

February 20, 2018

Relationship One Webinar: Data Privacy and GDPR

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 relationship | one



Strategy



Technology



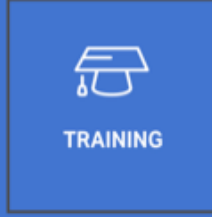
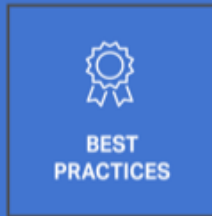
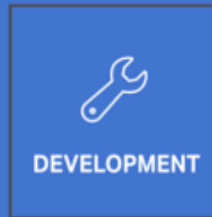
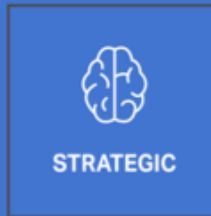
Data

We empower marketing & sales to achieve their demand generation and marketing automation goals.

Consulting Services

Your success is our mission

Our goal is to help you achieve success through a combination of people, process and technology solutions.

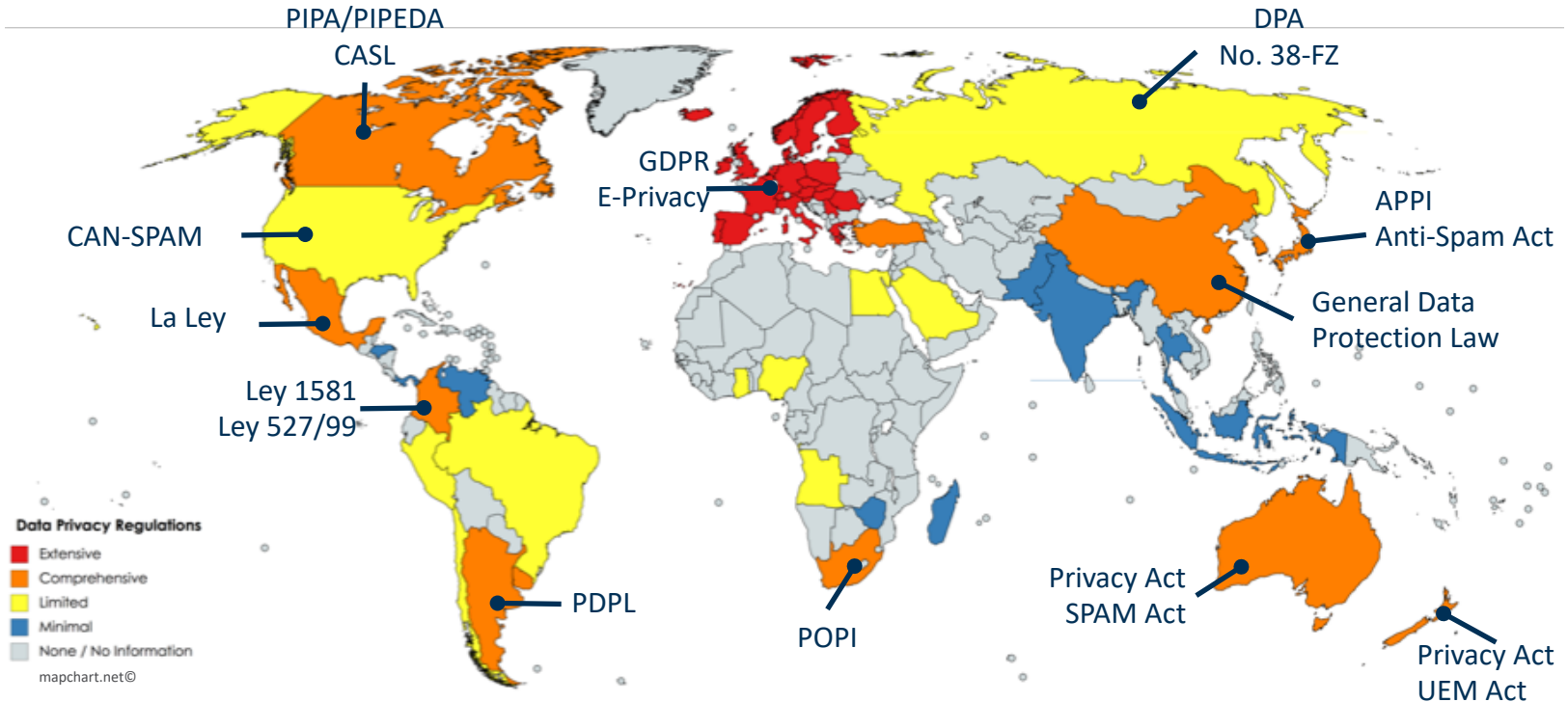


SiriusDecisions Presenter Introductions



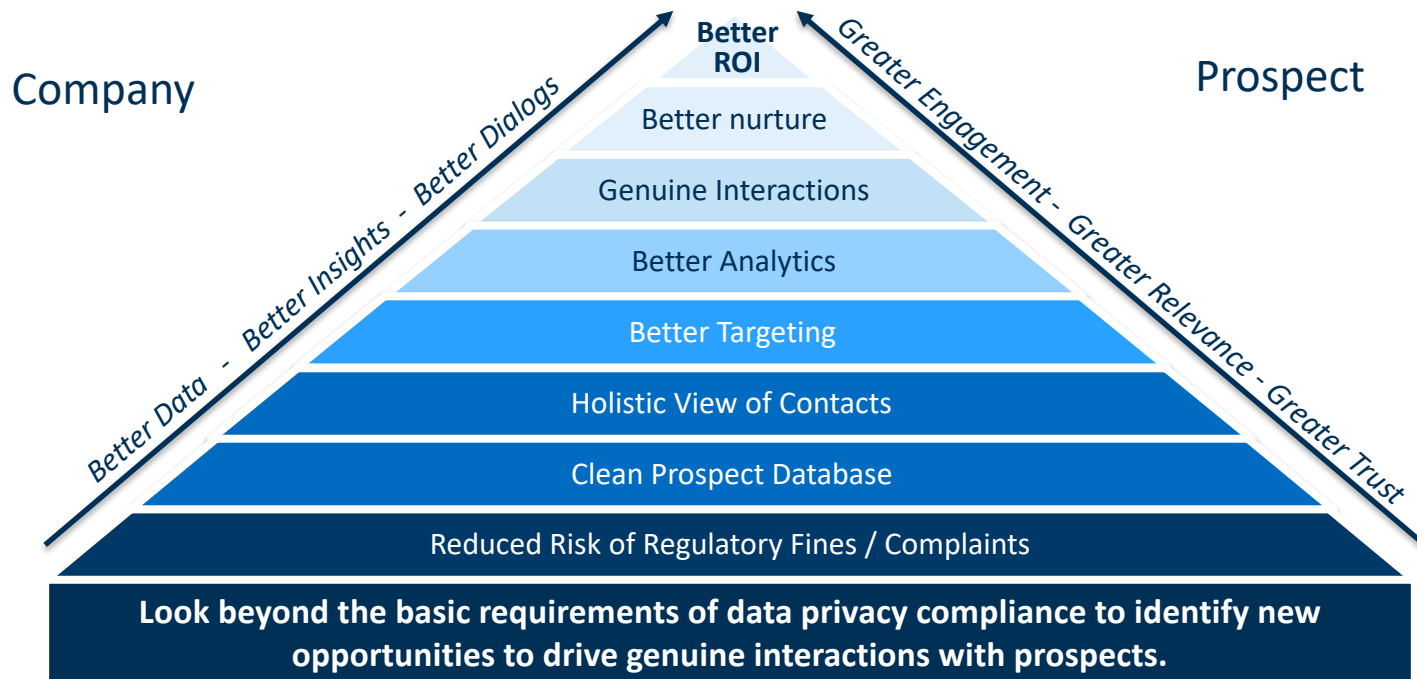
Demand Creation in a Data Privacy World

SiriusPerspective: The number of countries with data privacy and electronic marketing regulations in place is constantly growing – and many carry stiff penalties for violations.



Benefits of Adopting Data Privacy Strategy

SiriusPerspective: A genuine interaction is more than just a click or form fill; it is a valuable two way exchange of information that drives both sides to want to opt-in.





General Data Protection Regulation



Four Months and Counting

The EU GDPR Countdown Clock

Time Until the EU GDPR comes into force



until May 25th 2018

The above includes weekends and public holidays.

ACT NOW - you have less time than you think!

