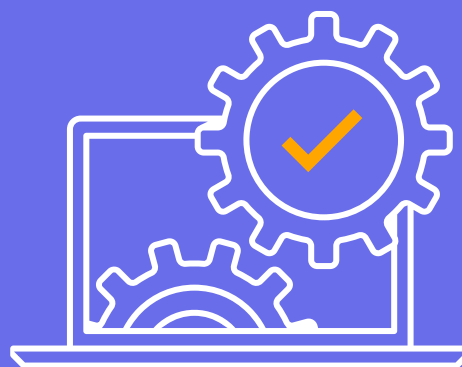
Enlighten's privacy technology allows companies to quickly bring complex websites into compliance with GDPR and other policies that protect sensitive data.

A simple piece of code on your website will take a snapshot of all the marketing technologies that sit there collecting data. That includes JavaScript code intended to capture session data, and tags hard-coded to deliver data offsite.

It will then provide a single source of information about the outgoing data flow, as well as a single point of control.

The centralised control offers companies a way to meet the challenge of new personal data consent regulations and steep fines for violations.

The tool also provides a pop up compliance tool - so customers can choose in real time which bits of their information they are happy to share. This increases both user transparency and choice - a key feature of the new GDPR recommendations.



About Enlighten Privacy

Many global brands already use Enlighten Privacy. It is the only solution that can enforce GDPR requirements for data collection, making websites GDPR compliant instantly. Through implementing a single line of code to a company's digital properties, it blocks data collection until notification is given and consent received. It also provides an out-of-the-box customer consent interface for easy customisation of privacy choices and gives a real time view of tags on all of a brand's digital properties, to create a unified view of a customer.

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Conclusion

Understandably, the combination of growing digital marketing complexity and sweeping regulatory change can seem complex and confusing. Looking beyond this, GDPR will lead brands towards a new era of transparency in customer interaction and engagement.

For marketers this is a fantastic opportunity. If they take responsibility for implementing changes, such as deploying tools that simplify GDPR compliance and governance and engaging their suppliers and teams, they can future-proof their strategies, better harnesses big data and create flawless digital experiences for customers.

GDPR for marketers: Quick summary

- ✓ **Detect:** Understand the security risks of non-compliance and identify the missing steps in your approach to GDPR
- ✓ **Connect:** Your digital marketing suppliers and your marketing team need to understand their roles in remaining compliant
- ✓ **Select:** Work with specialist third parties and responsible technology suppliers to ensure your data sharing is legitimate
- ✓ **Protect:** Ensign's privacy technology allows companies to quickly bring complex websites into compliance
- ✓ **Adapt:** Embrace GDPR compliance as an opportunity for more targeted marketing and stronger customer relationships



ABOUT ENSIGHTEN

Enlighten is a global leader in omni-channel data collection, management, governance and privacy compliance. With Enlighten, organisations can easily comply with the GDPR and other data privacy regulations, assess privacy risk and stop unauthorised leakage of data – all through implementing a single line of code. The Enlighten Platform is transforming the way enterprises collect, own and act on their customer data across all marketing channels and devices. Enlighten works with the world's leading brands, including Fidelity, TUI, CDW, Nestle Purina, Lacoste, Heathrow Airport and United Airlines, to help them drive marketing agility.

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