



A Mailjet Research Study



GDPR:
Right Side Of
Automation



The Research



In May 2017, Mailjet commissioned a new piece of research to identify whether marketers are aware that their operations constitute automated decision making and understand the actions required by the industry to update procedures to deal with the requirements of GDPR (General Data Protection Regulation). The survey was taken by 200 marketers from a selection of industries across the UK.

GDPR will provide a safeguard for individual, mitigating the risk that a potential damaging decision is taken without human intervention.

Executive Summary

The European General Data Protection Regulation (GDPR) will come into effect on May 25th, 2018 and will have direct application in all EU members states - and at which time those organizations in non-compliance may face heavy fines.

One in four businesses are 'unprepared' for new data laws and a third believe their companies will not be compliant in time for the deadline. Consent is the biggest cause for concern, cited by 70% of respondents, followed by legacy data at 50% and profiling at 37%, the survey from the [DMA](#) found in February.

In light of the concern among marketers, to what extent are they familiar with the changes that must take place before the guidelines come into effect? Are they familiar with the steps they need to follow and the penalties they face should they fall short of requirements?

Marketing automation is a core practice of modern marketing and delivering effective one-to-one communications at scale. It is paramount that marketers understand what they are and are not able to do from a policy and ethics perspective.

With such a focus on GDPR in the media, Mailjet has aimed to see if brands are on the right side of automation?



01 The Lay Of The Land: Data Protection

02 The GDPR Test Highlights Areas Of Confusion



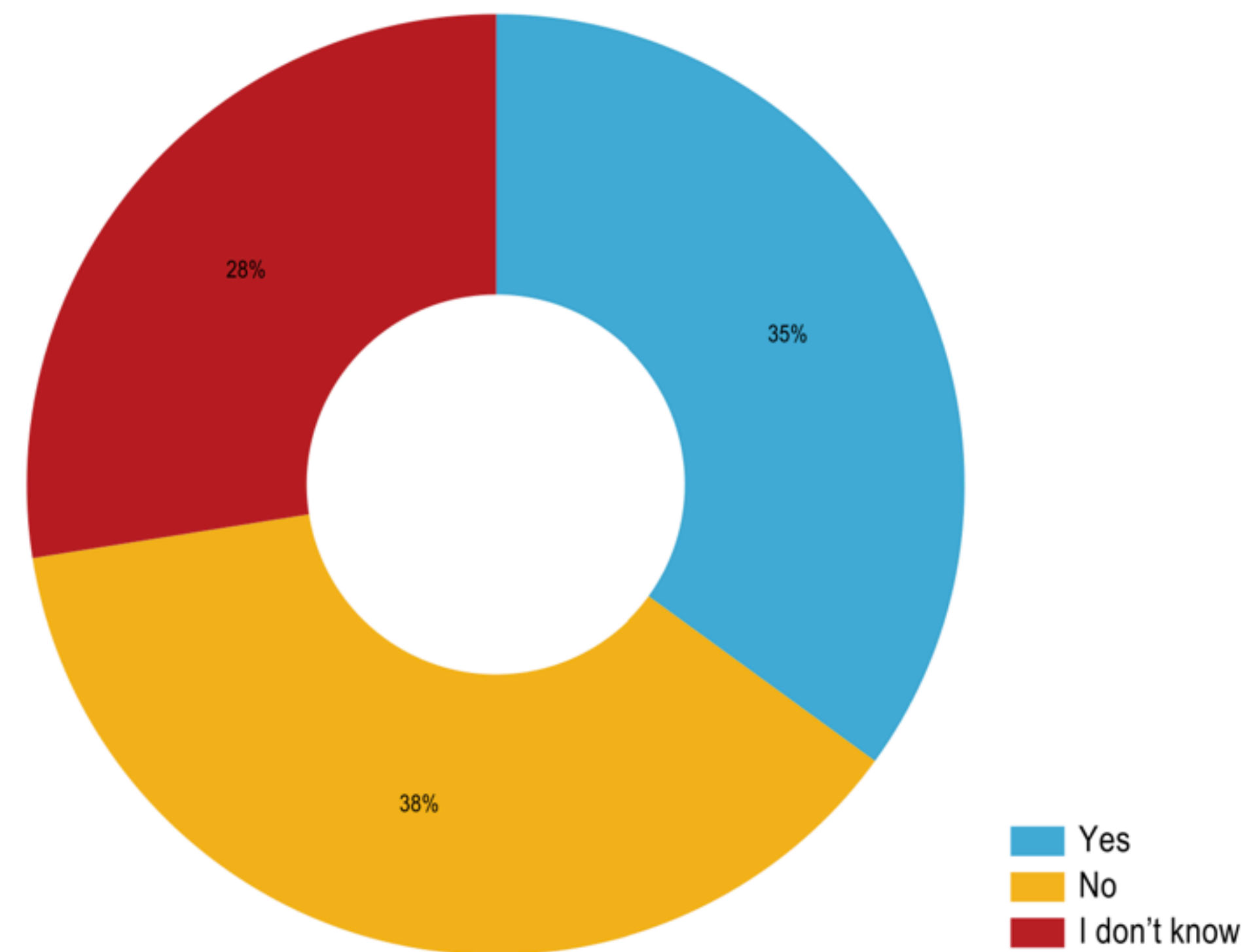
01

The Lay Of The Land: Data Protection

UK Inexperienced In Regulation Changes

Is the EU General Data Protection Regulation (GDPR) the first time you have had to change procedure for a regulation?