<http://www.gdprcountdownclock.com/>

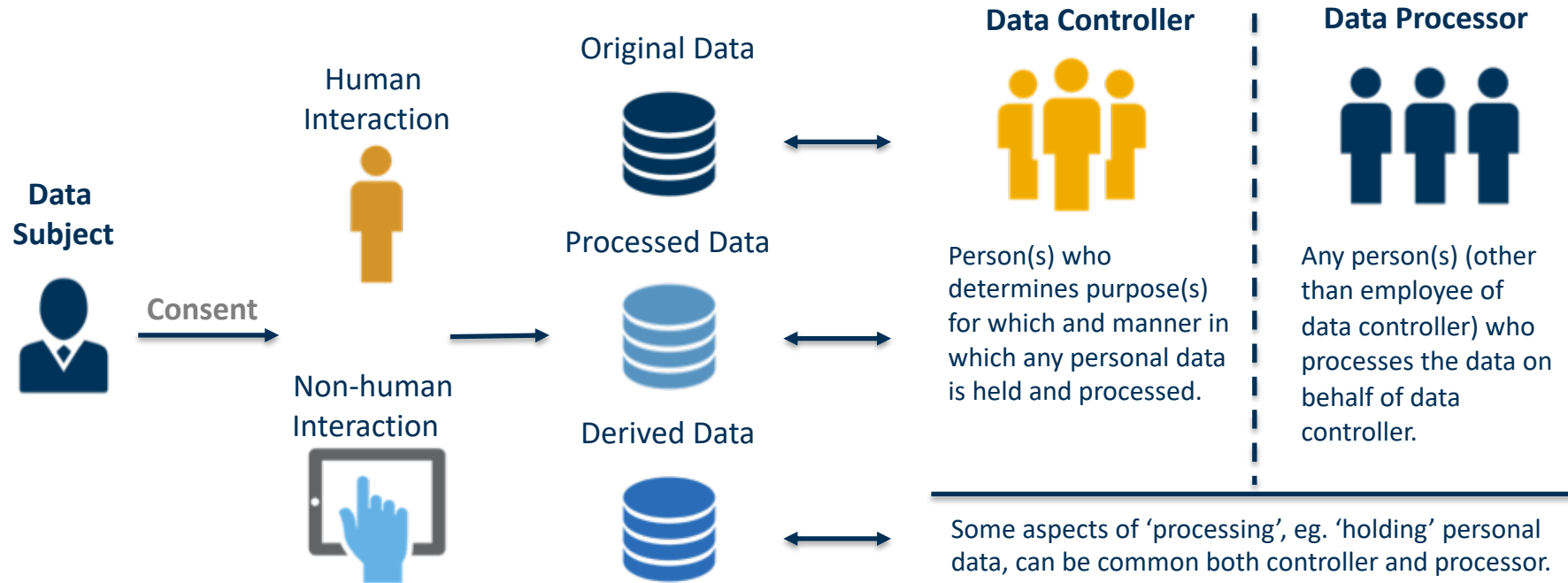
Lawful Basis for Processing Data Under GDPR

SiriusPerspective: Controllers must have a lawful basis for processing personal data under GDPR and these are set out in Article 6.1.

Consent	Contractual	Legal Obligation	Vital Interests	Public Task	Legitimate Interest
Individual has given consent to the processing of their personal data.	Processing necessary for performance of contract to which individual is party or for Controller to take pre-contractual steps at request of individual.	Processing of personal data necessary for compliance with a legal obligation to which the Controller is subject.	Processing of personal data necessary to protect the vital interest of the individual or of another individual.	Processing of personal data necessary for performance of task carried out in the public interest or in the exercise of official authority.	Processing necessary under legitimate interests of the Controller or third party, unless interests are overridden by individual's interests or fundamental rights.

Are you a Data Controller or Data Processor?

SiriusPerspective: Data controllers determine why and how data is processed whereas data processors process data on behalf of the controller, for example by storing the data on a third party's servers.



GDPR: Overview



Personal Data

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG&toc=OJ:L:2016:119:TOC

Personal Data Definition Varies by Jurisdiction

SiriusPerspective: Organizations must understand the definition of personal data in every jurisdiction they target with their marketing communications.



Information that **on its own** can **reasonably be used** to contact or **distinguish a person**. (Federal Trade Commission)



Any information about an **identifiable** individual.



Any information concerning an **identified or identifiable** individual.



Any information relating to an **identified or identifiable** natural person; an identifiable person is one who can be identified, **directly or indirectly**.



Information about a **living individual** which can **identify the specific individual**.

Includes information that **enables one to identify specific individuals** with easy reference to other information.



Information or **opinion** about an **identified individual**, or an individual who is **reasonably identifiable**.



Information about an **identifiable** individual; **includes information relating to a death** that is maintained by the Registrar General.

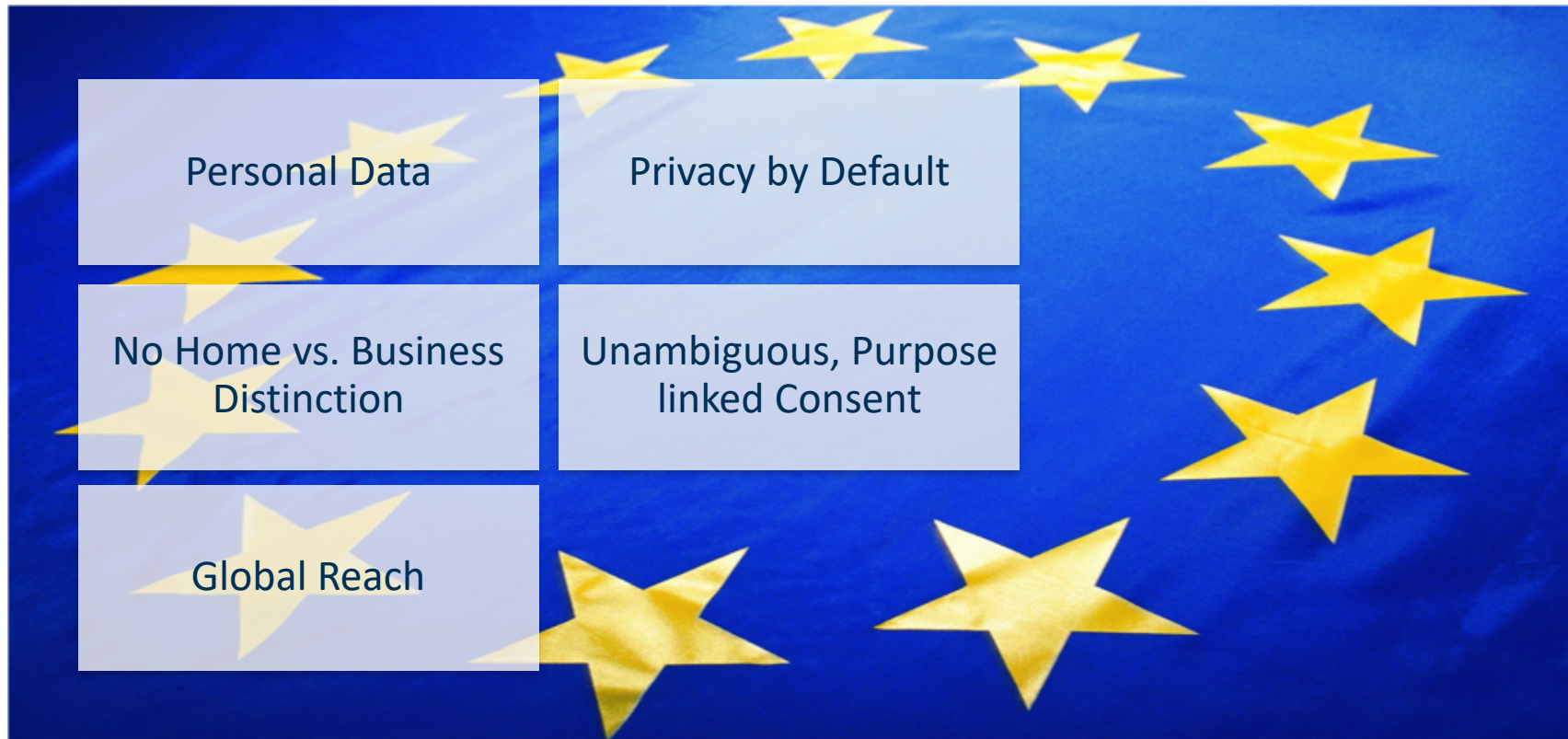
Understand the Types of Personal Data

SiriusPerspective: Understanding the types of personal data the organization collects, stores and processes is the first step in defining a preference management strategy.

