



CHAMP CLOUD & GDPR

ARE YOU GDPR READY?

CHAMP

AT CHAMP CLOUD, WE WORK WITH CHARITIES AND NOT FOR PROFITS ACROSS IRELAND AND THE UK TO PROVIDE EFFICIENT, TRANSPARENT AND TIME SAVING ADMINISTRATION PROCESSES FOR MANAGING DONORS, MEMBERS AND CAMPAIGNS.

WITH THE CLOCK TICKING TOWARDS GDPR IMPLEMENTATION ON **MAY 25TH 2018 WE ARE WORKING TO ENSURE OUR OWN PRACTICES ARE GDPR COMPLIANT. BUT EQUALLY IMPORTANT TO US IS HELPING ORGANISATIONS LIKE YOURS TO BUILD COMPLIANT PROCESSES OF YOUR OWN.**

General Data Protection Regulation (GDPR)

The General Data Protection Regulation (GDPR) was passed in April 2016 and will come into effect on 25th May 2018. It offers EU citizens a uniform and harmonised approach towards privacy in the European Union and strengthens people's rights to data protection.

This regulation will have a significant impact on how charities and Not-for-Profits collect, store and use the personal data of donors, members and supporters.

The GDPR regulation contains an unambiguous statement that personal data processing is lawful only when it is permitted under applicable law.

The following are the 6 legal bases for processing data as defined by GDPR:

- Compliance with legal obligation e.g. Maintaining financial, health & safety, employment records etc.
- Contractual Performance e.g. Membership purchase
- Vital Interest
- Legitimate Interest
- Public Interest or acting under official public authority
- Data Subject's Consent

OBTAINING & MANAGING THE DATA SUBJECT'S CONSENT TO PROCESS DATA

The definition of consent as laid out in the GDPR is based on a number of existing regulations, including the Data Protection Directive 95/96 (EC), which states that "consent must be freely given, specific and informed, and involve a positive indication

signifying the data subject's agreement" and the current Privacy and Electronic Communications Regulations which require consent for electronic direct marketing.

GDPR updates the definition of consent, stating that consent is **"any freely given, specific, informed and unambiguous indication of(their) wishes... [either] by a statement or by a clear affirmative action."**

In GDPR, Consent must be exclusive - a positive and freely given response to a well-structured, unambiguous description of the processing activity. The principle of "opt-in" is obligatory, meaning no processing can take place until consent is assured. A Data Controller is required to be able to demonstrate that consent was given, requiring the existence of an audit trail.

Once consent is given, it must be managed and can be withdrawn at any time with the ease with which it was given. Managing consent is obligatory and cannot be avoided.

AT THE CENTRE OF THE NEW LAW IS THE REQUIREMENT FOR ORGANISATIONS TO BE FULLY TRANSPARENT ABOUT HOW THEY ARE USING AND SAFEGUARDING PERSONAL DATA AND TO BE ABLE TO DEMONSTRATE ACCOUNTABILITY FOR THEIR DATA PROCESSING ACTIVITIES.

How will GDPR affect Charities & NFP Organisations?

Charities like any other organisation processing personal data of their donors, members or supporters, employees or service users are required to comply with the requirements of GDPR and are defined by the regulation as Data Controllers.

The GDPR outlines a full set of requirements for Data Controllers and requires that Data Controllers comply, and maintain evidence, of how they are complying with the regulation. Having a defined GDPR strategy as well as mandatory privacy policies and procedures documenting how your organisations fundraising, marketing and campaigning activities meet the GDPR, will be an important element of demonstrating compliance.

The GDPR requires that you maintain records of the consent you obtain and that consent is obtained by a positive 'opt in' rather than pre-ticked boxes on donation pages or online forms. You should also have processes in place to allow people to withdraw consent – or change contact preferences, request a copy of the data you hold on them or delete/ anonymise their data.

UNDER THE NEW GDPR RULES, ORGANISATIONS WILL BEAR RESPONSIBILITY FOR ASSESSING THE DEGREE OF RISK THAT THEIR ACTIVITIES POSE TO DATA SUBJECTS - SUCH AS DONORS, MEMBERS OR EMPLOYEES.