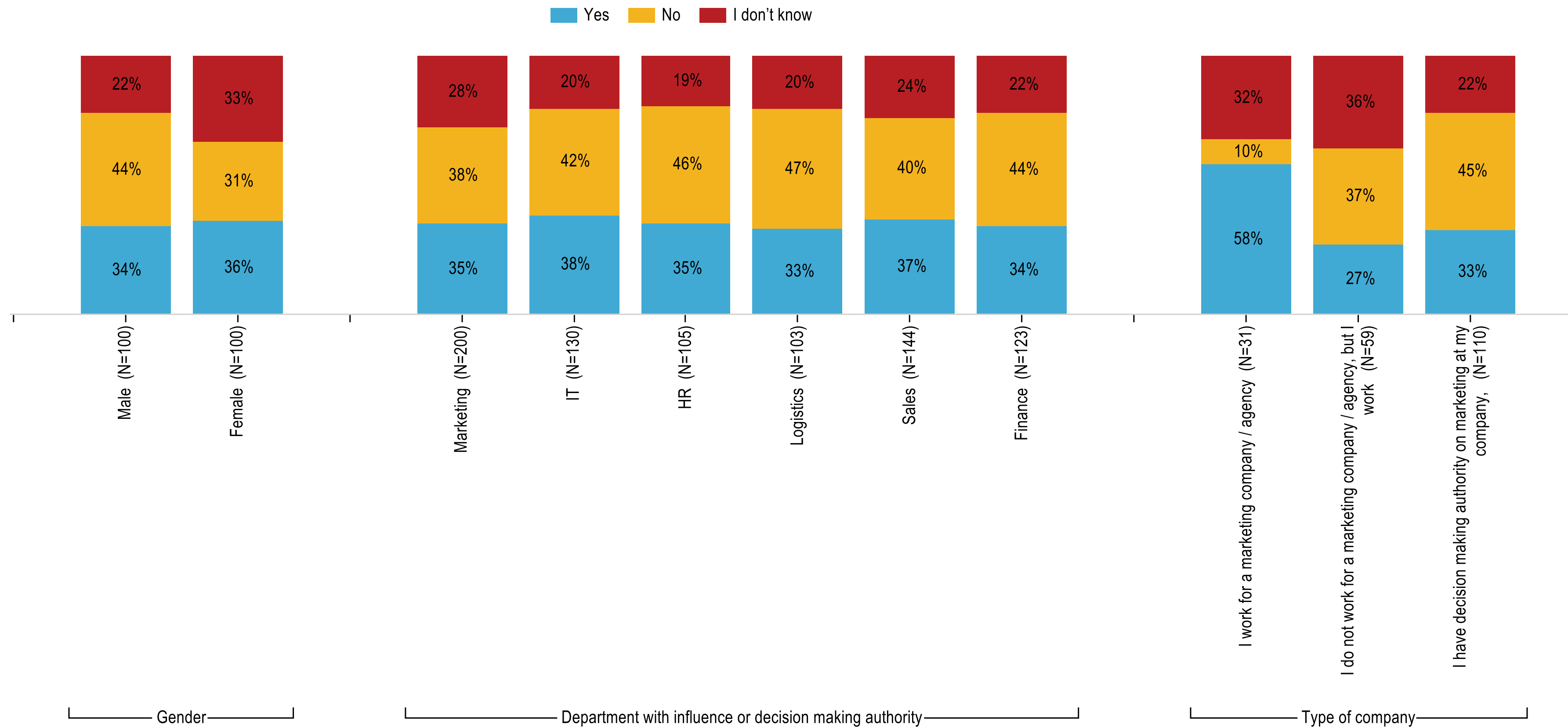
Overall



Only **38%** of UK marketers have changed procedure for a regulation before.

Marketing Agencies Least Familiar With Changes

Is the EU General Data Protection Regulation (GDPR) the first time you have had to change procedure for a regulation?