Personal Data in a B-to-B Context

Physical ID	Digital ID	Metadata	Preference Data
<ul style="list-style-type: none">• Full name• Phone number• Mobile number• National ID• Photograph• Fingerprint• <i>Gender</i>• <i>Age</i>• <i>Company</i>• <i>Business Address</i>• <i>Title</i> <p>US PII</p>	<ul style="list-style-type: none">• Online Identifier<ul style="list-style-type: none">◦ Log-in details◦ Email address◦ Chat name◦ Instant messenger ID◦ Social networking ID• Cookies• IP Address<ul style="list-style-type: none">◦ Static◦ Dynamic• Unique Identifier<ul style="list-style-type: none">◦ UDID - Device◦ UUID - IOT <p>EU Personal Data</p>	<ul style="list-style-type: none">• Sender/Receiver<ul style="list-style-type: none">◦ Location◦ Device◦ Timestamp◦ Content• Behavioral<ul style="list-style-type: none">◦ Search history◦ Activity history◦ Content• Device Data<ul style="list-style-type: none">◦ Location	<ul style="list-style-type: none">• Topics of interest• Watering holes• Language• Format• Frequency• Delivery mechanism

GDPR: Overview



http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG&toc=OJ:L:2016:119:TOC

What Do We Mean by Consent?

SiriusPerspective: Doing consent well should put individuals in control, build customer trust and engagement, and enhance your reputation.

Consent

Definition:

Clear affirmative act establishing a freely given, specific, informed and unambiguous indication of the data subject's agreement to the processing of his/her personal data.
When the processing has multiple purposes, consent should be given for all of them.

Processing includes:

- a) storage, organisation, adaptation, alteration, alignment or combination
- b) retrieval, consultation, usage or disclosure
- c) blocking, erasure or destruction
of the information or data

Examples of consent:

- Written statement, physical or electronic; oral statement; tick box when visiting an internet website; choosing technical settings for information society services.
- **Silence, pre-ticked boxes or inactivity does not constitute consent.**

Consent Checklist

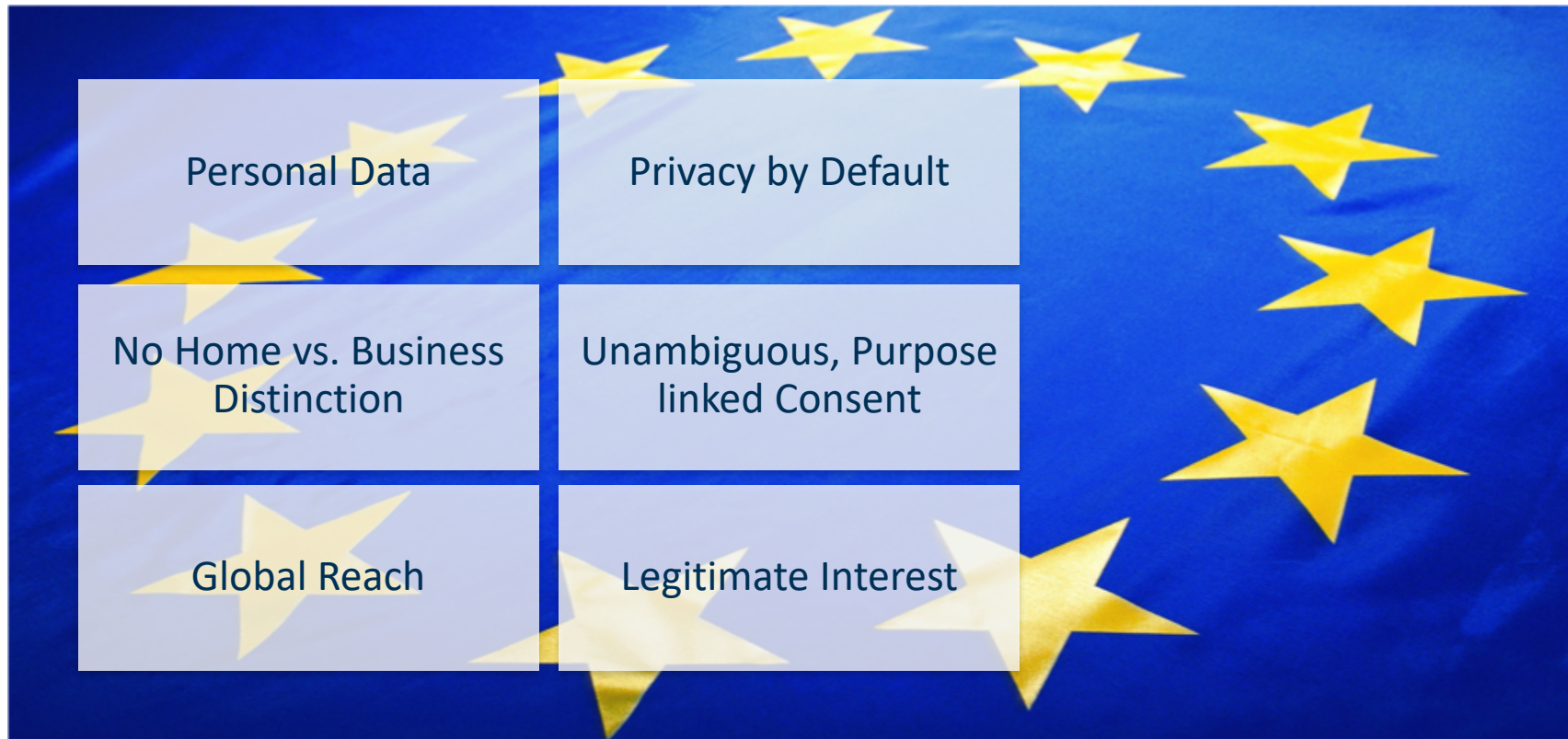
SiriusPerspective: Check your consent practices and your existing consents and refresh them if they do not meet the GDPR standard.

- ☐ Do you offer individuals genuine choice and control?
- ☐ Do you requires a positive opt-in? Don't use pre-ticked boxes or any other method of consent by default.
- ☐ Is your consent statement a very clear and specific statement of consent for a specific purpose(s)?
- ☐ Is your consent requests separate and distinct from other terms and conditions?
- ☐ Is your consent request specific and granular? Vague or blanket consent is not enough.
- ☐ Is your consent request clear, concise and easy to understand?
- ☐ Does your consent request name any third parties who will rely on the consent?
- ☐ Do you make it easy for people to withdraw consent and tell them how to do so?
- ☐ Do you keep evidence of consent? Can you prove who, when, how, and what you told people when asking for consent?
- ☐ Do you regularly review your consent statement? Do you have a process to refresh it if anything changes?
- ☐ Is receipt of consent a precondition of a service? This should be avoided.

Remember! You don't always need consent. If consent is too difficult, look at whether another lawful basis is more appropriate.

Source: ICO

GDPR: Overview



http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG&toc=OJ:L:2016:119:TOC

What Do We Mean by Legitimate Interest?

SiriusPerspective: Controllers must set out what their legitimate interests are when relying on this as their lawful basis for processing data.

Legitimate Interest

Definition:

Legitimate interests are those uses of personal data by a data controller that are deemed necessary (e.g. to provide the product or service) or reasonably to be expected by a data subject, such as marketing.

