

GDPR and how it affects the OTT community

What is GDPR?

The EU General Data Protection Regulation is a set of data protection laws designed to harmonise data privacy practice across Europe. The emphasis is on protecting citizens and their data - giving users more information and control over how it's used. The new regulations will come into force by May 25th 2018.

In short, GDPR is about protecting personal data. The legislation creates a new framework of rights for individuals, giving them greater control over how their data is used along with stronger safeguards over their privacy. GDPR doesn't just affect big business - everyone from sole traders to major corporations, charities to local sports clubs is affected. All of these organisations are expected to implement data processes which ensure the privacy of their data subjects is protected and not exposed to unnecessary risks.

And while the incoming laws are about much, much more than marketing activity, for the purposes of this piece, we'll stick to the email marketing implications. Even more specifically, we're talking about B2B email marketing. Note that sole traders and partnerships are generally considered to be B2C and not B2B.

GDPR is an overall framework for data protection and privacy, but there are no specific mentions of email marketing within the law. However, there are specific rules on email marketing in the Privacy and Electronic Communications Regulations ([PECR](#)) >, and it's clear that GDPR gives PECR new impact.

What does GDPR mean for Marketers?

> New rights for users

GDPR legislation has created new rights of access and data protection for “data subjects”. Key points of interest for B2B and B2C email marketers are:

- **Right to rectification:** The data subject may request that their personal data be updated or corrected
- **Right to be forgotten:** The data subject may request that their personal data be permanently deleted
- **Right to portability:** The data subject may request that their personal data be sent to another organisation or competitor
- **Right to object:** The data subject may object to specific types of processing or uses of their personal data
- **Right of access:** The data subject has the right to be informed of any and all of their personal data that has been collected, as well as its intended use.

> A new definition for consent

As defined by the [Information Commissioner's Office >](#), the UK's regulatory authority for the GDPR, consent...

“should be given by a clear affirmative act establishing a freely given, specific, informed and unambiguous indication of the data subject's agreement to the processing of personal data relating to him or her, such as by a written statement, including by electronic means, or an oral statement.”

OTT although not compelled to, is operating an opt-in policy in conjunction with an updated privacy notice, which covers all pathways to compliance.

> Legitimate Interest

Consent is the headline announcement, but the GDPR does permit five other valid pathways for B2B marketing: These are:

- Data processing being necessary as part of a contract
- The existence of a legal obligation
- The need to protect the vital interests of an individual
- The need to protect public interests
- The existence of legitimate interest, unless this clashes with the data subject's rights or freedoms

Legitimate interest > is a key point, because it has allowed OTT to reach out to legacy members for compliance. After May 25th, you won't be permitted to reach out to these contacts in order to ask for consent. B2B marketing won't disappear under the GDPR. The winners will be the marketers and business owners who see the huge benefits in future-proofing their databases.

What is OTT doing to protect its Agent Members and Travel Partners?

- **Consent:** Opt-in - although not necessary for B2B as we've decided to seek explicit consent going forward.
- **OTT Data Protection Officer:** OTT will manage queries and requests from members, employees and suppliers in areas such as
 - Right to rectification
 - Right to be forgotten
 - Right to portability
 - Right to object
 - Right of access
- **Legacy data:** Existing members are GDPR compliant by reaching out under legitimate interest
- **Non EU citizens and partners:** As courses can be completed by agents from anywhere in the world, we will be implementing GDPR regulations across the whole platform for members and suppliers. It is possible that an EU citizen could complete a course published on an Australian site - which has no legislation - and vice-versa. We want to make sure we are operating to the highest standards and ensure all our members benefit from the same levels of protection..

What are the opportunities for OTT Partners?

- **Full PECR and GDPR compliance:** The OTT platform is fully compliant, so you can be confident that your B2B marketing is safe from course start to course completion as well as all related email campaigns.
- **You can provide assurances to your business partners and suppliers**
- **Give assurances to agents using your course:** Their data is safe and secure within a GDPR compliant platform.
- **Opportunity to invest in innovative email capabilities:** OTT is giving partners the opportunity to use innovative email functionality within the OTT platform - an end-to-end system for creating courses and emailing those highly engaged agents.

The OTT email platform powered by Force24 enables partners to:

- **Create and manage email campaigns** in different languages within minutes
- **Filter data pots** for targeted and segmented campaigns
- **Create user journeys**
- **Manage** unsubscribes and bounces
- **Campaign analysis & reporting:** Assess campaign effectiveness against matrix such as CTR, open rates etc.

What are the benefits for OTT Agents?

- **Consent:** Agents will opt-in with full knowledge of how their personal data will be used.
- **Transparency:** Agents will be give clear advice on how their personal data will be used
- **Security:** Agents are confident their personal data is managed correctly under GDPR laws and not sold to anyone.
- **OTT Data Protection Officer:** OTT will manage queries and requests from agents quickly and in compliance with PREC and GDPR regulation.

FAQs

Will OTT Partners be able to access information about who has passed their course?

Yes – you will still be able to see all the same information about who has passed your course.

Will OTT Partners still be able to email agents who have completed their courses?

Yes – you will be able to email agents who have completed your course in one of two ways:

- You can subscribe to the OTT email tool via OTTO and manage email campaigns whenever you want.
- Your Account Manager will work with you to create and send an email via the OTT platform.

Will OTT partners be able to filter agent data to create segmented email campaigns?

Yes. Your data pot can be segmented based on your criteria, just as you can now.

Can partners create and send personalised emails?

Yes.

Will OTT partners be able to email competition winners?

Yes. Your account manager can email winners for you or you can manage this yourself via the email tool.

Will OTT partners be able to 'extract' email addresses from OTT platform for use in other data analysis or marketing tools?

No. In order to assure agents and partners that the platform complies with GDPR regulations, OTT will no longer permit the downloading and extracting of member emails.

What about agents who are not EU residents – can we have their contact emails?

No – OTT is extending GDPR protections to all our agents, regardless of the course they completed or their location at time of registration.

Will UK based business need to be compliant even after Brexit?

Yes – under the proposed European Union (Withdrawal) Bill, GDPR will remain UK law after Brexit.

Does OTT have a dedicated Data officer?

Yes: members can contact info@ott.travel if they have any queries or requests about their data

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For more information about the content in this document contact us on:

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