

Refreshing and Collecting Contact Details

The new GDPR legislation makes it clear that the general public should have explicitly consented to receiving marketing communications from any organisations, including charities. This means that they should have opted in freely, either by filling out a form or entering their details online to receive marketing communications. The ICO (Information Commissioners Office) have recommended that to ensure we know that all our marketing contacts (this can include garden visitors who gave their contact details in a visitors book, people who entered a competition at a County Show etc) are happy to hear from us and know what they signed up for, we should contact them now to ask them to confirm or re-opt-in.

There is a template email in the Resource centre entitled "Email re-consent" that you can use to send out to any members of the public, garden visitors, event attendees, group organisers etc that you keep on your database and email out to.

When you send out the email it is clear that they have to re-consent to continue hearing from us. If they don't reply or ask not to hear from us again we must respect that and not contact them anymore. No response is not consent. We must also either remove them from our database or make a note on our database to not contact them again.

Make sure you give a deadline for letting us know.

The only exceptions are if you have proof that the individual explicitly and freely signed up to receive info within the last 2 years. If you believe you have that contact Jo at head office.

Going Forward

From now on we should make sure that whenever we collect the general public's details with the intent of sending them marketing communications, that they are absolutely clear what they are signing up for and what we want to use their details for. We also have to have proof that they opted in (ie a completed form either online or paper).

For example- At a county show we run a competition to win a signed gardening book. We take entrants name and email address so we can contact the winners, but we don't ask them to opt in to receive further information from us. We therefore cannot contact them about anything else other than the results of the competition. If however on the entry form we include a box for them to tick if they would like to hear more about garden opening etc, then we can contact them in future about this as long as they have ticked the box. Please see "Collecting personal info at garden opening and events" and "Competition entry template" for more details.

It is likely that we will need to get our contacts to re-consent to hearing from us every few years but we will make recommendations about this as the new legislation becomes enforceable.

Key Points

- Get in contact with your contacts asap and give a clear deadline as to when you need to hear by.
- If they reply saying they are happy to still hear from us you can still continue to email. If you don't hear from them or they say no, we may no longer contact them and should remove them from our database or indicate their decision in our database.
- You must give individuals the right to unsubscribe from any email communications in every "marketing" email you send. You can include a sentence in your email signature to do this (see "Email signature unsubscribe template" in the resource centre).
- When collecting new individuals personal information make clear what you want to do with it.
- They have to explicitly opt in rather than opt out e.g. no pre ticked boxes.
- You can't collect data for one purpose and use it for another.
- Collect only data you need. If you only need a name and email address just collect and store that.
- Ensure that data is kept up to date, accurate and safely (See "Keeping Data Safe" in the resource centre).

Any further questions contact joanne@ngs.org.uk or 01483 213905.