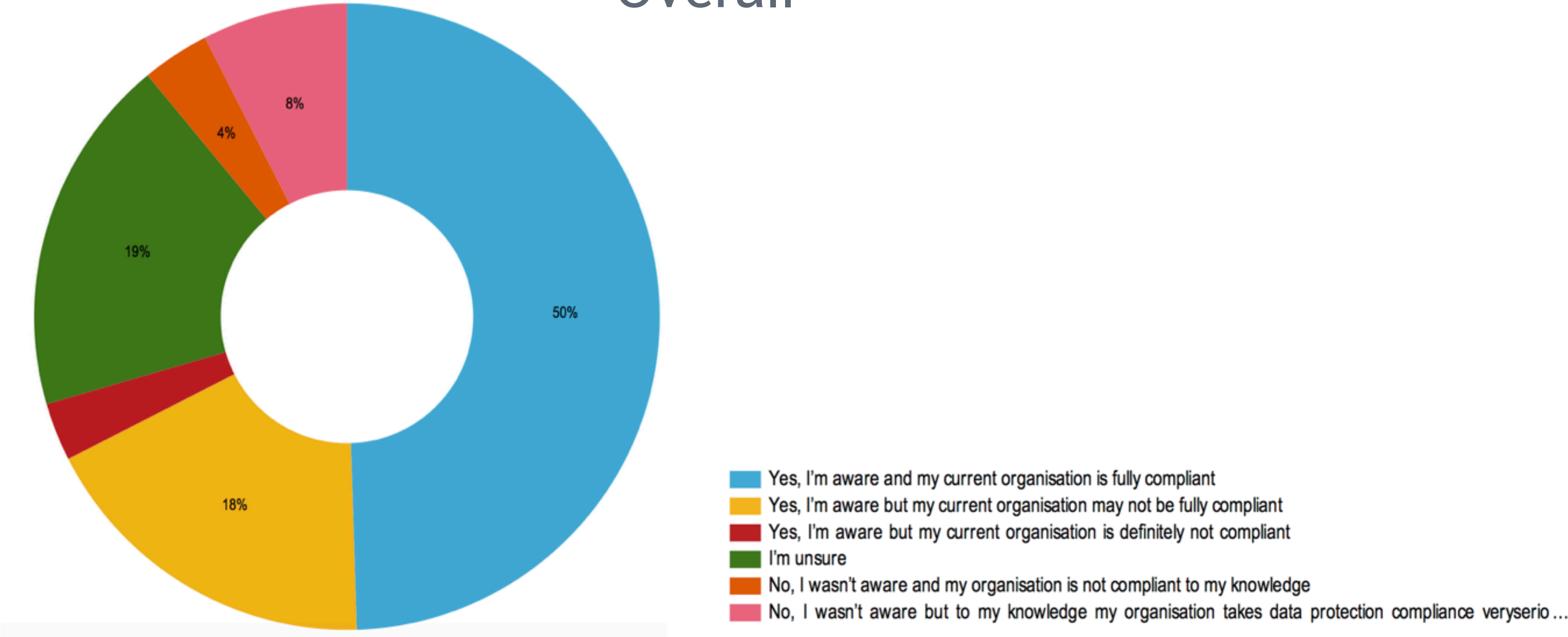


Experience is particularly scarce within marketing agencies, where **90%** are potentially facing change for the first time.

The Status Quo: Lack Of Compliance

Are you aware and compliant with the existing EU Data Protection Directive?

