

Data Privacy: An Industry Perspective

2019

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CONSENT & PREFERENCE SOFTWARE

Responsible Marketing

DM
Data &
Marketing
Association **A**

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/ Introduction

Welcome to the 2019 edition of this report, the latest in our series of studies about marketers' attitudes towards data privacy, from the effects of GDPR to what the future might hold.

This report contains the results of the seventh survey we have conducted and is the second poll among marketing professionals since GDPR came into force on 25 May 2018. The views of the industry are the most comprehensive consideration of the GDPR's impact since that date. We also examine marketers' awareness and key concerns about the ePrivacy Regulation – although the text of that law is not yet finalised – and a post-Brexit landscape.

These latest results show that most businesses have taken the steps required to become compliant with the new laws, though many are now preparing to review their strategies a year on from the initial implementation date. It's gratifying to see that many organisations already recognise the benefits of the new laws to their own business in putting the customer at the heart of everything they do.

Although many marketers we surveyed recognise the importance of ongoing training programmes, it seems not all organisations are planning to deliver such programmes. It's vital that the implementation deadline is regarded as the starting point for education about data protection and compliance, not the end of training requirements.

With an eye on 2020 and beyond, GDPR should be seen as bringing welcome stability and legislative homogeneity as we build a new relationship with the EU and ensure the free flow of data. Whatever that relationship eventually looks like, marketers understand and are concerned about the impact of losing access to the 'Digital Single Market' on our industry.

The key for brands is building trusted, authentic and transparent relationships with customers, always guaranteeing they are businesses' top priority. This strategy already appears to be paying dividends for some, but the future success of our industry will be in making this the only solution for all organisations.

Tim Bond

Head of Insight

Data & Marketing Association

/ Foreword – OneTrust PreferenceChoice

The GDPR has become the cornerstone for a new bond of trust between brands and consumers. Compliance with global privacy laws is no longer simply a checklist, but an opportunity to make privacy a competitive differentiator.

As marketers revisit their GDPR compliance programmes to prepare for new laws, including ePrivacy and the California Consumer Privacy Act (CCPA), it's becoming more important than ever to create a harmonised approach to privacy compliance.

Although there is still a lot of uncertainty in the global privacy landscape, operationalising privacy compliance is key for marketers as consumers today expect data protection.

OneTrust PreferenceChoice is proud to partner on the DMA's 'Data Privacy: An Industry Perspective 2019' report, highlighting how global privacy laws are continuing to impact marketers.

At PreferenceChoice, we work with marketing teams of all sizes to drive opt-in rates, remain on-brand and customer-centric while staying compliant with the world's global privacy regulations. Teams can collect valid consent and preferences; pinpoint where personal data resides and how it is used; streamline consumer rights to information and deletion; and maintain records in a central location in the event of an audit.

Together, with partners like the DMA and our base of 3,000 customers, we are enabling business innovation and consumer trust in this new era of privacy.

Ian Evans

Managing Director – EMEA
OneTrust PreferenceChoice

/ Executive Summary

- In September 2018, 73% of those surveyed claimed they had a 'Good' understanding of the changes the GDPR would bring; now, that figure has almost halved to 38%
- 82% think their workplace has a 'Good' or 'Moderate' understanding of the GDPR
- Almost half (49%) believe consumer trust in the handling of their data has been improved, and 46% say trust in brands and marketing overall has been boosted
- Less than one in 20 marketers believe GDPR has had a negative impact or made things worse across a range of key areas
- 32% of respondents think the law has generally improved their business, 25% believe increased customer trust is a connected effect; 22% say it has improved customer relationships
- Although 80% of businesses have already implemented or intend to introduce training for their staff, a fifth have no plans to (20%)
- Most marketers (65%) say they have received enough training to comply with the GDPR, but one in five (21%) feel this isn't the case and a further 14% aren't sure
- 18% say the GDPR expert they were trained by didn't have the right experience in marketing, with almost one in 10 (9%) saying their training hasn't been practical enough
- Regarding ePrivacy, those rating their awareness of forthcoming changes as good make up only 7% of the total this year, compared with 29% in 2018
- A large majority of marketers (78%) think retaining access to the 'Digital Single Market' is vital for the UK
- 86% of respondents believe consumers should be given more information about how the legislation applies to them. Some 47% say it's the government's responsibility
- Some 59% of marketers want future data laws to be stricter than the GDPR, compared to just 11% a year ago

