



# GDPR And BDP Data Licensing



# Introduction to **GDPR** in a Positive Light

The General Data Protection Regulation (GDPR) has far-reaching implications for businesses worldwide and especially **Direct Marketing**. Here at BDP, we have had our share of sleepless nights wondering about the **future of the industry** and the conclusion is that, the more information that has been disseminated about these **new regulations**, the more we believe this is a **good thing** and will **help boost the industry** and its **key businesses**.

**Here we have put together a whole package of information about;**

The General Data Protection Regulation (GDPR) legislation;

The Data Protection Act (DPA), and;

The basis for processing data for our clients;

in a **positive light** to reassure our clients and new prospects that carrying out marketing campaigns in a Business to Business Data industry is going to be a positive experience for all.

**Concerned about the GDPR requirements?**

Our message for B2B Data and certainly that from the Information Commissioners Office (ICO) is

“do not be worried about GDPR, if you are Data Protection Act (DPA) compliant already then you are well placed for GDPR compliance and this can be an excellent point to build on”



# BDP Agency & GDPR Advice

We have put together a strategy for our current clients to welcome them into GDPR and advice for approaching other businesses with their marketing campaigns. Here are our top 7 strategies;

1. BDP Agency will keep you **up-to-date on relevant information** as this is released to us

2. BDP Agency will **dedicate time to research GDPR information** in relation to B2B Data

3. BDP Agency will provide you with **reference documents from official channels to support advice**

4. BDP Agency will endeavour to **explain GDPR changes in plain English**, and not use jargon

5. BDP Agency will provide our clients with **GDPR guidance information in a positive light**

6. BDP Agency **will not charge our clients** for GDPR directive information like our competitors do

7. BDP Agency will provide **GDPR information without requiring you to sign up or complete any forms**

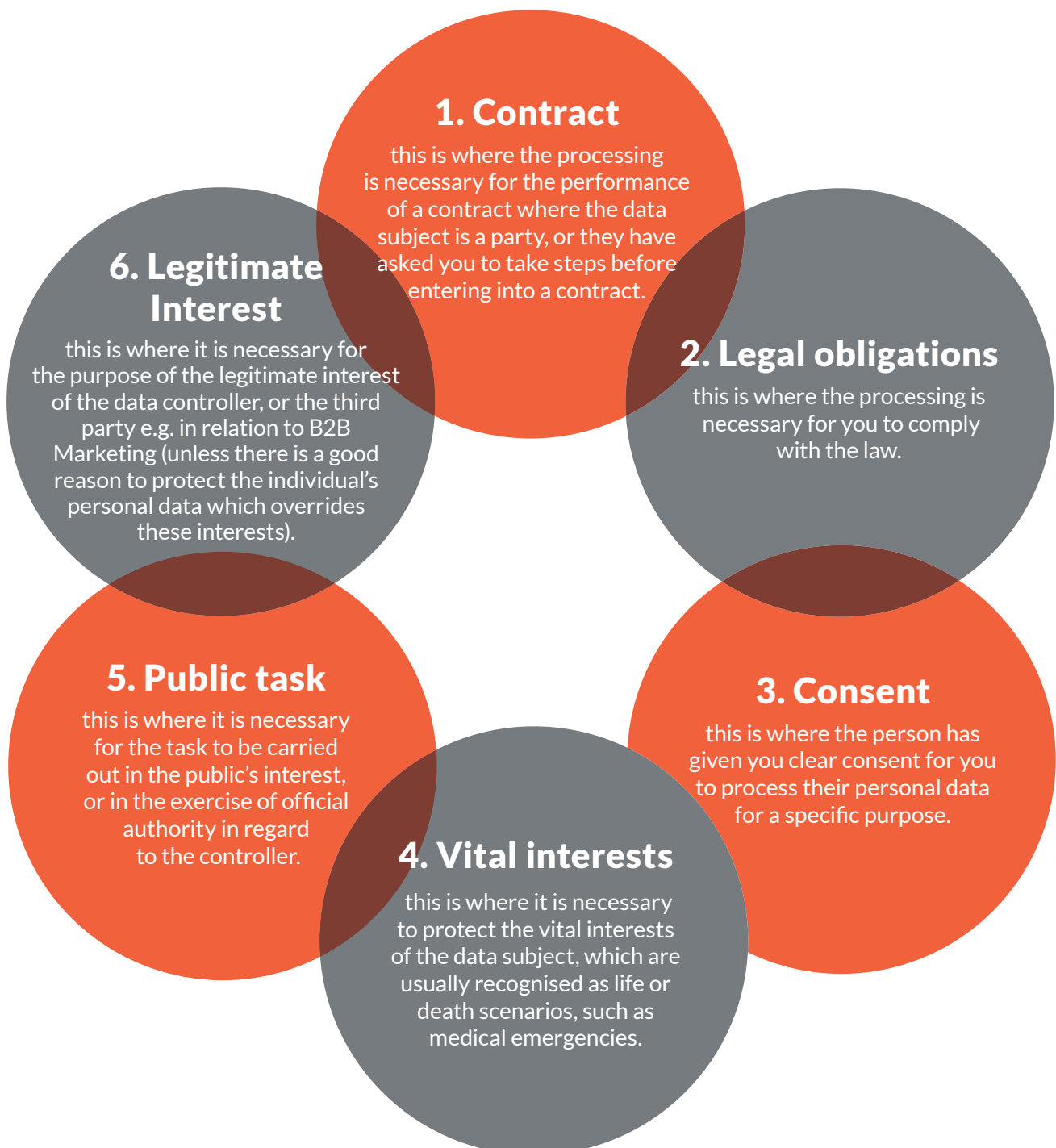
This guide is designed to help organisations in relation to B2B data purchasing and does not impart any legal advice, however it will ensure you become acquainted with the most important sources of information on GDPR, including what the law itself says and what the UK's data protection regulator, the Information Commissioner's Office (ICO) has, so far, decided this means.