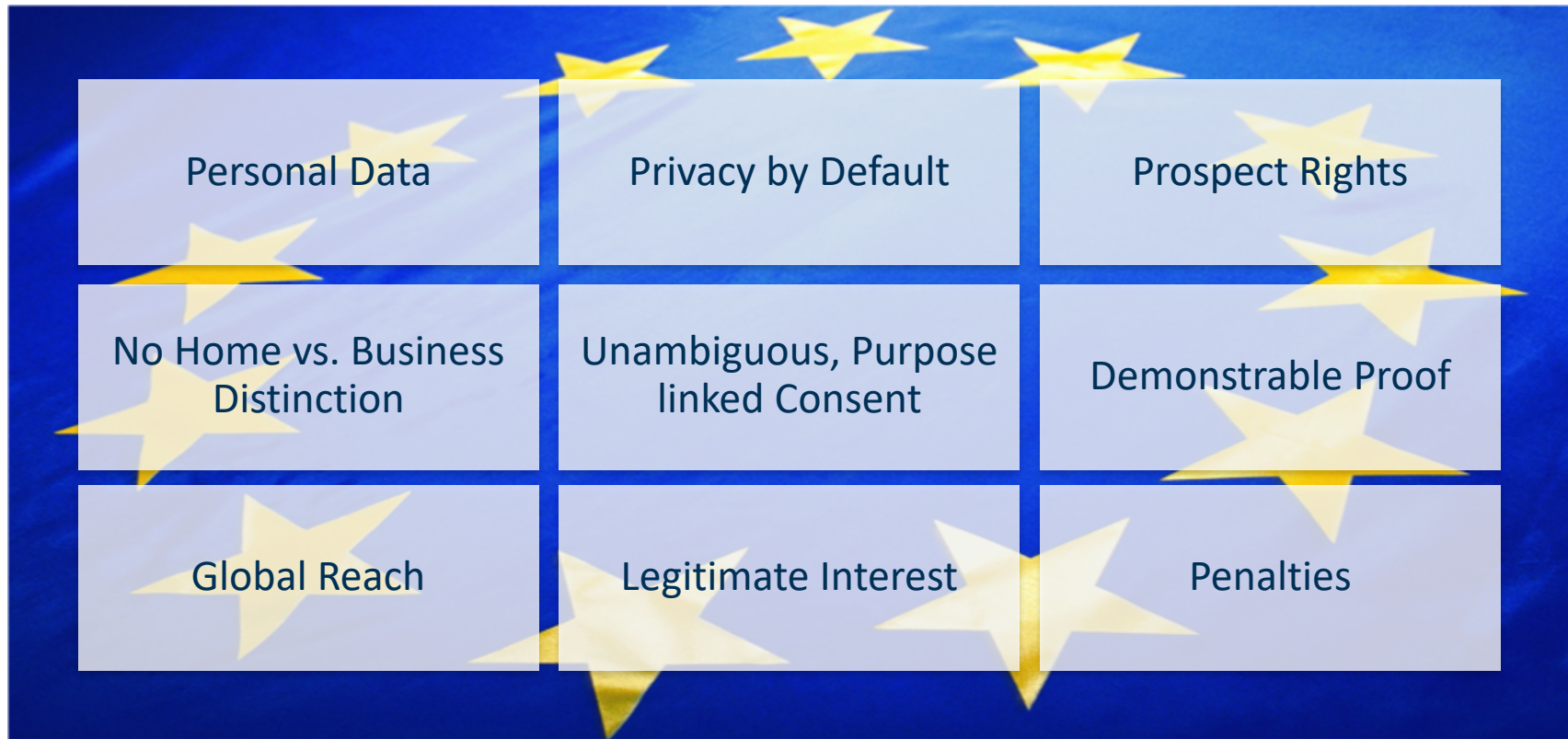
Litmus test for legitimate interest:

- Would you customer be surprised (in a bad way) if you told them about your grounds for legitimate interest?
- If “yes”, you’re better off getting explicit consent.

Legitimate interest is relatively weak grounds for processing:

- You must be able to explain the basis on which you are claiming legitimate interest.
- Your privacy policy must inform your customer of your grounds for claiming legitimate interest
- If customer’s don’t agree with the grounds for legitimate interest they must be able to walk away and/or challenge it.

GDPR: Overview



http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG&toc=OJ:L:2016:119:TOC

Proposed E-Privacy Regulation - Overview

Internet Communications	Phone Communications	Direct Marketing Communications
<ul style="list-style-type: none">• Prohibits storing, monitoring, processing of data and metadata without consent• Expanded provisions for consent to cookies or tracking technologies	<ul style="list-style-type: none">• Privacy for call content and call metadata• Caller identity blocking and called party anonymized call blocking must be supported• Directories must obtain consent	<ul style="list-style-type: none">• Consent required for any unsolicited advertising, written or oral, sent to identified or identifiable person• Direct marketing calls must disclose number

<https://ec.europa.eu/digital-single-market/en/proposal-eprivacy-regulation>

GDPR and ePrivacy References

Name	URL																														
European Commission - GDPR	http://ec.europa.eu/justice/data-protection/reform/index_en.htm																														
European Commission - ePrivacy	https://ec.europa.eu/digital-single-market/en/proposal-eprivacy-regulation																														
European Commission List of EU Data Protection Authorities	https://ec.europa.eu/digital-single-market/en/news/list-competent-authorities Includes: <table><tr><td>Austria</td><td>Czech Rep</td><td>Germany</td><td>Latvia</td><td>Poland</td><td>Spain</td></tr><tr><td>Belgium</td><td>Denmark</td><td>Greece</td><td>Lithuania</td><td>Portugal</td><td>Sweden</td></tr><tr><td>Bulgaria</td><td>Estonia</td><td>Hungary</td><td>Luxembourg</td><td>Romania</td><td>UK</td></tr><tr><td>Croatia</td><td>Finland</td><td>Ireland</td><td>Malta</td><td>Slovakia</td><td></td></tr><tr><td>Cyprus</td><td>France</td><td>Italy</td><td>Netherlands</td><td>Slovenia</td><td></td></tr></table>	Austria	Czech Rep	Germany	Latvia	Poland	Spain	Belgium	Denmark	Greece	Lithuania	Portugal	Sweden	Bulgaria	Estonia	Hungary	Luxembourg	Romania	UK	Croatia	Finland	Ireland	Malta	Slovakia		Cyprus	France	Italy	Netherlands	Slovenia	
Austria	Czech Rep	Germany	Latvia	Poland	Spain																										
Belgium	Denmark	Greece	Lithuania	Portugal	Sweden																										
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Cyprus	France	Italy	Netherlands	Slovenia																											
Privacy Shield Framework	https://www.privacyshield.gov/welcome																														
DLA Piper	https://www.dlapiper.com/en/uk/focus/eu-data-protection-regulation/home/ Includes: <table><tr><td>Angola</td><td>Bahrain</td><td>Chile</td><td>India</td><td>New Zealand</td><td>Turkey</td></tr><tr><td>Argentina</td><td>Brazil</td><td>China</td><td>Japan</td><td>Russia</td><td>USA</td></tr><tr><td>Australia</td><td>Canada</td><td>Colombia</td><td>Mexico</td><td>South Africa</td><td></td></tr></table>	Angola	Bahrain	Chile	India	New Zealand	Turkey	Argentina	Brazil	China	Japan	Russia	USA	Australia	Canada	Colombia	Mexico	South Africa													
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Argentina	Brazil	China	Japan	Russia	USA																										
Australia	Canada	Colombia	Mexico	South Africa																											
IAPP – Int. Ass. of Privacy Prof.	https://iapp.org/																														








Creating a Culture of Compliance

Applying Privacy Regulation in a consistent fashion



The Data Privacy Compliance Model


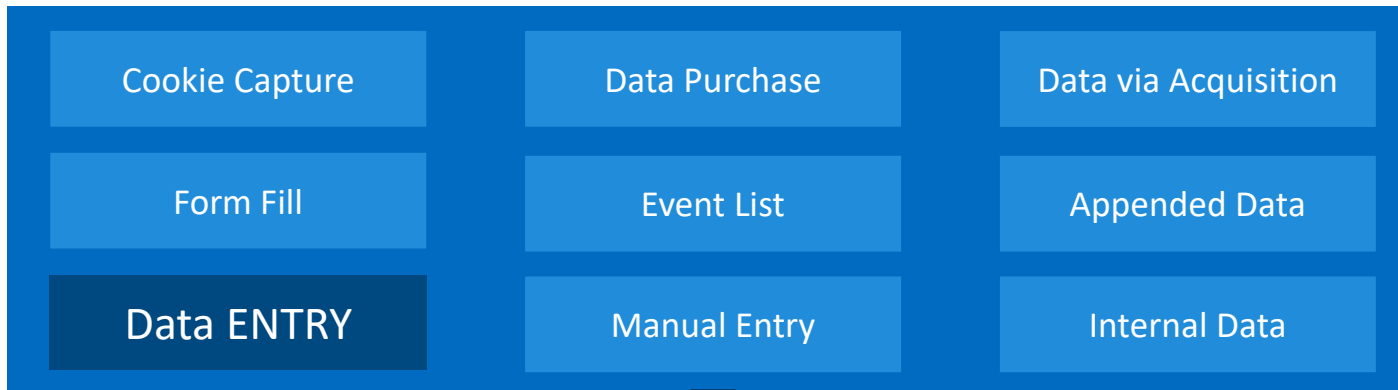
Corporate Data Privacy Compliance Strategy				
 Data Intake	 Data Storage	 Data Usage	 Data Maintenance	 Data Disposal
<ul style="list-style-type: none">• All ports of entry• Data appending• Individual capture• Online capture• Event capture• Data purchase	<ul style="list-style-type: none">• Data access• Data security• Geographic location• System location	<ul style="list-style-type: none">• Segmentation• Predictive analytics• Outbound• Inbound• Profiling	<ul style="list-style-type: none">• Consent Renewal• Change of status• Data verification• Audit processes	<ul style="list-style-type: none">• Deletion Request• Expiry• Merger / Acquisition
People		Technology		Measurement