GDPR Compliance

Creating a documented plan or strategy for GDPR implementation is your first step towards demonstrating compliance with the regulation. Your plan will perhaps include the following areas:

- Conduct an audit of the data you currently hold and determine why you need it
 - Do you have a legitimate basis for processing data or consent of data subjects
 - Review your data with regard to consent. Develop a plan of action for existing data – what data do you have consent for, what needs to be deleted
 - Create a plan to re-establish consent, where appropriate
 - How is your data processed and by whom – Ensure appropriate agreements are in place with data processors
 - Define your data retention period
- Review your Privacy Policy
- Determine if you need to appoint a Data Protection Officer
- Know your data subjects rights and determine the resources needed to deliver these
- Where existing data has no record of consent for it, you may want to look at actively re-establishing consent or deletion (You must also have a case for seeking consent).
- Create an incident response plan that will enable the correct response to be made in the event of a data breach. Know your reporting requirements following the discovery of a data breach incident.

Privacy Statements

A clear, simple privacy statement should be available at the time that an individual gives their consent to use their personal data. This should be as brief and simple as possible to ensure that individuals can reasonably understand the purpose of collection. You should avoid having broad, catch-all notices and instead have specific notices for different purposes. It is important to offer individuals clear information, choice and control over their data.

At the point of gathering personal data, you are required to provide certain information including: the identity of the Data Controller (and Data Protection Officer, if applicable), the purpose of collection, whether any sharing with third parties or international transfers will take place, how long the data will be held, the details of the individual's rights regarding the data notice of any automated decision-making ('profiling') that may take place using the data.

HOW CAN CHAMP HELP ON YOUR GDPR JOURNEY?

**AT CHAMP CLOUD, WE HAVE BUILT
SOFTWARE THAT MAKES THE JOB
OF COMPLYING WITH GDPR
SO MUCH EASIER.**

**WE CAN HELP WITH YOUR LEGACY
DATA TOO.**

CHAMP & GDPR Compliance

Below is a list of the features in CHAMP that will help you to achieve GDPR compliance

BASIS OF PROCESSING

GDPR requires that you only process data for which you have a legal basis eg. The consent of the subject, contractual basis (membership) or legitimate interest.

CHAMP allows you to track (and audit) the source of your data and record the basis of retention. This property may be edited manually or updated automatically from your CHAMP integrated web pages or Online Communications Management Module.

OBTAINING CONSENT

For data subjects for whom you have no other lawful basis, you must obtain their consent to process their data.

Consent must be exclusive – a positively and freely given response to a well structured ‘notice’.

The principal of ‘Opt in’ is necessary.

CHAMP integrated Web forms including donation pages & integrated themed campaign pages include client specific notice of processing and will allow links to more comprehensive privacy statements, which can also be stored in CHAMP.

Communication preference tickboxes will require positive selection ‘opt in’.

RECORDING CONSENT

You must demonstrate that consent was given and maintain an audit trail

In CHAMP, the process of recording and tracking consent is simple and ‘admin free’.

The Communications Tab records communications options and types and also records the history of changes in consent options.

Champ Integrated forms feed changes from your website to Champ CRM.

A new Online Communications Management Module allows you email a link to your donors/ members that allows them to manage their own consent online.

This consent is automatically updated in CHAMP.

CHAMP & GDPR Compliance

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WITHDRAWING CONSENT

Once consent is given, it must be managed and can be withdrawn at any time with the ease with which it was given.

Using CHAMP's new Online Communications Management Module means each time you email your donors/members you can present them with a link to a preferences management page where they can update their own preference. The fact that this information is all fed directly back to CHAMP automatically means you don't need to spend time updating your database and you are confident that your consent records are always up to date.

ACCESS REQUESTS

People you hold data on have the right to access that data and request you to correct it.

CHAMP allows you to export all personal information in a standardised, machine readable format, including communication preferences logs, notes, tagging, personal & financial transaction information.

RIGHT TO BE FORGOTTEN

Data subjects have the right to have any personal data related to them to be deleted

CHAMP has an automated process for anonymisation/deletion of data.

SECURITY

GDPR strengthens data security measures.