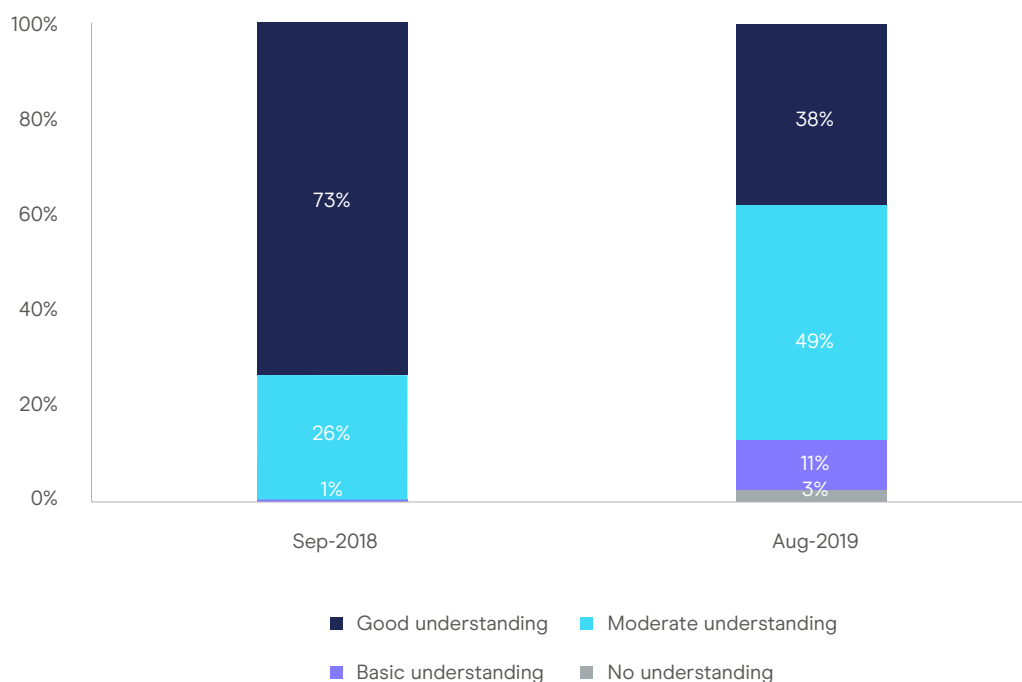
/ GDPR Knowledge

The Legal Challenge

There is a marked increase in anxiety among respondents about the depth of their own knowledge of the GDPR. In September 2018, 73% of those surveyed claimed they had a good understanding of the changes the law would bring; now, that figure has almost halved to 38%.

Just under half of respondents (49%) now believe they have a moderate understanding of the effects of the regulation, compared to 26% in 2018. More than one in 10 (11%) consider their knowledge basic, a rise of 10 percentage points compared with the previous study. Now, 3% say they have no understanding at all.

At this time, how much do you personally understand these changes?

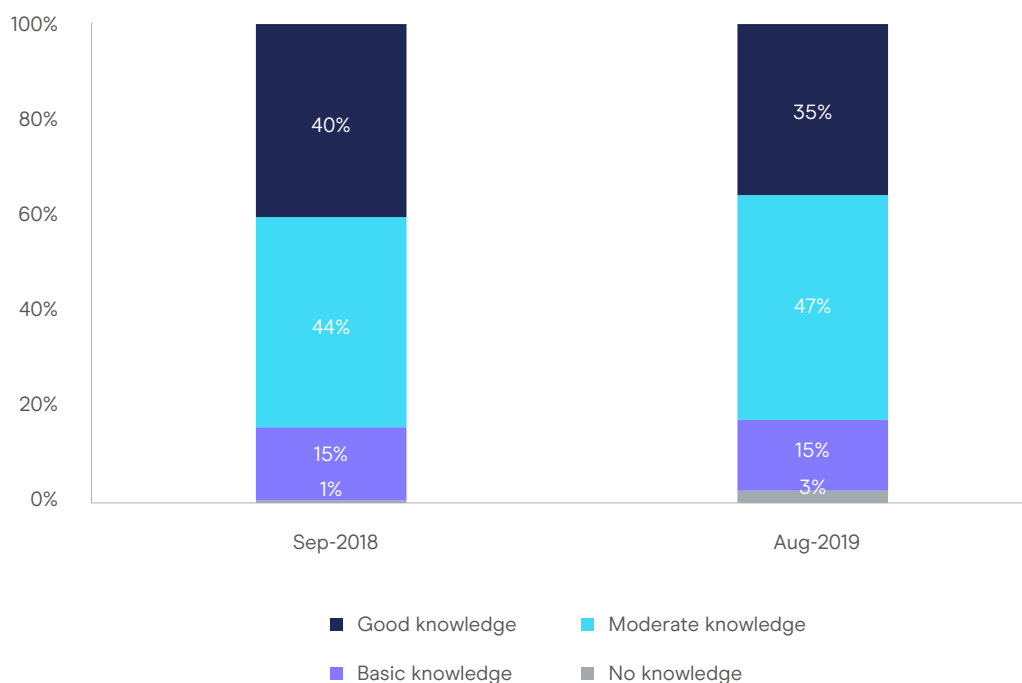


This decrease in confidence seems to be linked to a perceived lack of training, as we'll discover later. It's important that organisations view the implementation date of May 2018 as the starting line for understanding what the GDPR means for consumers and business; the quest for knowledge must be ongoing.

Passing the Buck?

Respondents' perception of their organisation's grasp of the GDPR is largely unaltered. In 2018, 84% thought their workplace had a good or moderate understanding; now, it's a total of 82%. That's a positive figure, but there is a risk here that many marketers think 'someone else' at their organisation should have a greater knowledge of how to practically apply the legislation.

At this time, how would you define the level of your organisation's collective knowledge about these changes?



Key Takeaway

Knowledge is power. Last year, there was understandably a greater focus on what the GDPR would mean for the marketplace. As time goes by, with test cases modifying the interpretation of the law and how it should be implemented, marketers must remain alert. The answer lies in ongoing learning.