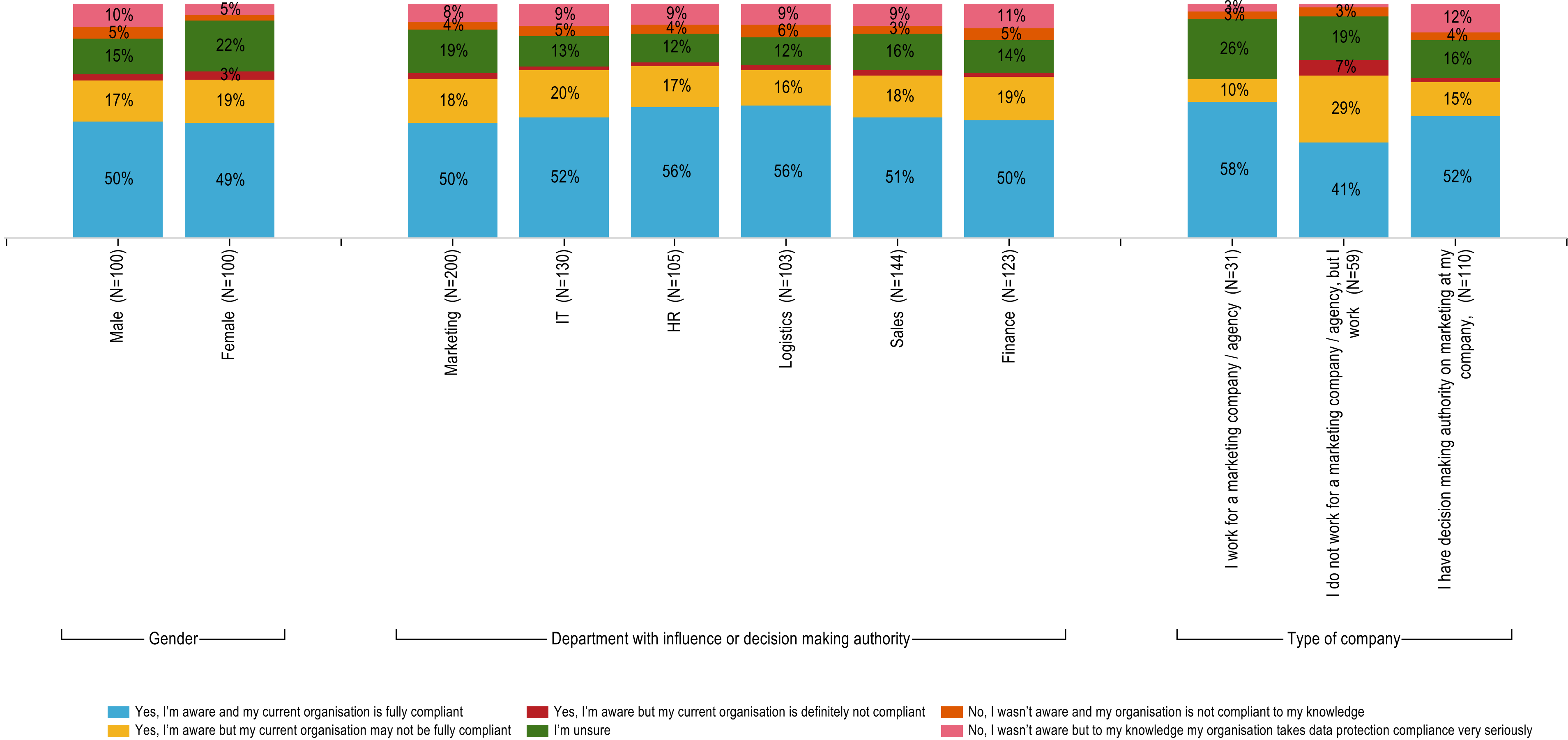
Overall



Significantly **23%** of marketers are aware their company may not be compliant with existing regulations.

Compliance Levels Unknown

Are you aware and compliant with the existing EU Data Protection Directive?