As the ICO is regularly delivering updates to its guidance on implementation, this guide serves as an introduction to some of the main subject areas with which organisations need to become familiar.

# Data Processing – Lawful Grounds

What are the different lawful grounds for processing personal data?

There are **6 lawful grounds for processing personal data**. No basis is better or more important than another. You must determine your lawful basis before you start processing. The 6 lawful grounds are;



# B2B Data & Legitimate Interest

## Consent and Legitimate Interest

From many conversations with our clients, we understand there is plenty of confusion over the different lawful grounds for processing data as many people have only heard of consent and are therefore understandably concerned about;

- what constitutes “**legitimate interests**” in relation to direct marketing when it is believed that consent is always necessary, and;
- how third-party data can lawfully be used in the context of GDPR.

Our clients have also said that the guidance they’ve received from events and through online marketing blogs have sometimes been contradictory too. It is our aim to provide you with as much information, advice and resources as possible, together with a collection of resources and all this for free too.

## What Exactly is Legitimate Interest?

This is one of the lawful grounds for processing data and can be for your own interests or the interests of third parties i.e. our clients. They can include commercial interests, individual interests or broader societal benefits.

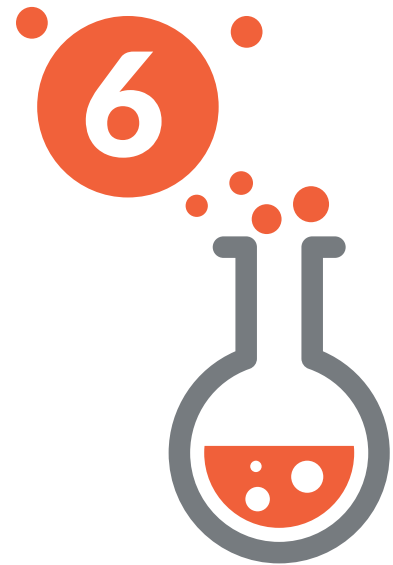
GDPR specifically mentions use of data for potential legitimate interests below, although this is not an exhaustive list;

1. Marketing
2. Client or Employee Data
3. Fraud Prevention
4. Intra-group Transfers
5. IT Security

## How Does BDP Agency process Data?

As outlined above, you must choose a lawful ground for processing details under the General Data Protection Regulations.