Data Intake

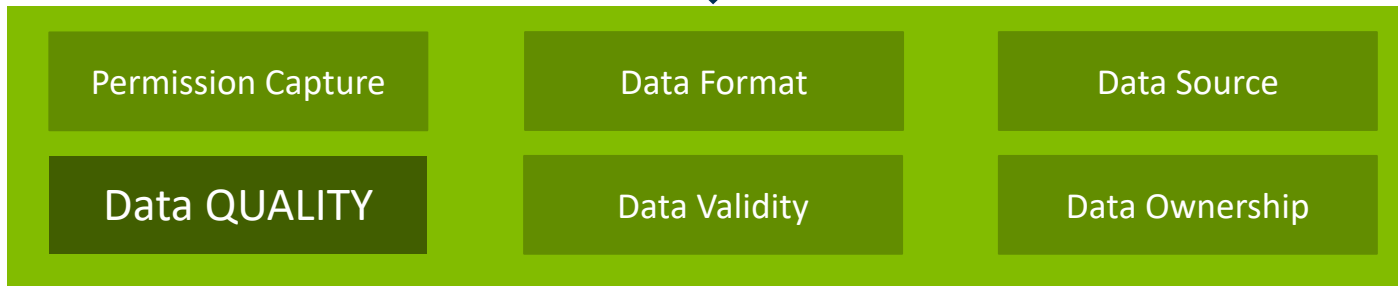


Data Intake

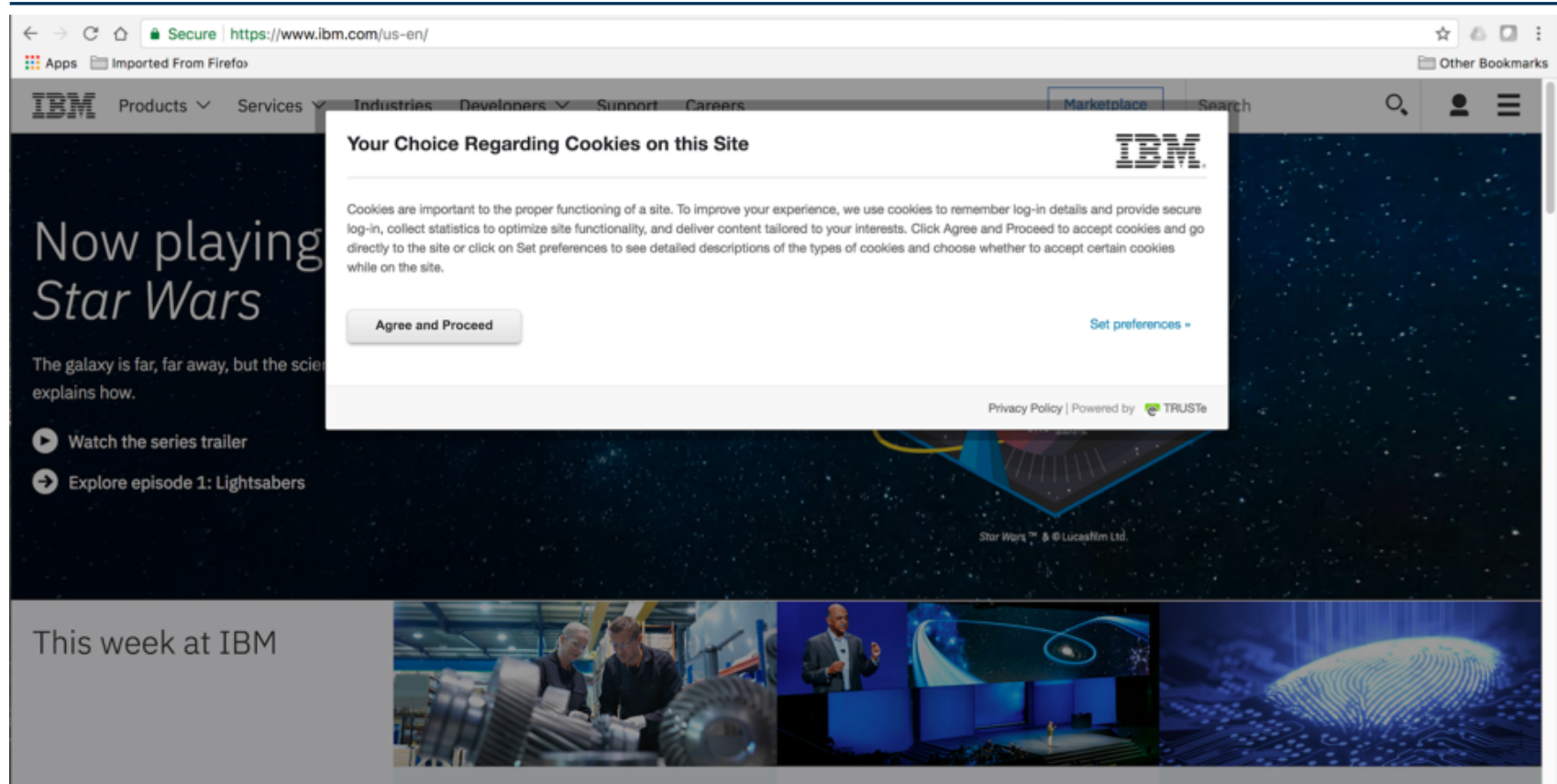


Data Intake

- All ports of entry
- Data appending
- Individual capture
- Online capture
- Event capture
- Data purchase



First Visit to Website.....IBM.Com



Legal Requirements for Global Marketing Automation


SiriusPerspective: Siemens is a winner for introducing a consistent process for data compliance for new marketing contacts from which to drive its marketing programmes.

Matrix of Implementation Options

Example Country	Germany	Canada...or...	USA
Cookie banner	Explicit cookie opt-in	Implicit cookie opt-in	Cookie opt-in not required
Email marketing opt-in	Confirmed opt-in required	Single opt-in required	Opt-in not required
Consent to personalised	Explicit profiling		Profiling consent not

- Country list and flows configured in the MAP system and documented globally
- Covers cookie management, email marketing opt-in workflows and tracking consent
- Tracking will be enabled/disabled according to the combination of options required by lo

Free download: Toolkit for Resilient Cities



Toolkit for Resilient Cities
Between 2000 and 2012, natural disasters – including weather, health and seismic events – caused \$1.7 trillion globally in damages related to direct impacts on infrastructure, communities and the environment. This report explores the role of technology in enhancing the resilience of cities and their critical infrastructure systems, and the enabling actions that can support a new approach to system design and delivery.

First Name *

Last Name *

E-Mail *

Company Name *

Street, Number

ZIP Code City

Country *

Please enter the adjacent security word into the text field underneath.

N 4 N Y 9 Enter Phrase *

☐ I agree to personalized profiling * MORE

☐ I agree to receive information by email * MORE

* Required

send

to be stored in MAP

Opt-in: Trade Shows

SiriusPerspective: Contact permission capture requires company-wide involvement and must become an integral part of all sales and marketing initiatives.