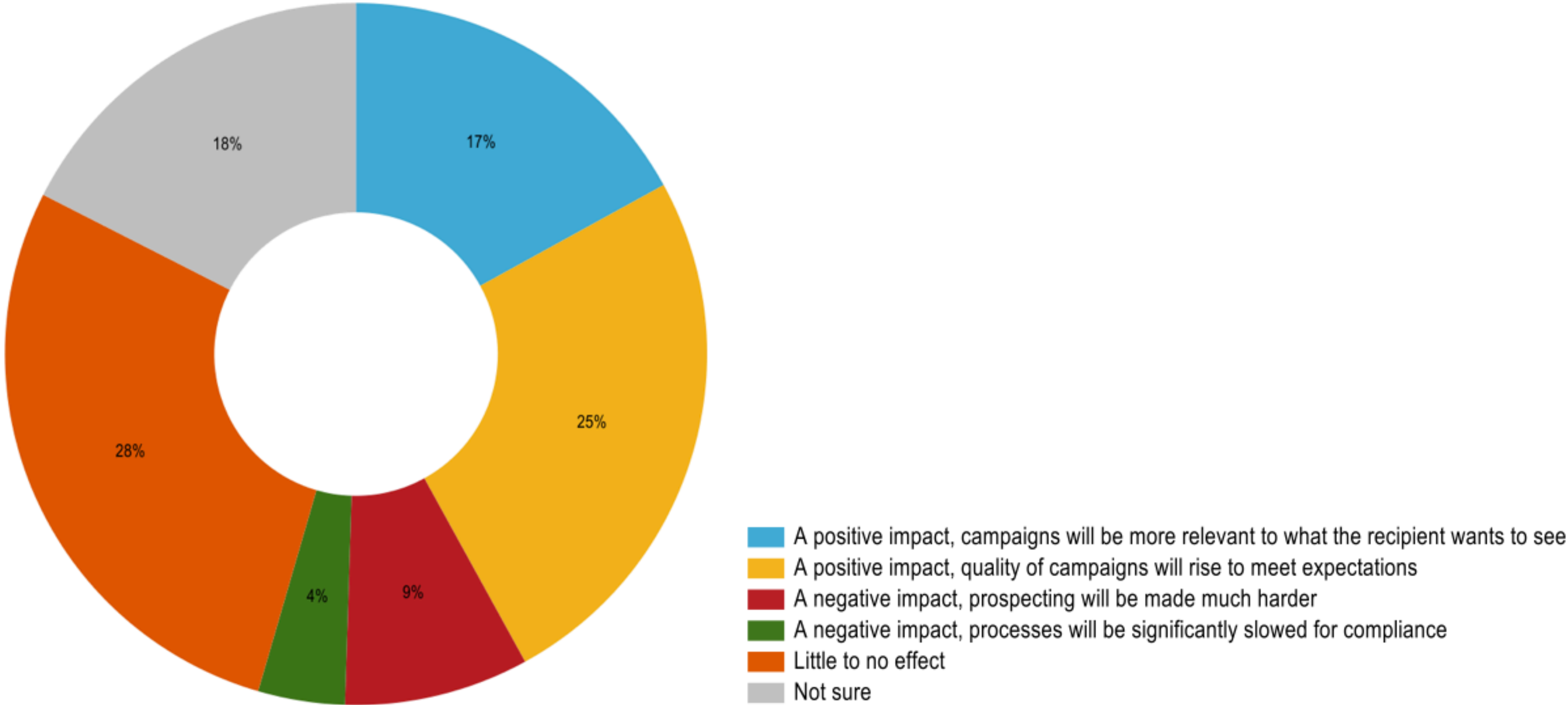


Only half of marketers state they are aware and compliant with the existing EU Data Protection Directive, dipping to 41% in in-house marketers.

Mixed Views On The Impact Of GDPR

What impact will the GDPR have on your marketing practices when it comes into effect?

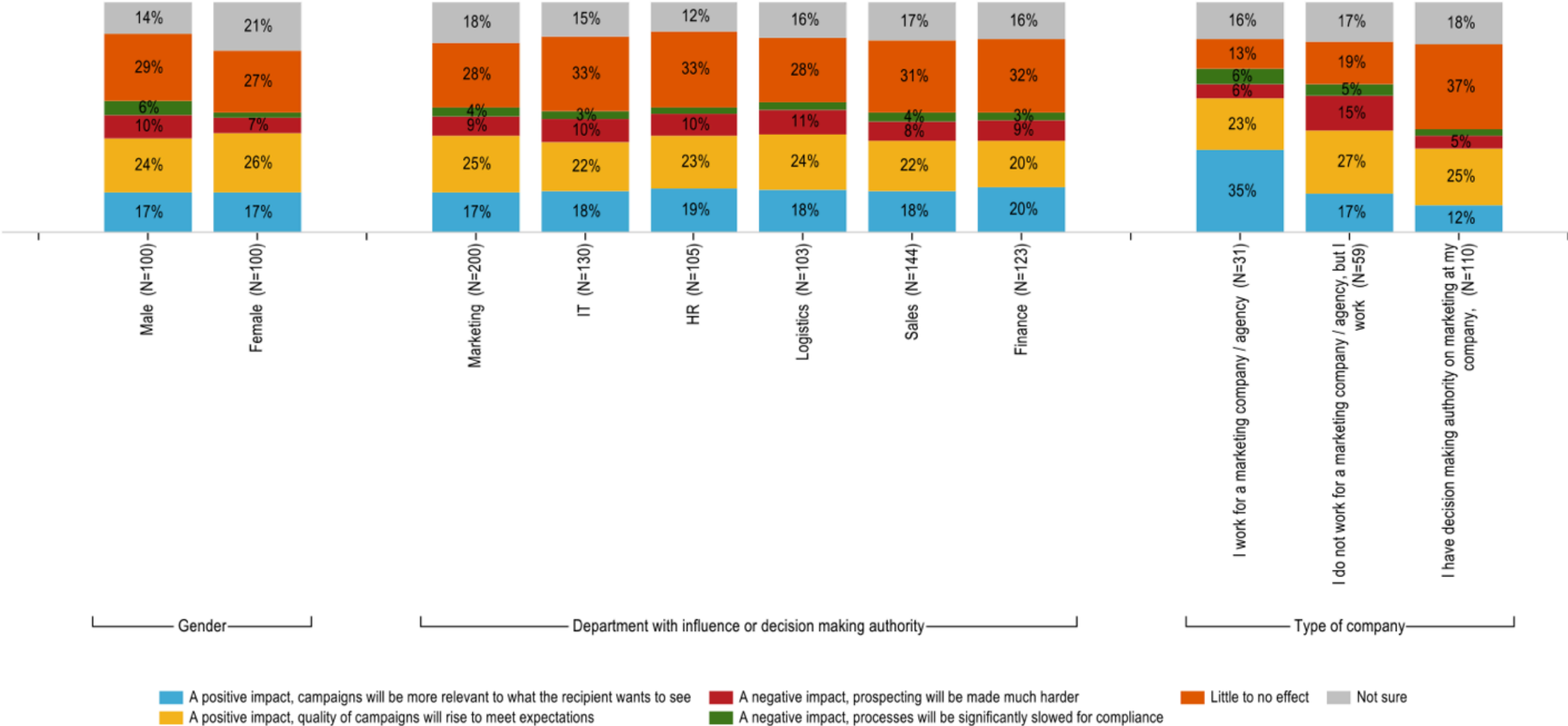
Overall



42% of test respondents believe marketing communications will become more relevant to what recipients want to see and the quality of campaigns will improve under GDPR.