BDP have **carried out several tests** and have concluded that the most appropriate **lawful ground for the processing of data is 6**). Legitimate Interests for both BDP and 3rd parties (our clients).



## Why does BDP choose Legitimate Interests?

Legitimate Interest allows B2B data to be legally collected and used in relation to contacting an organisation.

BDP and our clients (3rd parties) contact businesses, not individuals. Due to the nature of the services we provide and the wide range of B2B data processed across various solutions, obtaining individual consent for each case is impractical.

BDP has carefully assessed the impact on individuals' rights and determined that promoting services to business contacts is unlikely to infringe on their fundamental rights or freedoms as employees or professionals within the business.

## Who benefits and why?

BDP have assessed our client's business interest in carrying out marketing activities and as we work closely with businesses that are looking to increase their revenue and grow both their businesses and the nation's wealth, we believe there is a legitimate interest in contacting these businesses.

## Is BDP (and our clients) complying with other relevant laws?

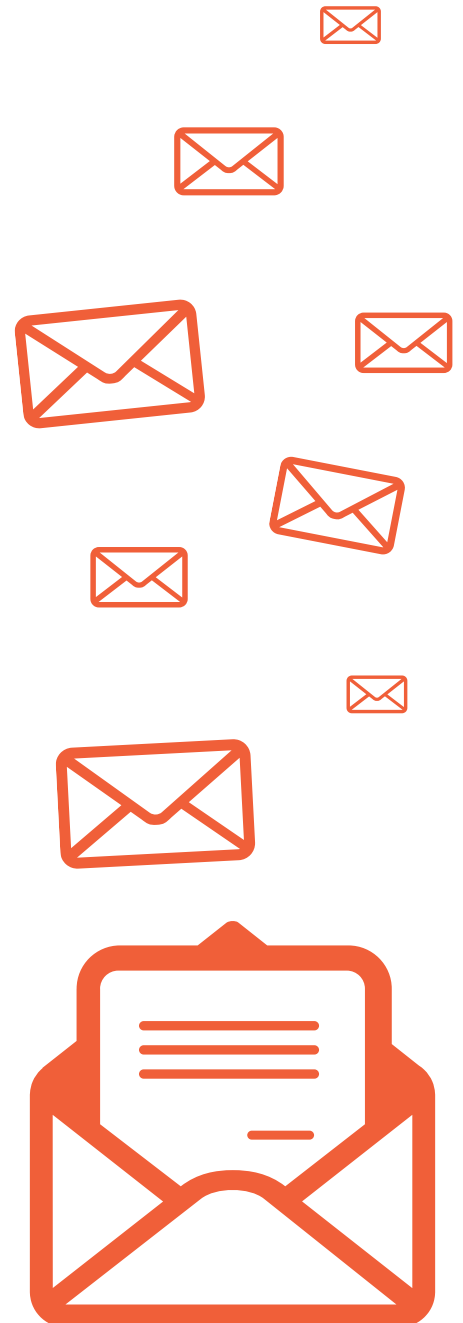
BDP always advises our clients to use an email service provider based in the UK/EU that ensures you will comply with relevant laws covering both a) ensuring that you do not upload data outside of these regions and b) unsubscribes under the Privacy and Electronic Communications Regulations.

## Do you have an example?

For example, if you manufacture children's clothing, you would not have an interest in approaching car retailers as they would not have an interest in purchasing your products. Therefore, excluding these from your data list and only choosing business details from the standard industrial classification system that would have a legitimate interest in your products is a good starting point for balancing the interests of both parties.

This is how BDP has worked since our incorporation and with many years' experience we understand our clients' needs whilst balancing this carefully with the recipients.