At CHAMP, your data security is our top priority – our platform conforms with industry best practice and safeguards.

Online Communications Preferences Management Module

CHAMP can now offer clients an Online Portal that will allow a dynamically created link to be sent via email to donors/members that will allow them to update their own communications preferences online. This information will be automatically updated in CHAMP - without any user intervention by the client.

HOW IT WORKS

The link will be available for inclusion in any mailing sent via CHAMP and for clients using the module will replace the basic {{UNSUB}} unsubscribe link.

The code can also be included as a field for export to CSV if uploading to an external / 3rd party communications tool. The link is a secure link with a unique identifier for each contact (contains an embedded password).

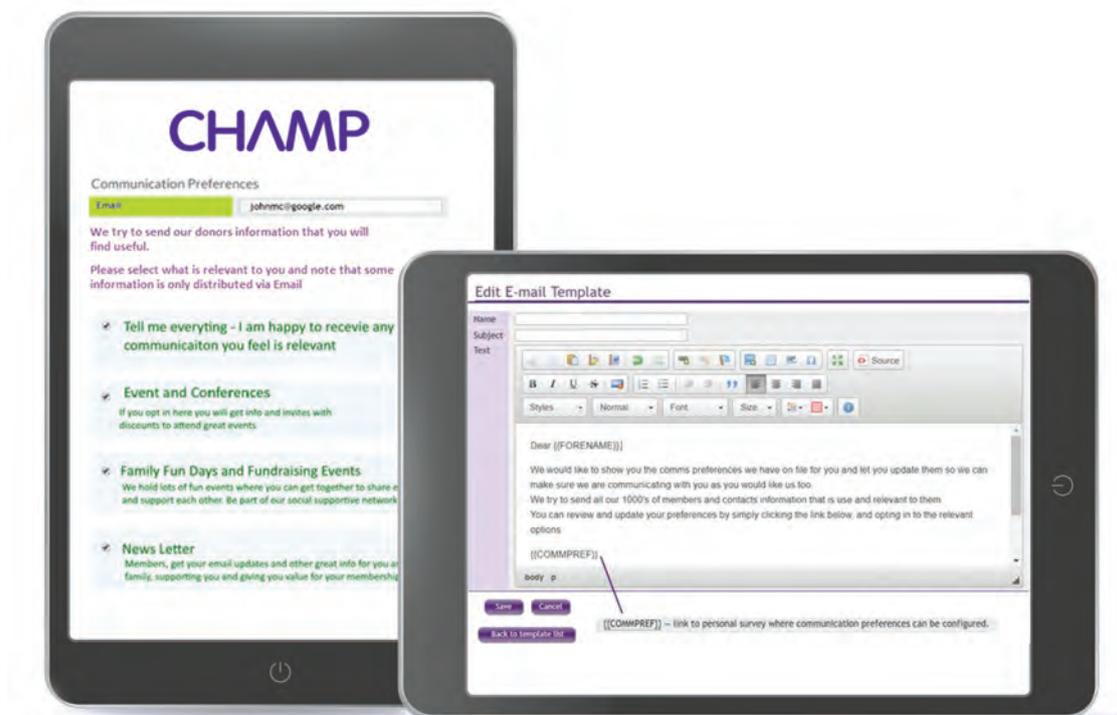
COMMUNICATIONS PREFERENCES MANAGEMENT PAGE

When opened by the email recipient, the donor/member will be presented with a branded page with basic profile information and a list of editable communications options that feed directly into CHAMP.

MANAGING A RE-CONSENT CAMPAIGN

As part of this module you will be able to filter and generate a mailing to multiple contacts.

You will also be able to view a Communications log that tracks who has been sent mails, who has visited the link and where the preferences have been updated.



FOR MORE INFORMATION

Contact the CHAMP CLOUD team to discuss any queries you have on using CHAMP to stay GDPR compliant - edel@champcloud.com or call **+353 71 931 0121**

DISCLAIMER

This document should not be used as the basis of your data protection policies or procedures.

We recommend you seek independent advice from a Data Protection Specialist when considering or implementing your GDPR -data protection policies and procedures.

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