GDPR May Not Effect Marketing Practices

What impact will the GDPR have on your marketing practices when it comes into effect?



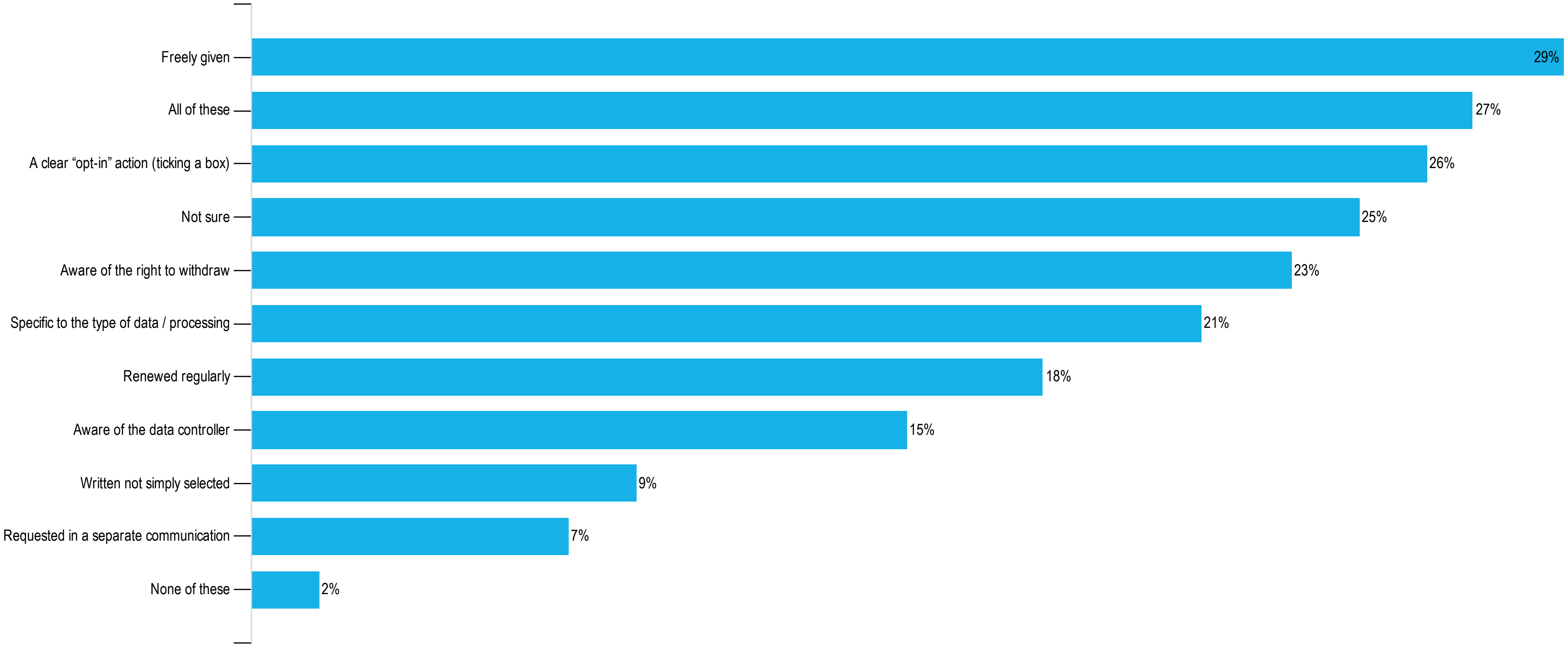
28% don't believe there will be any effect as a result of the stricter consent based rules coming into place. This rises to **37%** among marketers with decision making authority within their organization.