**BDP always advises our clients to use an email service provider based in the UK/EU that ensures you will comply with relevant laws**



# BDP Agency & GDPR Accreditations

## Putting People First

As well as being registered with the Information Commissioners Office (ICO), we have also invested in our staff to provide training and assistance in both:

- The Data Protection Act (DPA) and
- General Data Protection Regulation (GDPR)

As well as attending many further small courses. We believe in this training and recommend these companies to our current clients.

## BDP Agency Awards and Training in Data Protection Regulation

As well as being registered with the ICO as outlined above, here are some of the companies that have provided training and assistance in both the Data Protection Act and General Data Protection Regulation to BDP Agency and we are pleased to announce that our staff have passed all their training with distinctions and received certificates in each case.

All staff are provided with training during the first few weeks of their employment with our business to ensure that our company is working to the same level of service company wide.

- Data Protection Act & Security Course
- Principles of Data Protection and Data Control

IDM Award in General Data Protection Regulation Certification



Further Resources – Information Commissioners Office (ICO)



There are some great videos on the ICO YouTube channel as further resource <https://www.youtube.com/user/icomms>



# Our Clients & GDPR

## What Do I Need to Do?

BDP Agency have put together some specific resources for our clients to assist in becoming compliant with the new laws.

## What is the minimum requirement BDP ask its clients for?

To ensure that both BDP and our clients can stay on the right side of GDPR and the law in general, we have a few simple requests for our clients to get started:

1. provide us with their name, business name and other information that are true and correct;
2. provide information relating to your campaign to ensure that your prospects will have a legitimate interest in your products / services;
3. co-operate with us on any matters; and provide information that we reasonably require to fulfil our obligations;

## Registration -

You **must ensure that you are registered** as a Data Controller. There is a register for every Data Controller to notify the ICO. More than 1,000,000 organisations are currently registered. Are you registered yet?

Here is the link, it takes approximately 15 minutes and for most companies, the cost starts from £40.00.

<https://ico.org.uk/for-organisations/register/>



## Self-Assessment -

Once you have received your certificate from the ICO. We recommend looking at the Self-Assessment Toolkit for Data Protection. This is an opportunity for businesses to complete a questionnaire anonymously and see the results instantly in a simple traffic light system of red, amber or green for areas that are covered by your business or areas that need to be worked on. You can then divide up the tasks that you believe need to be implemented with your colleagues.

## IT Security

In a world where everything is operating online at an incredibly fast pace, it is essential that your IT security is of extreme importance. If you hold data within your systems you need to recognise that it may be at risk and take appropriate technical measures to secure it. The practical steps outlined in the ICO's IT Security Guide will help you decide how to manage the security of the data you hold. To ensure compliance, BDP request that you do not upload / transfer any data outside of the UK/EU.



## A short note about our direct relationship

In the event you place an enquiry or request any services from BDP, we will rely on our contractual relationship to process your personal data to provide these services to you. In certain limited circumstances we may also rely on a specific consent for the processing of personal data.

# Other Useful Resources

This is a selection of some of the most useful resources currently available. Please note these are subject to change. The ICO is working to expand the document in key areas. It includes links to relevant sections of the GDPR itself, to other ICO guidance, and to guidance produced by the EDPB - European Data Protection Board.

1. <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/>
2. <https://dma.org.uk/gdpr>
3. <https://www.dpnetwork.org.uk/dpn-legitimate-interests-guidance/>
4. [http://ec.europa.eu/newsroom/just/news.cfm?tpa\\_id=2026](http://ec.europa.eu/newsroom/just/news.cfm?tpa_id=2026)

# How can we help?

We are a friendly team, **call us on 0333 200 1860**  
[businessdatapropects.com](https://businessdatapropects.com)



## **BDP Agency**

Sheffield Design Studio  
40 Ball St  
Sheffield S3 8DB

**Tel:** 0333 200 1860

**Email:** [hello@bdpagency.com](mailto:hello@bdpagency.com)