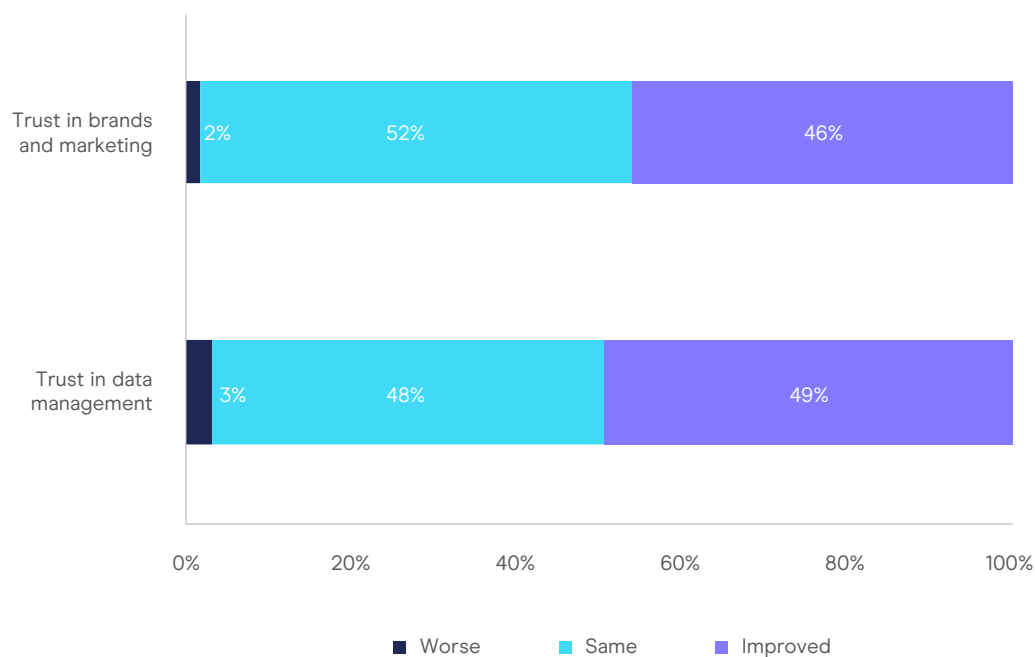
/ Impact of the GDPR

A New Hope

When asked to consider a range of areas that the GDPR's implementation has affected, respondents were largely positive about the impact on their organisation. At least 40% indicated the new regulation has brought benefits for each element.

Almost half (49%) believe consumer trust in the handling of their data has been improved, and 46% say trust in brands and marketing overall has been boosted.

The GDPR came into force in May 2018. What impact have these new laws had on your customers' trust?



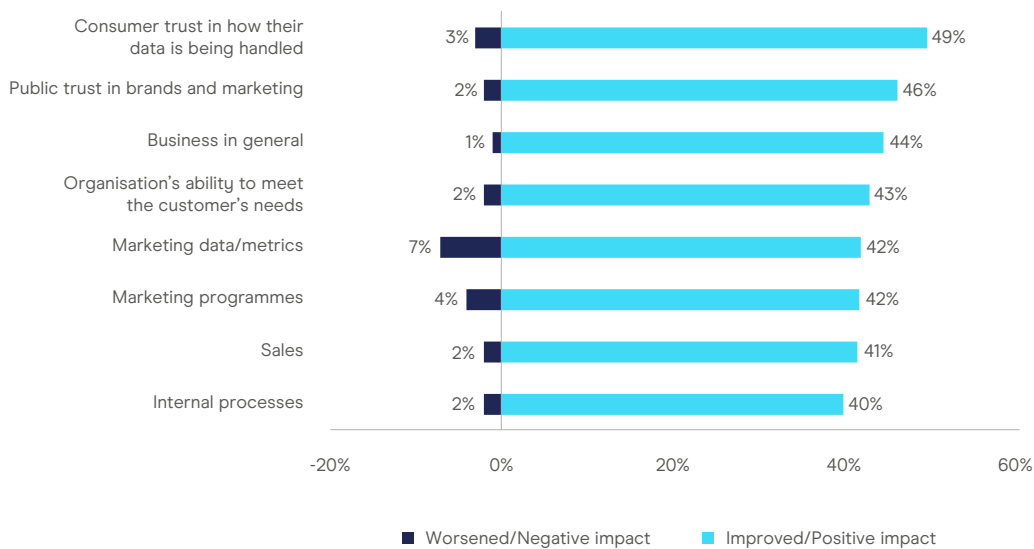
This contrasts to research by other trade bodies, such as the Advertising Association's 'Arresting the decline in public trust in UK advertising'. The report has shown that public attitudes towards advertising have long been in decline: from around 50% positive response in the early Nineties to just 25% in 2018.

Boosting Business

Less than one in twenty marketers believe things have got worse or been negatively impacted by the introduction of the GDPR. In fact, just 'Marketing data/metrics' – the ability to track and measure success – exceeds this mark with 7% believing it has worsened.

However, as we saw in the 'Marketer Email Tracker 2019' earlier this year, most marketers report key metrics and measures of their campaigns are trending in the right direction, despite some short-term challenges.

What impact have the GDPR had on the following? And how have these new laws impacted the following within your organisation?



The proportion of respondents believing the GDPR has positively impacted their organisation's ability to meet the needs of its customers is now at its highest since these surveys began. This year, 43% say this aspect has been improved, compared to just 19% last year, and only around a quarter (24%) in 2017.

Better Data, Better Service

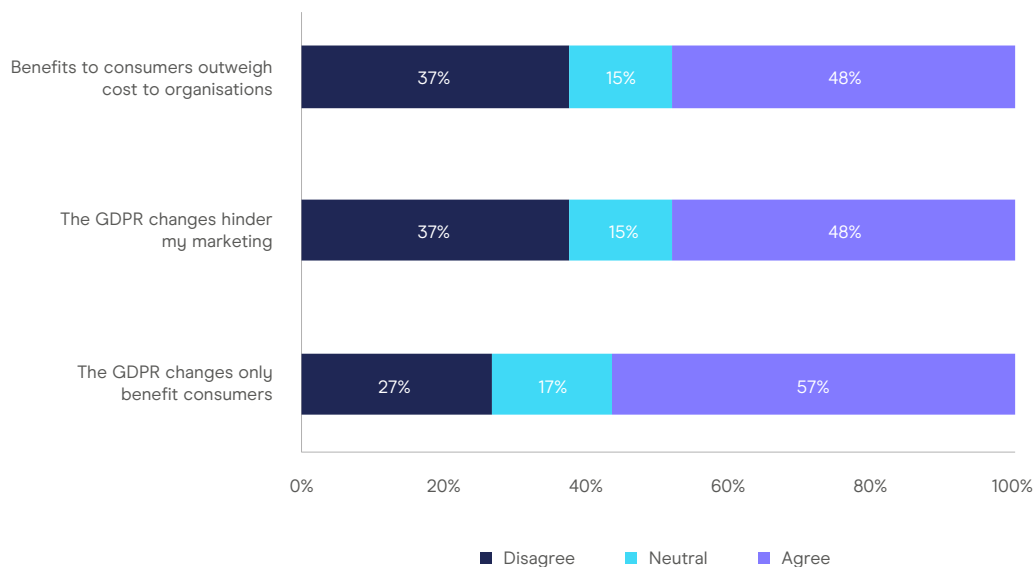
The generally positive sentiment reflects a settling down of attitudes and anxieties one year on from implementation and acclimatisation to the new realities of the GDPR.

