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GDPR one year on

A legitimately interesting time for
marketers

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GDPR was one year old on the 25th May.

But from a consumers' perspective it seems like marketing communications have hardly changed since the regulations were introduced.

In fact, over 70% of those surveyed by [Marketing Week](#) said that the relevancy of emails they have received are either no different or have got worse.

On the face of things this seems a little odd. This could have been a watershed moment for the marketing industry, where we were forced to think and act differently in how we plan and deliver communications to customers.

GDPR provides brands with a golden opportunity to adopt a much more tailored, timely and relevant communications strategy; a catalyst to improve marketing effectiveness and, critically, create a better experience for customers. Brands who fully embrace the spirit of the regulations in this way will therefore have a significant competitive advantage.

So why hasn't this happened?

GDPR has been complex to implement

Many brands will have quite rightly had to prioritise time, effort and money on the core tasks of ensuring compliance. This has involved a lot of complicated IT tasks, especially for those with big legacy infrastructures. For example, there have been essential data processing and storage changes, which are complex to implement. These include responding to the right to be forgotten and subject access requests within the strict time periods.

Legitimate interest has protected the status quo

The ICO published [guidance](#) for when 'Legitimate Interest' can be used as a legal basis for processing data. The guidelines are pretty broad however, giving many brands licence to use Legitimate Interest as a rationale for maintaining their existing strategies for contacting customers.

Changing marketing practices is always harder than not changing

This means there is currently no regulatory burning bridge forcing brands to drastically change. And change is always harder than doing nothing, especially when existing activity is more often than not still profitable. Decision-makers need convincing that less contact, or a more appropriate level of contact is better for business as well as for the customer.

Better marketing is worth the effort.

Moving towards more personalised, relevant communications that also nurture and protect customer privacy may be hard for big brands, but it's also inevitable given how [customer expectations are evolving](#). Which means that brands who embrace the spirit of GDPR at this early stage will quickly differentiate themselves from their less proactive competitors.

There are three key aspects to doing this well:

1. Modernise data strategy and management practice

We know that customers prefer personalised, more relevant communications and are more likely to respond to relevant offers. Refining what data you request at the point of collection can do more than just ensure compliance. It can also help to gain more insight into each individual's interests and preferences, thereby enabling better segmentation to target the right people much more efficiently and effectively.

2. Develop a data-led contact strategy that's based on value-exchange

Personalised communications is one thing. However a contact strategy that moves from a push to a pull model of communications needs to factor in a number of things; the volume that are sent; their relevance; which channels they are sent through, and considerations on what else is being communicated.

A [recent survey](#) commissioned by Google suggests that consumers expect to get value from their loyalty or sharing of personal information. Permissions are a precious commodity, so personalised and relevant offers at scale is the opportunity, or rather it is the 'must do'. Their research calls out that relevant offers is not just a nice-to-have, but can lead to resentment and disengagement if it doesn't happen. A GDPR-friendly contact strategy will therefore be built on triggers and interaction opportunities where there is a genuine value exchange for consumers.

3. Lay the operational groundwork and celebrate small wins

There are two key technical considerations for making a contact strategy work. The decisioning (the brains), and the data processing and messaging composition (the engine). Quite often the decisioning is well taken care of, with triggers built, next best action algorithms written and technology deployed. But the composition part, where data meets content, might not get picked up. Or the sales pitch of a specific technology platform might not quite match the reality of the quality of the source data.

While navigating these roadblocks can undoubtedly be daunting, a 'think big, start small' and 'test and learn' approach is likely to be the best way forward, including being able to track progress and demonstrate what's working and what's not is essential.

Once you have a proof of concept in place, it will be easier to persuade colleagues of the benefits of taking action. This can be achieved by partnering with people who have already successfully managed similar programmes of change.

Conclusion: This is a second chance for brands

One year later, GDPR may not have yet had the expected impact when it comes to progressive communication strategies, but that doesn't mean that brands should rest on their laurels.

We may well see tighter guidelines on Legitimate Interest from the ICO in the future, for example, if they want to prompt more meaningful action from brands. And we have yet to see what impact the [new ePrivacy regulation](#) will have when it finally lands.

In the meantime, with basic compliance now in place for most organisations, the first anniversary of GDPR provides marketers with a perfect opportunity to take a step back and reflect on progress so far.

Those who use the learnings of this last 12 months to reboot their strategies and take small steps in the right direction are likely to find a very receptive audience amongst existing and potential customers.

Taking a progressive approach to implementing GDPR is therefore not only the right thing to do, but is also likely to lead to much more targeted and effective marketing campaigns.

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Thank you.