Trade Show Opt-in

100%

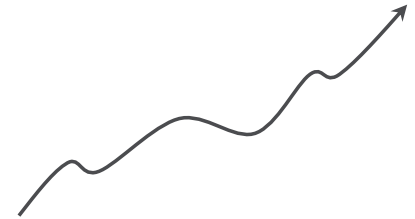


“Uncaptured leads die owing to missing consent”

SIEMENS

Lead Followup

90%



Reduced quantity vs. increased quality



Data Storage



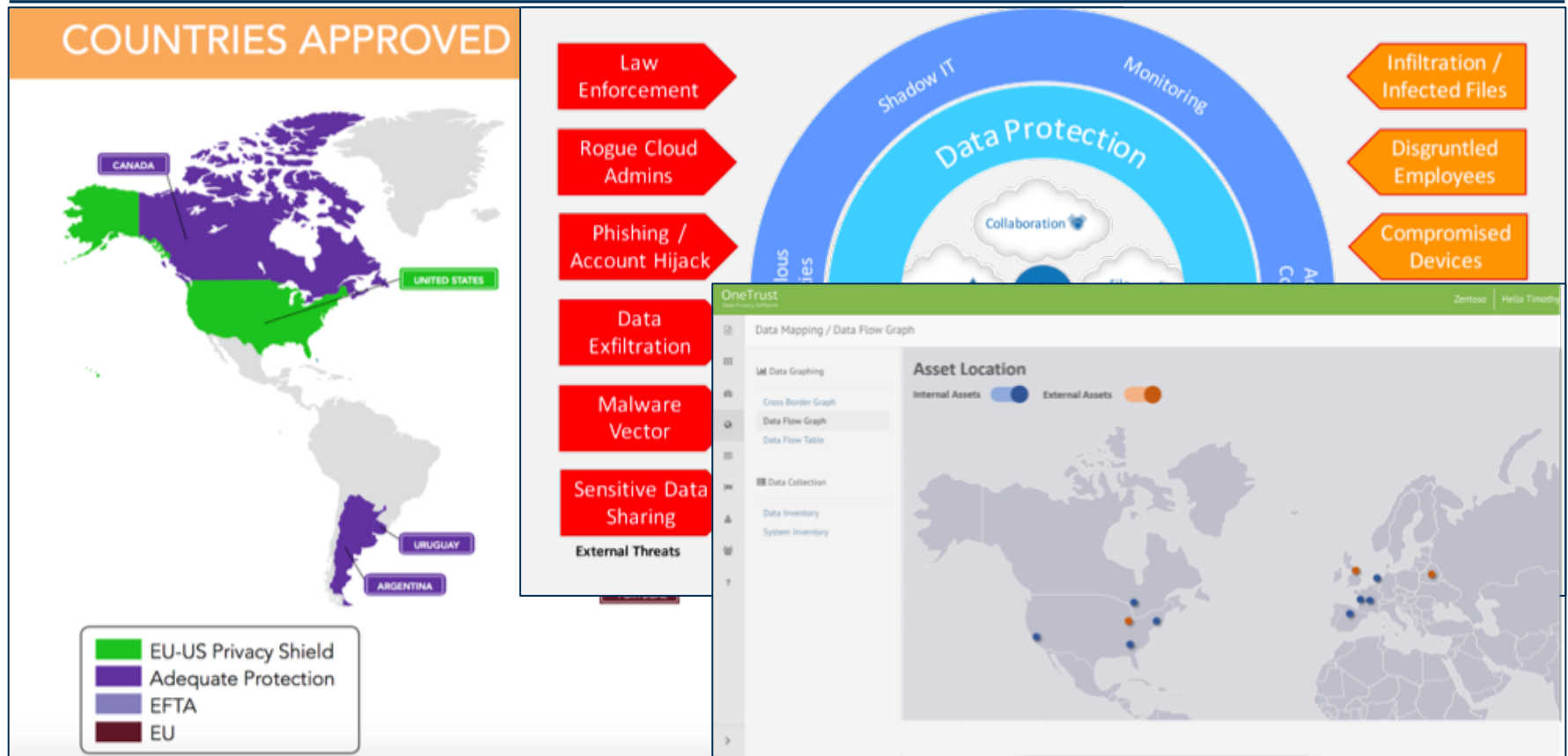
Data Storage



Data Storage

- Data access
- Data security
- Geographic location
- System location

Data Transfer, Security and Tracking





Data Usage

An abstract geometric pattern composed of various shades of blue and grey triangles, arranged in a complex, overlapping fashion that fills the right side of the slide.

Data Usage

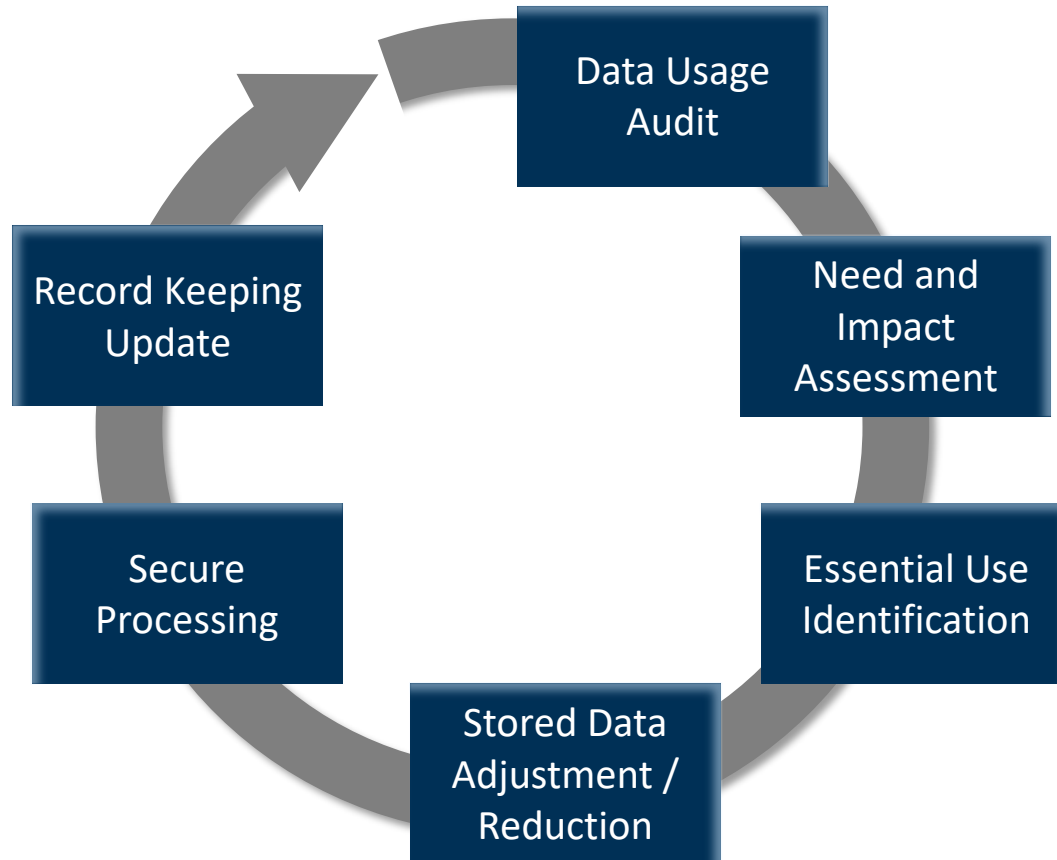
Data Usage	Sample Associated Personal Data
Segment	Demographics, firmagraphics
Call	Telephone number
Email	Email address
Direct Mail	Physical address
Social Media	Social network id, picture
Retarget	IP address
Track activity	IP address, cookie data
Behavioral Analysis	Persona profile, buyer's journey stage