32% of respondents think the law has generally improved their business; 25% believe increased customer trust is a connected effect; 22% say it has improved customer relationships; 13% claim it has increased sales, and 8% cite better data quality.

Unlike respondents who say the GDPR has made several aspects of business life harder, marketers and organisations that prepared for the issues presented by the new law have coped well, and now appear to be flourishing.

Overall, just under half of marketers believe the new laws have had a positive impact or improved their marketing efforts, with less than one in six feeling things have worsened or taken a negative turn since May 2018.

How much do you agree with the following statements?



48% of the respondents agree the benefits of GDPR for consumers outweighing the cost to the business. The same percentage of marketers also believe their marketing activity hasn't been hindered by GDPR.

Nevertheless, there is a great deal of positivity among marketers, who are aware that the GDPR is ultimately consumer legislation.

Positive Feedback

You mentioned that the GDPR is having a positive impact on your organisation, why do you think this is the case?



It created better Data Protection practices, putting us all on a level playing field. All companies and people working at those organisations responsible.



Clients trust us more, GDPR has allowed us to review processes to increase efficiency.



Sales increased and we made more profit.



It gives us a clear picture of what is going to happen in the near future and what we can really expect as well.

Key Takeaway

It seems the GDPR can be viewed as the cornerstone for a new bond of trust between brands and consumers.

The happier people feel about the use of their data, the more positive the outcomes are likely to be for business in the long run.

/ Compliance and Priorities

Quiet Confidence

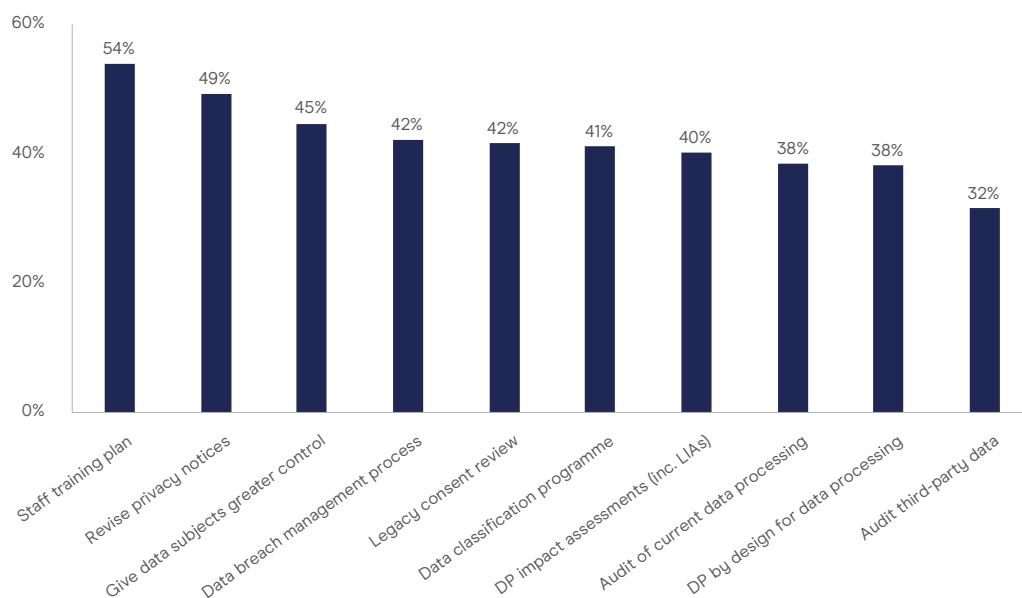
Fewer marketers now feel confident their organisations are GDPR compliant (75%) compared to a year ago (82%). This is both a recognition of how difficult it is to achieve full compliance and also the shift in how well marketers feel they understand the laws – as seen earlier in this report.

This sentiment may also be the corollary of the first few fines recently handed down by the ICO for breaches of the law; it's no bad thing that marketers feel cautious and watchful, as opposed to bullish, about compliance.

Steady progress has been made by organisations to implement critical compliance components since the GDPR's inception. It's good to see training in existence at 54% of businesses, while almost half (49%) have revised privacy notices, and only slightly fewer (45%) have given data subjects greater control over the use of their information.

Q: Do you plan on introducing any of the following?

A: Already Implemented

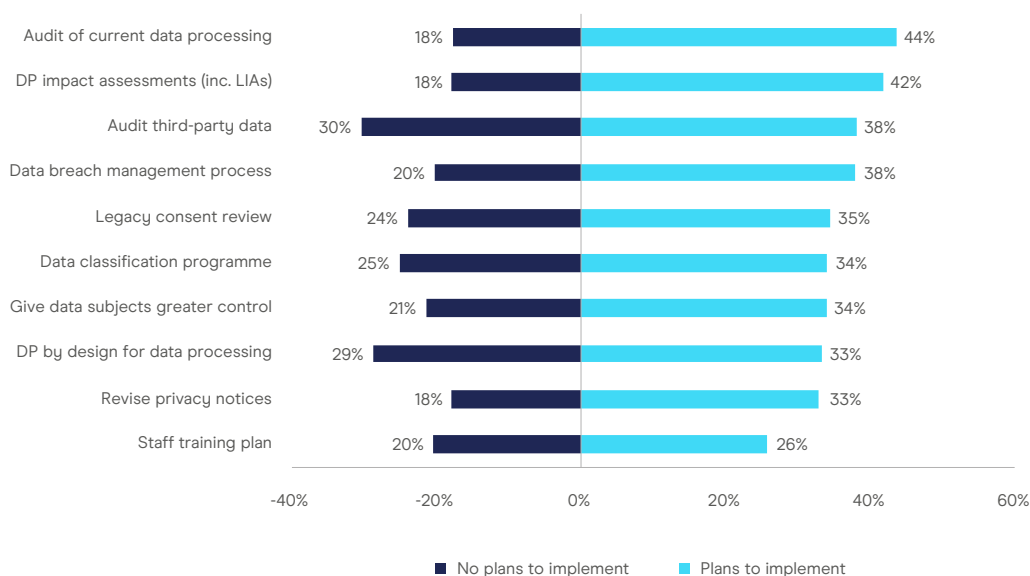


But a Carefree Mood?