02

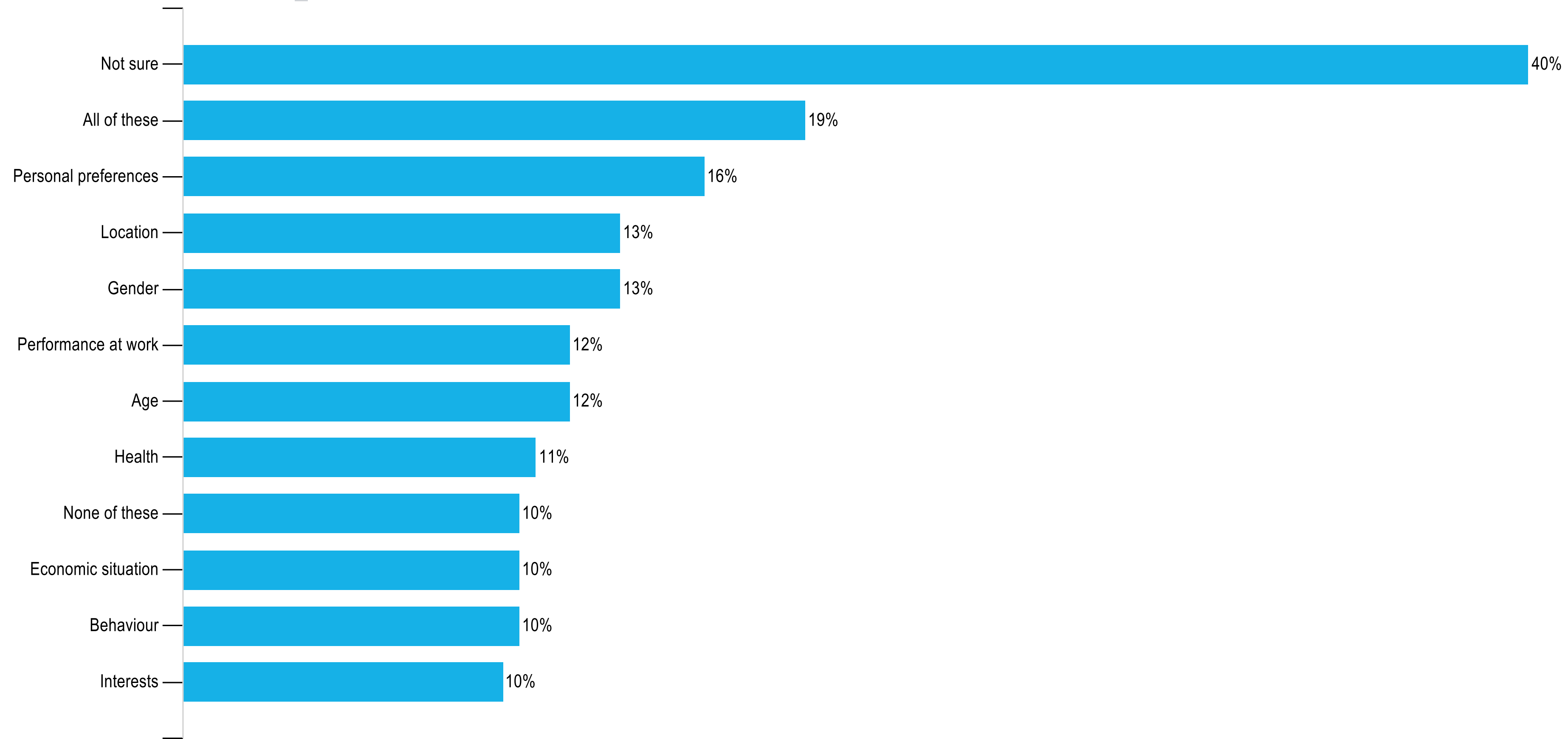
The GDPR Test Highlights Areas Of Confusion

Consent, under GDPR, must be which of the following:



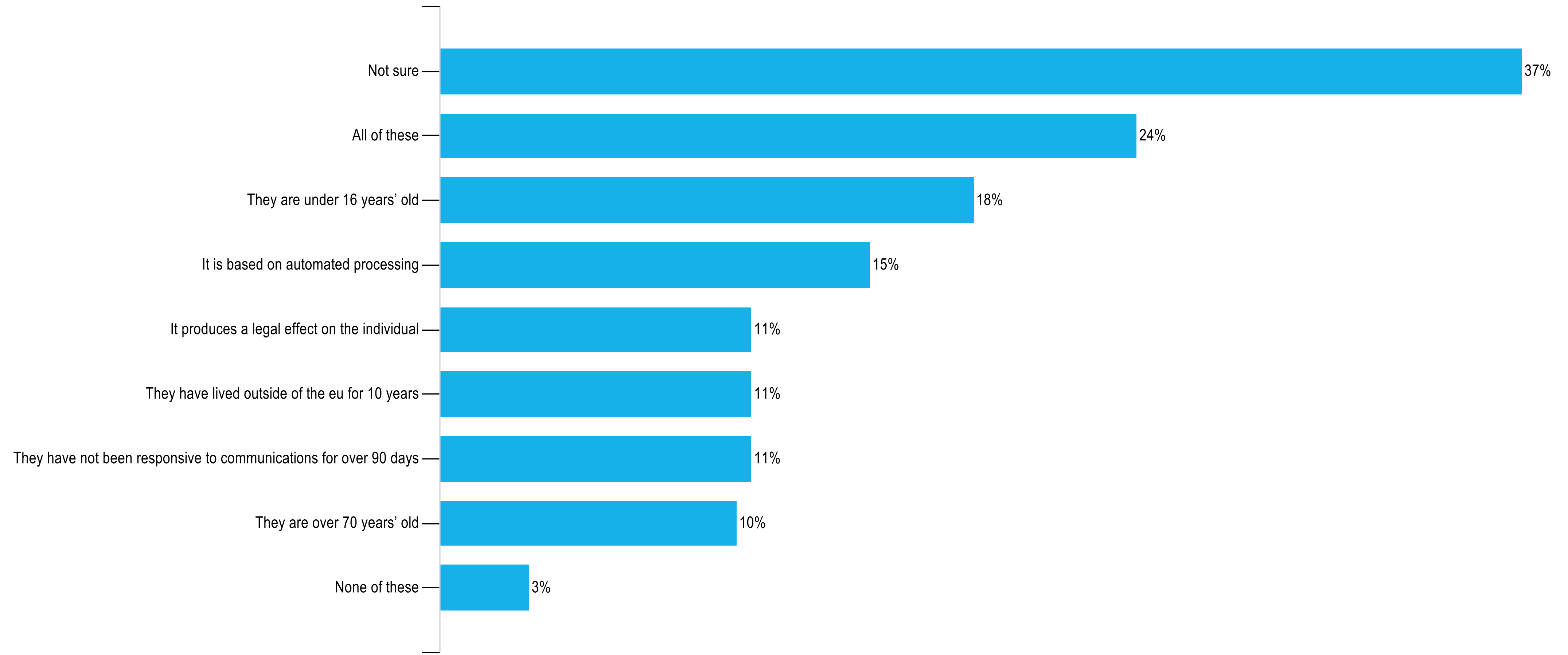
64% assume GDPR means they must ensure individuals are able to opt-out easily.