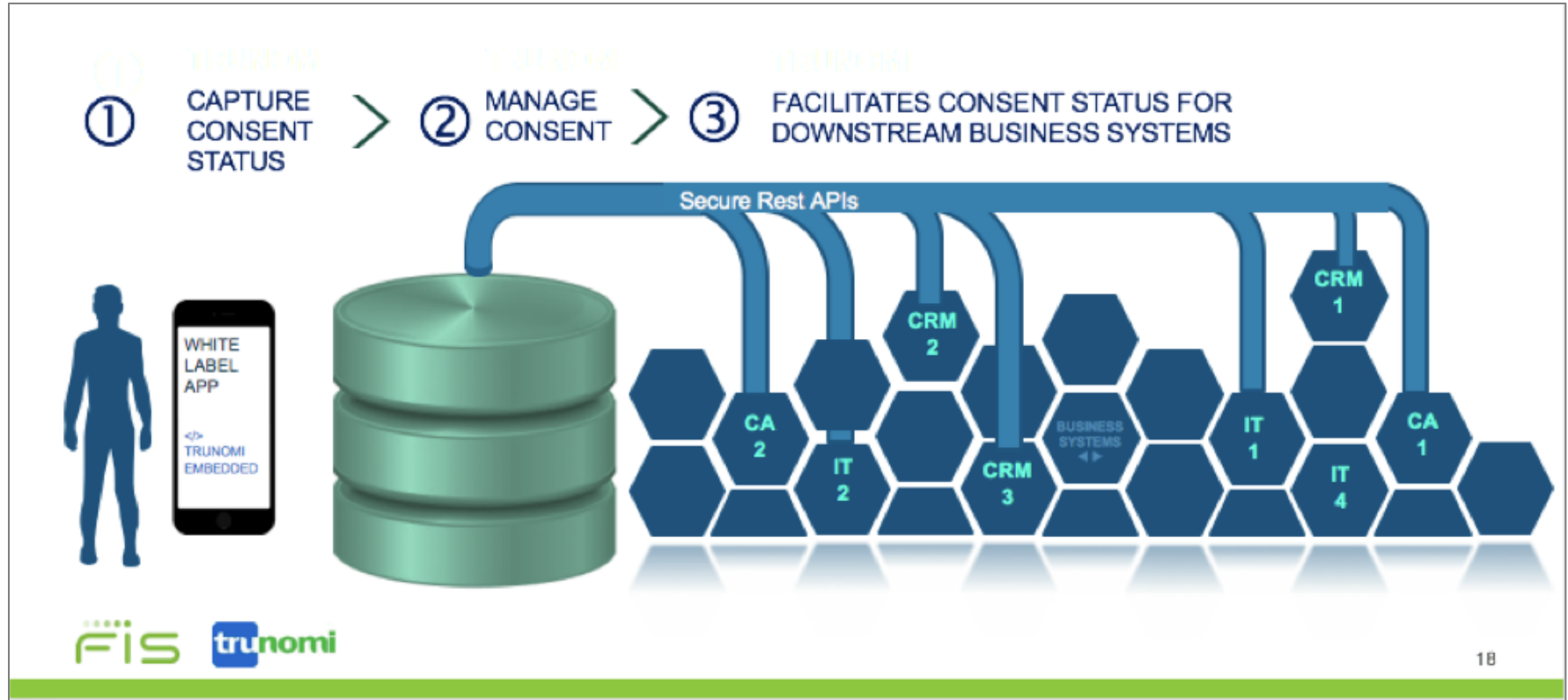
Data Usage

- Segmentation
- Predictive analytics
- Outbound
- Inbound
- Profiling

Assessing Data Usage



Example - Trunomi



Unsubscribe



Status for your e-mail account: [REDACTED]
You are currently subscribed.

Update your preferences by selecting the types of emails you would like to receive

☐ **Newsletters**

Keep up on the latest blogs, articles, and industry reading for everything from Big Iron to Big Data.

☐ **Product Announcements**

Be the first to know about Syncsort's new products, enhancements & features.

☐ **Industry Content**

Get access to whitepapers, ebooks, webcasts & more from industry leaders like TDWI, Wikibon, & Gartner - plus Syncsort's proprietary research & thought leadership.

If you would like to be removed from our marketing emails, please check the box below

☒ Unsubscribe from all Syncsort marketing emails

Accept >>

Your subscription status has been changed

Status for your e-mail account: [REDACTED]
You are unsubscribed.

Personalize your inbox.

Choose the topics and content you find most interesting below and we'll customize the communications you receive from us.

☐ **[REDACTED] Blog**

Insights and best practices for CDOs and data stewards.

☐ **[REDACTED] Events & User Groups**

Live, in-person user conferences and events hosted by [REDACTED]

☐ **Conferences & Events**

Industry and thought leadership events [REDACTED] is participating in.

☐ **Education & Training**

Newsletters, content, training, and insights.

☐ **Industry & Application News**

Webinars, research reports, and relevant content.

☐ **Product & Company Updates**

Product launches and [REDACTED] news.

Unsubscribe entirely.

We hate to see you go, but we understand. You will no longer receive marketing communications from [REDACTED]

☒ Unsubscribe me from your emails.