Despite those developments, organisations admit they still have plenty to do when considering compliance. Many clearly intend to revisit existing strategies and processes. For example, 44% state they will audit current data processing at their firm; 42% plan to implement Data Protection Impact Assessments (DPIAs - including Legitimate Interests Assessments), and 38% want to reconsider data breach management.

Two elements that are not being considered for implementation stand out. Auditing third-party data is not seen as a priority; however, many of these respondents work at B2B organisations where this type of data is not prevalent.

Do you plan on introducing any of the following? – Plans to Implement vs No Plans



Perhaps more concerning is the that one-fifth of organisations do not intend to draw up a staff training plan. Although 80% of businesses have already implemented or intend to introduce training for their staff, the remainder still accounts for a large proportion of our industry that are not putting continued learning in place for their teams on these critical business areas.

Key Takeaway

Given the shift in many businesses revisiting their 'GDPR actions', it emerges a constant need to revisit, adapt, and monitor the organisation's processes so that all elements keep observing and positively answer to compliance.

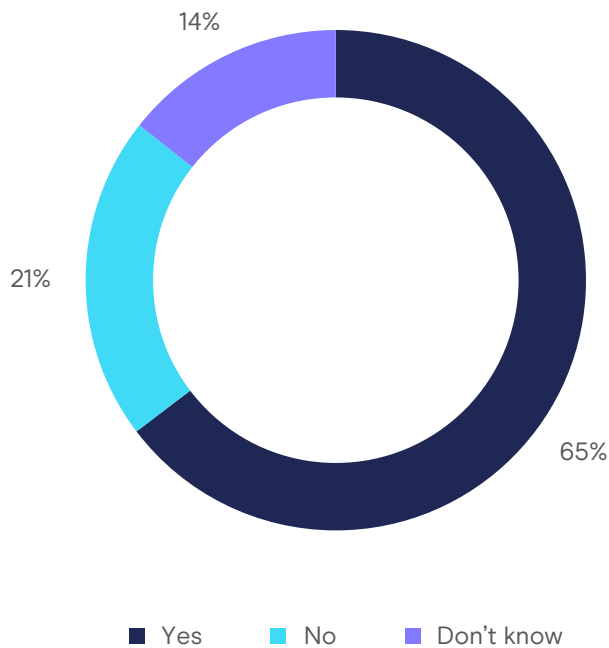
/ Training and Talent

Train in Vain?

The views from the previous section are echoed when marketers are asked specifically about levels of training they and their teams receive.

Most marketers (65%) say they have received enough training to comply with the GDPR, but a notable one in five (21%) feel this isn't the case; a further 14% aren't sure.

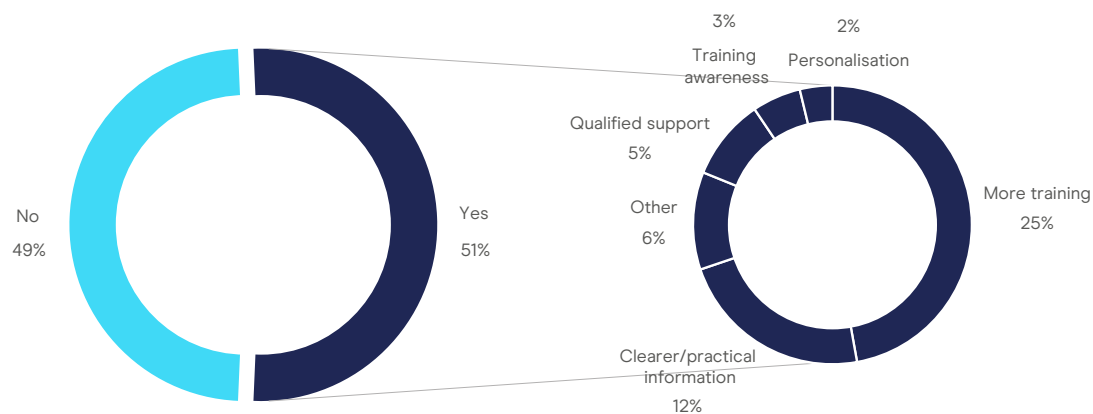
Do you feel you/your team has enough or the appropriate level of training in order to comply with the GDPR?



Moreover, the proportion of respondents believing the training they've undergone is at least adequate has dropped since September 2018, when it was 70%.

Of those who feel underprepared, just over a quarter (26%) say adequate training is not available – and 15% say ongoing training is not in place. Meanwhile, a sizeable 18% say the GDPR expert they were trained by hadn't worked in or didn't appear to have a good enough understanding of the marketing industry. Almost one-in-ten (9%) also say their training hasn't been practical enough.

Is there anything you think could have been done to improve the level of training?



Overall, half of the respondents feel training can be improved. They say the main ways to do this include simply having more training (25%), offerings clearer and more practical information (12%), and which is delivered by marketing experts (5%).

A little over half of respondents say their organisation has implemented ongoing training (55%), while 51% believe that would be vital to continued compliance with the GDPR.

