

**GDPR has arrived.**

**Have you started your consent journey?**



## Introduction

Over the past twelve months, Buffalo has worked with many schools to capture GDPR standard consent from their alumni and/or parents. The results have been overwhelmingly positive, demonstrating to us that alumni and parents are warm, engaged and when asked in the correct way, happy to provide their consent for future direct marketing activities.

Using case study examples, this whitepaper will demonstrate the steps we took to achieve these results.

## Why are schools choosing to gain consent?

The IDPE has recently published a useful document entitled 'GDPR: A Practical Guide for Schools'. However, in summary, when processing (using personal data), each charity must satisfy at least one of the eight data protection principles. Legitimate Interests is likely to be the condition you rely on most of the time. However, there are circumstances when the law requires you to have consent.

The schools we have worked with intend to email or phone their constituents in the future for direct marketing (e.g. fundraising) purposes and so consent is required by law. This is detailed in The Privacy and Electronic Communications Regulations (PECR)<sup>1</sup>. They also expect to mail their constituents in the future, but most have decided to rely on legitimate interest for this channel, as consent is not required by law.

The below table outlines the communication channels that require consent by law for direct marketing purposes:

Consent	Legitimate Interests
Email	Letter
Phone (TPS)	Phone (Non TPS)
SMS	

## GDPR goes live on 25 May, so is it too late to gain consent?

It is certainly not too late to gain consent, Protecture, Data Protection Specialists state that: 'As long as organisations can demonstrate that they're actively working towards GDPR compliance, by self-reporting personal data breaches, being able to show evidence of plans and actions, keeping data subjects' rights and freedoms at the forefront of their decision-making, understanding and being transparent about their data processing; then they should not fear the ICO or panic about the enforcement date.'

**"It's important that we all understand there is no deadline. 25 May is not the end. It is the beginning. This is a long-haul journey. But it's not a holiday. There's a lot of work to be done along the way."**

*Elizabeth Denham, The Information Commissioner*

<sup>1</sup> PECR restricts unsolicited marketing by phone, fax, email, text, or other electronic message.

## Why are schools choosing to work with Buffalo on this project?

Many schools have been quick to recognise the importance of getting this solution right. There were several examples of institutions trying to gain the necessary consent without a full understanding of the situation. This has resulted in devastating consequences to their future fundraising efforts.

They also chose to work with Buffalo as we have developed our solution in consultation with Protecture. Protecture has worked with the Fundraising Regulator on guidance for the sector and is regarded as an expert in the field on all issues surrounding data protection, consent and privacy statements.

**“When working with Buffalo, schools gain the full benefit of expert advice and a proven solution that works.”**

Consent capture is not a simple issue and one that can be quickly developed and deployed by schools. Schools are working with Buffalo due to our experience of managing multiple consent projects. Our A/B testing has also taught us how surveys can be optimised to not only maximise response rates, but also maximise individuals providing their consent.

Buffalo knows that most Development Offices have limited resources and so our team of Consent Capture experts can provide the expertise and support required.

## The Process

Since April 2017, we have managed numerous consent capture projects. During this time, our A/B testing has taught us how surveys and phone scripts can be optimised to not only maximise response rates, but also maximise individuals providing their consent.

## Consent Capture

### Phase 1: Email

The main purpose of this phase was mass consent capture. The online form was designed to only capture communication preferences, as additional fields dramatically reduce the response rate. The form was also mobile/tablet friendly which was important as 59% of forms were completed on these devices.

	Number Sent	Response Rate	Phone Consent	Email Consent
School A	5,393	36%	70%	86%
School B	9,719	38%	79%	97%

### Phase 2: Phone

The main purpose of this phase was to contact key groups that were a high consent priority, but didn't respond to the email ask. The calls were conducted from our Bristol office, using the caller script that was developed within the parameters imposed by all the legislative requirements.

	Number called	Phone Consent	Email Consent
School A	1,540	73%	79%
School B	1,051	81%	92%

## Consent Storage

Each school must have evidence of the consent collected and so Buffalo provided both schools with the relevant raw data for importing onto their CRM.

## What we have learnt so far...

- **... the importance of Email Subject Lines.** Our rigorous A/B testing has enabled us to learn the best subject lines to use to help maximise open rates for alumni groups at different schools.
- **... the benefit of Just In Time notices.** Once alumni have opened the form, it is crucial that they complete it. Through our testing we have learnt to embed Just In Time notices within the form, so that alumni are given every chance to provide their information.
- **... not to ask for consent by post.** Initially, we had a three-phase process in which the third phase was asking for consent by post. We've learnt that errors on the form due to it being completed by hand often make the consent invalid. As a paper form is not interactive it is very difficult to get the high levels of email and phone consent that are achievable through using our online form.

When considering where budget for obtaining consent should be spent, post can seem a tempting option, but Buffalo has learnt that directing the same amount of money towards email and phone phases yields a much higher return rate for GDPR standard consented individuals.

- **...it's better not to rush.** We've learnt that it's better to take a considered approach as it is not possible to get a whole database consented overnight; rushing and getting wrong or invalid consent will just cause bigger issues down the line for many years to come.

## Next Steps

If you would like to hear from any of our consent capture service clients or have any questions/comments please email [info@buffalofc.co.uk](mailto:info@buffalofc.co.uk) or contact us on 01179 335580.