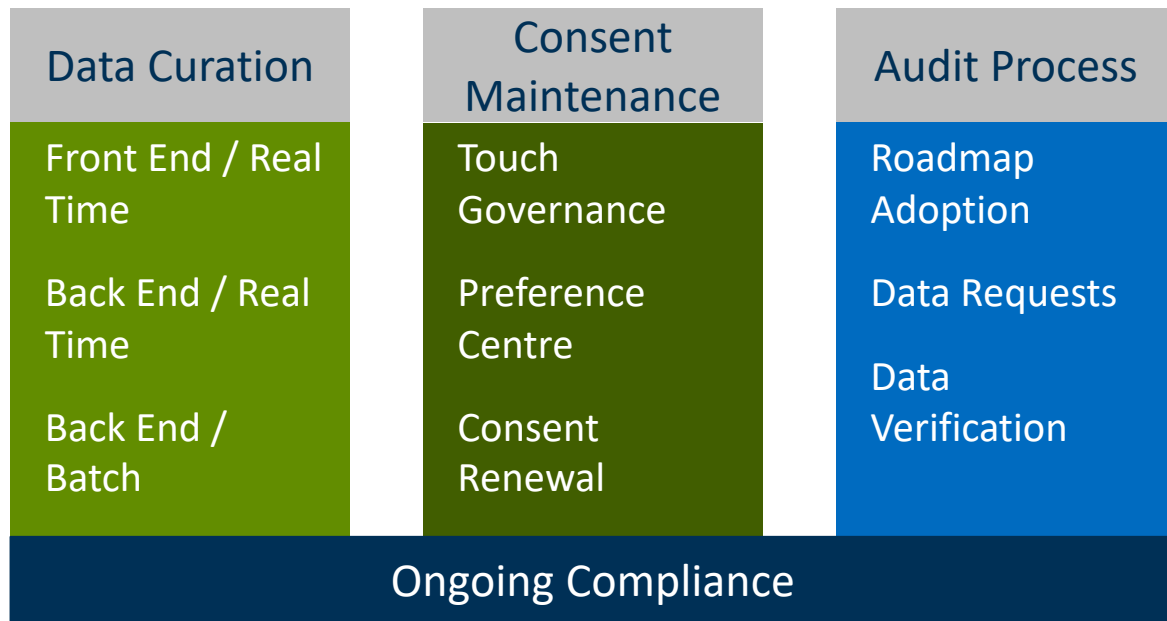
Save Changes



Data Maintenance



Data Maintenance

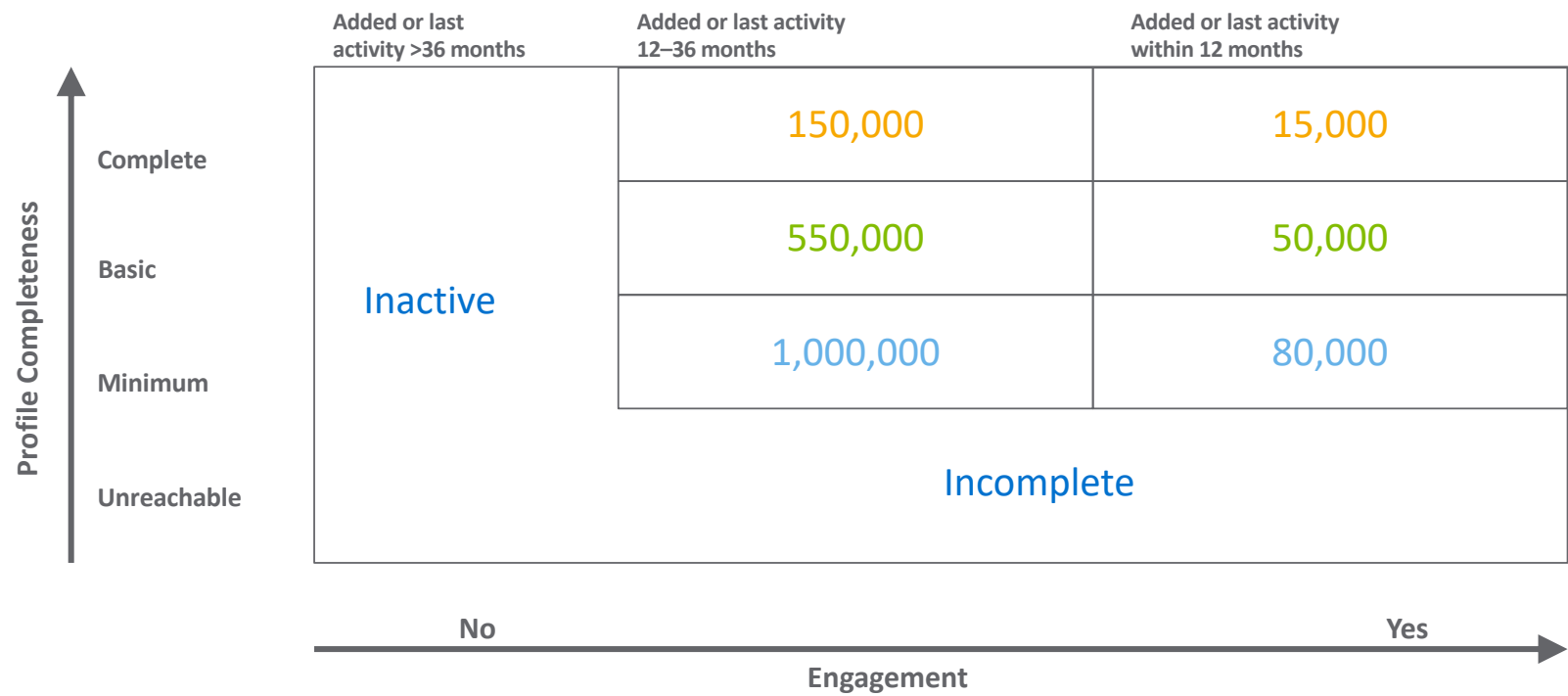


Data Maintenance

- Consent Renewal
- Change of status
- Data verification
- Audit processes

Audit the Current State

SiriusPerspective: The contact database must be assessed with respect to both completeness and recency to stratify the records into usability tiers.

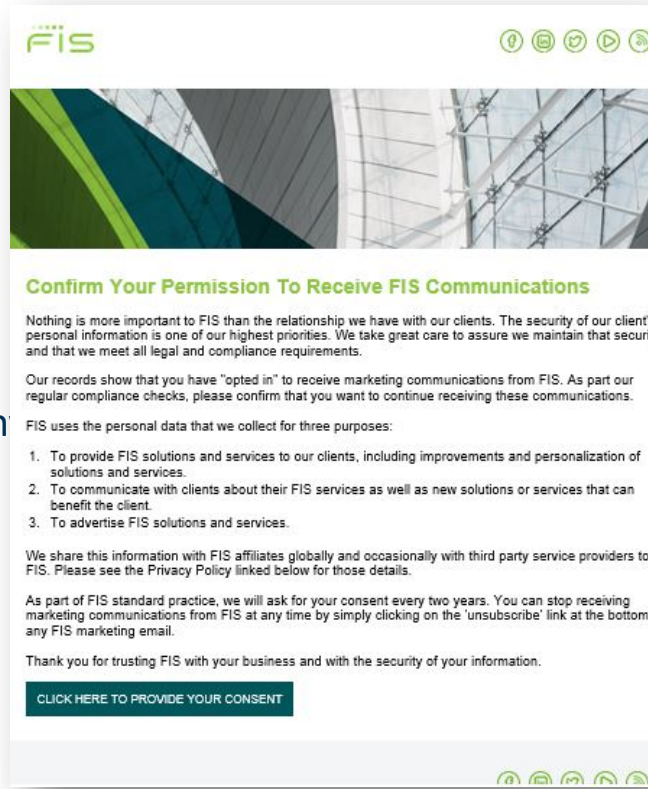


Consent Marketing the FIS Way



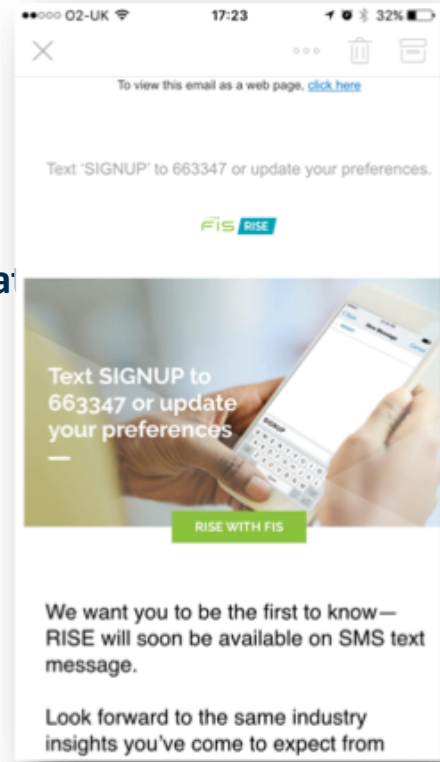
Driving Opt-in
Readiness
Multi-touch
Multi-channel
Approaches

Ph



ification

on



The FIS Preference Centre

USER LOGS IN -
AND SELECTS PREFERENCES -

1

USER CAN MANAGE PREFERENCES -

2

USER CAN UNSUBSCRIBE-

3

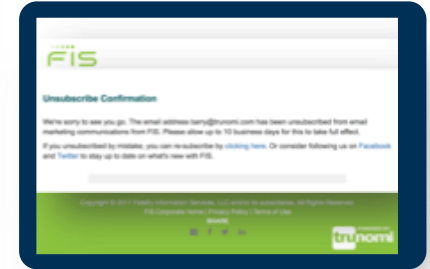
USER STATES REASON
FOR UNSUBSCRIBING -

4

USER CAN RE-SUBSCRIBE -

5

The screenshot shows the 'Subscription Preference Center' for the email address barry@trunomi.com. The page has a green header with the FIS logo and a city skyline image. Below the header, it says 'Subscription Preference Center' and 'Please select the types of content you would like to receive. You can change your preferences at any time by visiting the subscription center.' The main content area is a form titled 'Subscription Preferences for barry@trunomi.com Not you?'. It contains three sections: 'Please confirm the types of information you would like to receive' with checkboxes for 'Events', 'Product Information', and 'Industry Insights / Thought Leadership / RISE'; 'Please confirm the method(s) you would like to receive communications' with checkboxes for 'Email', 'Telephone', and 'Physical Mail'; and an 'Unsubscribe from all FIS communications' checkbox. A green 'Submit' button is at the bottom. The footer includes copyright information for 2017 Fisility Information Services, LLC and the trunomi logo.





Data Disposal

An abstract geometric pattern in the bottom right corner of the slide. It consists of several triangles of varying sizes and shades of blue, some pointing upwards and some downwards, creating a complex, layered effect. The triangles are arranged in a way that they appear to be floating or overlapping, adding a modern, architectural feel to the design.

Data Disposal

Causes

- Expiration of opt-in consent
- Purge of existing prospect records with no record of opt-in
- Receipt of deletion request from prospect
- Change of company ownership resulting in new entity or purpose

Methods

- Archiving prospect data (retrievable)
- Marking prospect data for deletion (irretrievable)
- Placing prospect data beyond the use of the company (commitment not to retrieve)



Data Disposal

- Deletion Request
- Expiry
- Merger / Acquisition

Beyond Marketing

Enablement			
Awareness Training			
Certification		Channel contracts	Privacy by Default
	storage protocol for sales owned contact data	deal registration process	for in-product data
Usage	Ensure opt-outs are respected	In the event of a referral, end user initiated request can a) receive the information relating to question asked and b) receive request by supplier or partner to opt-in	
Maintenance	Update preferences, trigger existing contact consent email follow up and send consent mails to direct contacts who have moved companies		
Disposal	Respond to any requests for data visibility / deletion from company legal and DPO office		

Key Takeaways and Recommendations

- EU GDPR data compliance must be governed by a companywide policy
- Invest in appropriate legal counsel to support the definition of a corporate data privacy compliance policy
- Work with corporate data controllers to ensure global and cross functional support for compliant and relevant contact information gathering activity.
- Assess the current range of data intake activities and the technology used to store and monitor each contact record.
- Gain executive sponsorship to drive 'opt-in' demand-marketing objectives.
- Design campaign activities and program tactics, to support compliant data intake.
- Review contracts for external marketing services for any detrimental or risk-bearing consequences to the stated privacy policies.
- Implement systematic and measurable metric reporting (e.g. percentage permission marketable contacts).


Next Steps



www.relationshipone.com

- Chat with your legal team
- Conduct a data audit
- Audit your current compliance and opt-in procedures
- Review your ability to comply with a consumer's right to be forgotten
- Review your ability to provide personal information in a portable format
- Update your privacy policy
- Audit the security settings within your marketing technologies
- Communicate, communicate, communicate

If you would like additional information on GDPR and how you can be best prepared, please email us at info@relationshipone.com.



Thank you
@siriusdecisions