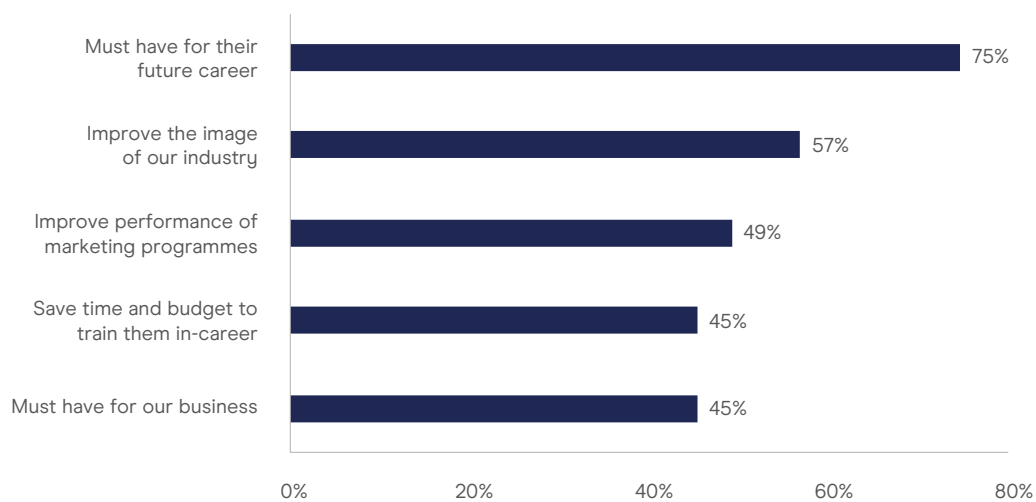
Teaching the Next Generation

The vast majority of marketers (94%) believe educating the next generation of talent is a must.

There are several key reasons marketers think entry-level training is crucial. Chief among these is to give individuals a compliance bedrock for their future marketing careers (75%), while 57% believe training newcomers well will ultimately improve the industry's image.

Although 45% of respondents describe upskilling graduates in GDPR compliance as a 'must-have' for their business, a fifth say it isn't important to train them, and a further 20% believe their existing training will suffice.

Please explain why you believe students that might become the data & marketing professionals of the future need to be more educated on data protection laws and how to apply them?



Key Takeaway

Marketers seem to understand the importance of ongoing training and have views on how it can be improved. But that doesn't mean they will find access to it easy. Many businesses appear unwilling to invest or are unaware of the importance of this education.

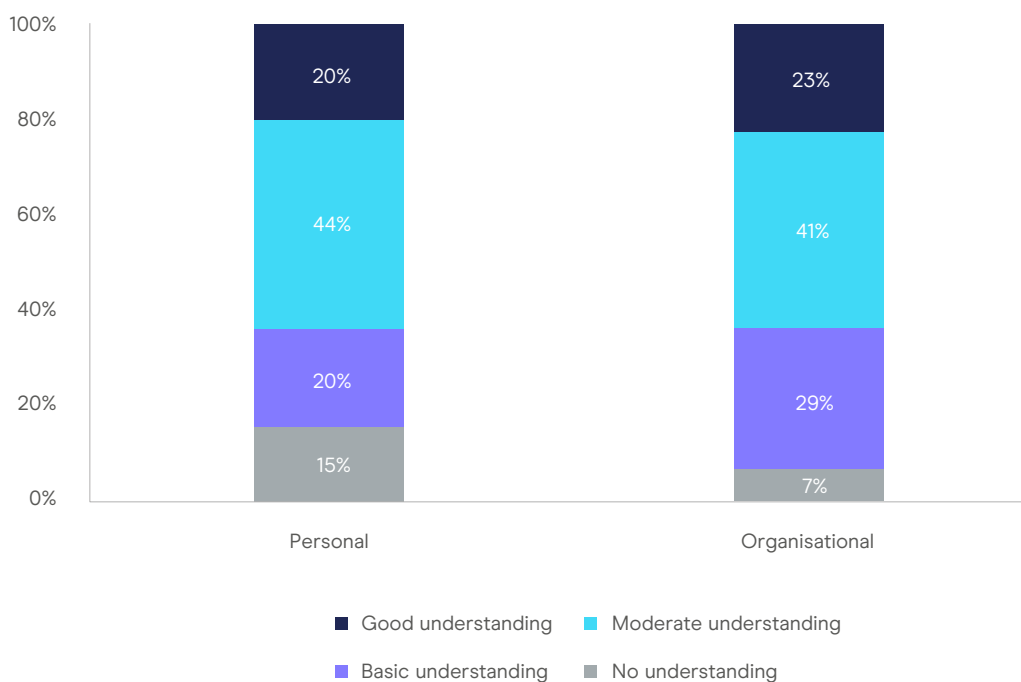
/ ePrivacy Regulation

Out of Sight, Out of Mind?

It's perhaps unsurprising that awareness levels of forthcoming changes to the ePrivacy Regulation have dropped.

Those rating their awareness as good make up only 8% of the total this year, compared with 29% in 2018. Moreover, the proportion of people reporting no awareness has risen from 12% last year to 31% in 2019.

At this time, how much do you personally/does your organisation understand the upcoming ePrivacy Regulations changes?



In terms of the nature of the ePrivacy laws and the changes they are likely to undergo, just a fifth of marketers say they personally have a good understanding, with more than a third claiming they have only a basic, or no understanding at all (35%).

Perceived understanding at an organisational level is similar, though individuals are slightly more confident in their wider business, with 23% believing their colleagues have a good understanding of the forthcoming changes.

The eventual effect on email marketing remains the top concern for marketers. Some 62% chose this issue in the latest survey compared to 72% in last year's. B2B marketing (46%) and digital marketing/cookies (45%) are other anticipated headaches.

Key Takeaway

The proposed changes are currently in abeyance, with no further update expected until next year at the earliest.

Additionally, many marketers have been so focussed on implementing changes in response to the GDPR that they may have taken their eye off the ball with the electronic equivalent.

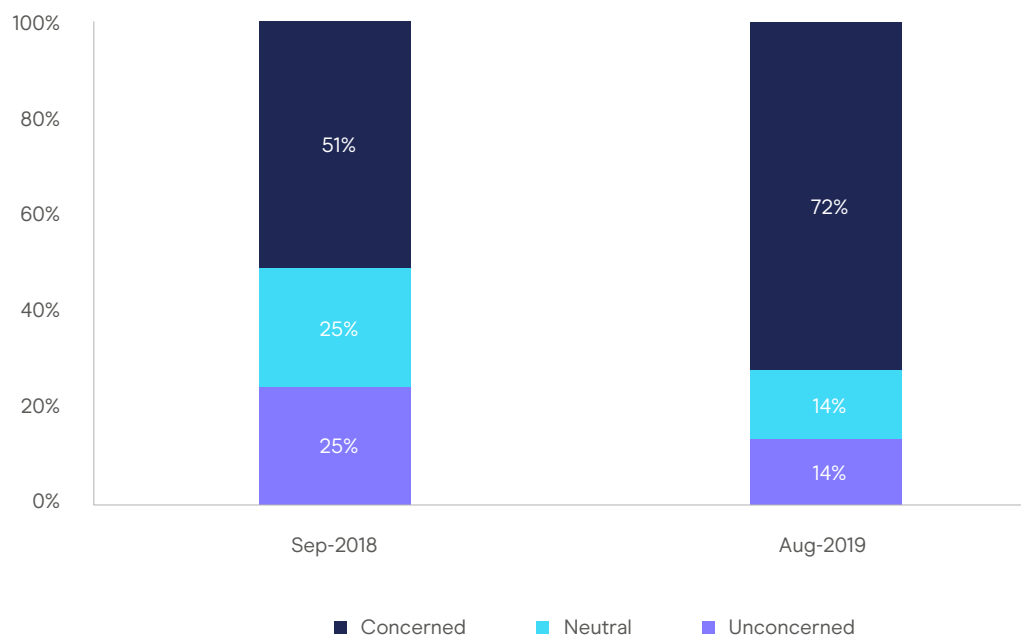
/ The Future

Post-Brexit Law and Learning

Post-Brexit, a large majority of marketers (78%) think retaining access to the 'Digital Single Market' is vital for the UK. This has reduced from 89% last year, but is still a sizeable proportion.

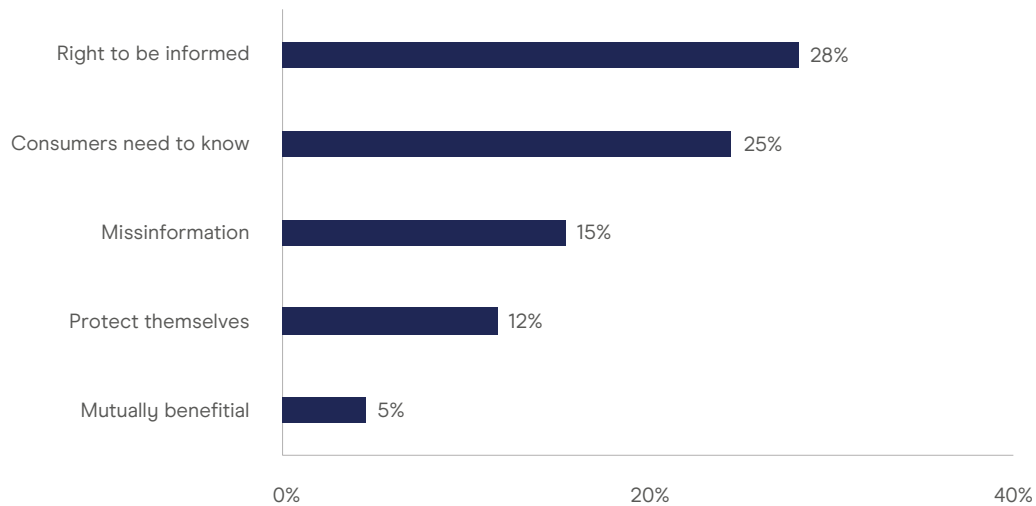
Meanwhile, marketers seem increasingly anxious about the potential financial impact of any issues transferring data between the UK and the EU after Brexit. The figure stands at 72% in this survey, a sharp rise from 51% in 2018.

Think about the potential difficulties in exchanging data between the UK and the EU. From a financial point of view, how concerned would you be?



In terms of consumer education around their data rights, 86% of respondents believe people should be given more information about how the legislation applies to them. Some 28% of marketers believe individuals have a right to be informed; a quarter state consumers 'need to know' and 15% cite current misinformation as a problem.

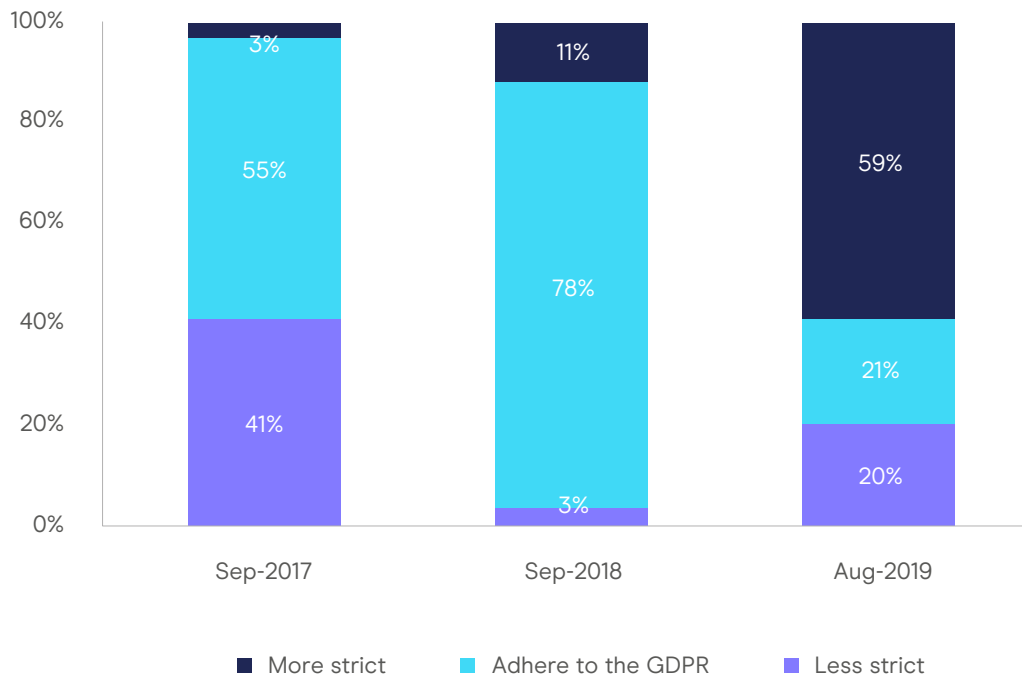
Please can you explain why you think customers need to be more educated or informed about their rights and what data protection laws mean for them?



Marketers point to government (47%), brands and regulators (17%) as the organisations that should have the most responsibility for educating the public about their data rights.

Finally, UK marketers are keen on any future data protection legislation to be even stricter than the GDPR. Some 59% take this view in the latest poll, compared to just 11% one year ago. One fifth now think future legislation ought to be less strict.

In the future, what would be the best data protection policy for the UK?



Key Takeaway

It's likely that a majority of marketers view strict laws as a necessity because of continuing uncertainty about post-Brexit regulation. But could this also be because they are comfortable with the way the GDPR has improved their business across the whole board, is already boosting compliance and trust, and weeding out bad actors?

/ Methodology

'Data Privacy – An Industry Perspective 2019' is an initiative undertaken by the DMA in partnership with [OneTrust PreferenceChoice](#).

In August 2019, the DMA conducted an online survey consisting of a maximum of 35 questions.

There were 202 respondents, and they represented a balanced range of industries, business types and sizes. Respondents were mostly from small enterprises (43%) and mixed B2B-B2C business (46%).

Unless referenced, all data included in this report is taken from this survey.

The data was collated and analysed by the DMA Insight Department.

The report was written by the DMA Insight department and it was produced in collaboration with the partner [OneTrust PreferenceChoice](#).

The report was proofed and designed by the DMA's in-house Brand and Content Team.

If you have any questions about the methodology used in the report, you can contact the DMA's research team via email: research@dma.org.uk.

/ About OneTrust PreferenceChoice

OneTrust PreferenceChoice™ enables marketing teams to drive engaging user experiences and build trust while demonstrating compliance across 100s of global data privacy regulations, including the CCPA, TCPA, CASL and GDPR. With PreferenceChoice, organizations can implement privacy into marketing and sales activities, collect user consent and preferences across channels, scan for website and mobile app tracking technologies, automate consumer rights requests, and maintain historical consent records in a central location.

OneTrust PreferenceChoice is a part of OneTrust, the #1 most widely used privacy, security and third-party risk platform trusted by more than 3,000 customers and powered by 50 awarded patents. OneTrust PreferenceChoice seamlessly integrates with the entire OneTrust platform, including, OneTrust Privacy, OneTrust Vendorpedia™, OneTrust DataGuidance™ and OneTrust GRC.

Backed and co-chaired by the founders of Manhattan Associates (NASDAQ: MANH) and AirWatch (\$1.54B acq. by VMware), and supported by a \$200 million Series A funding from Insight Partners, the OneTrust leadership team has significant experience building scalable, enterprise software platforms. OneTrust is also guided by an external advisory board of renowned privacy experts and an in-house global privacy and legal research team. OneTrust is co-headquartered in Atlanta and in London, and has additional offices in Bangalore, San Francisco, Melbourne, New York, Munich and Hong Kong. Our fast-growing team of privacy, security and third-party risk technology experts surpasses 1,000 employees worldwide.

For more, visit PreferenceChoice.com or connect on [LinkedIn](#), [Twitter](#) and [Facebook](#).

/ About the Responsible Marketing Campaign

Changes to the governance of data have far-reaching consequences for your business.

The new General Data Protection Regulations (GDPR) has already had an effect on how your business does business, and how it manages, protects and administers data in the future.

The new regulations came into place in 2018 and are still making waves.

At the DMA, we want to demystify these regulations and offer support to help you work to the best of your ability.

We also run events to encourage the practice of Responsible Marketing. Our popular Legal Updates discuss the current political and legal affairs affecting the industry and allow you to speak directly with the DMA's finest legal minds. Keep an eye on your emails, or visit our events page to book your spot.

For those dealing with vulnerable consumers, we have a masterclass in recognising the needs of vulnerable consumers and how to make reasonable adjustments to benefit a broad range of employees working with customers in vulnerable circumstances.

This campaign is brought to you in partnership with **OneTrust PreferenceChoice**, the largest and most widely used technology platform for operationalising privacy, security and third-party risk management.

/ About the DMA

The Data & Marketing Association (DMA) comprises the DMA, Institute of Data & Marketing (IDM) and DMA Talent.

We seek to guide and inspire industry leaders; to advance careers; and to nurture the next generation of aspiring marketers.

We champion the way things should be done, through a rich fusion of technology, diverse talent, creativity, insight – underpinned by our customer-focussed principles.

We set the standards marketers must meet in order to thrive, representing over 1,000 members drawn from the UK's data and marketing landscape.

By working responsibly, sustainably and creatively, together we will drive the data and marketing industry forward to meet the needs of people today and tomorrow.

www.dma.org.uk

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