Under GDPR, marketers will be able to automate processing of which of the following data sets without “opt-in consent”:



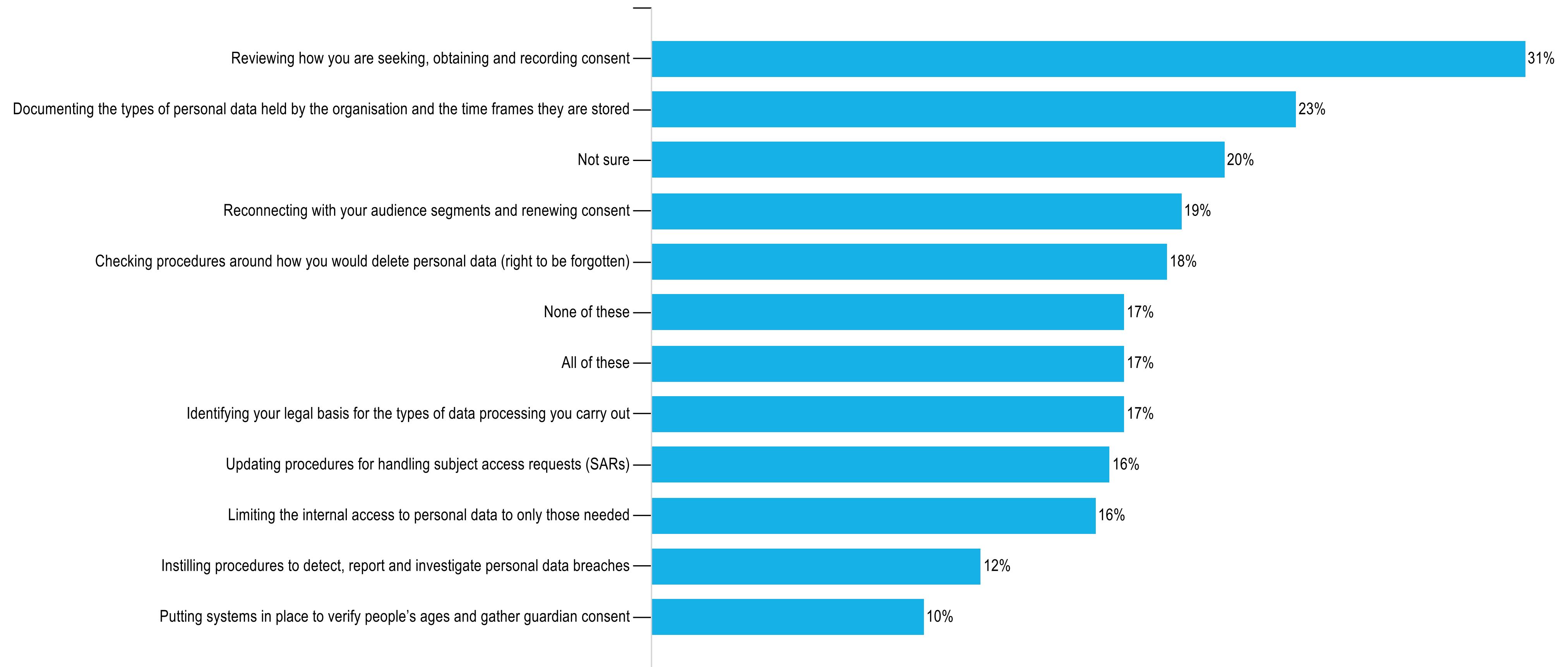
32% of UK marketing professionals believe they will be able to automate processing of location data without “opt-in consent”, this rises to **35%** in the case of personal preferences data.

Individuals must not be subject to an automated decision when:



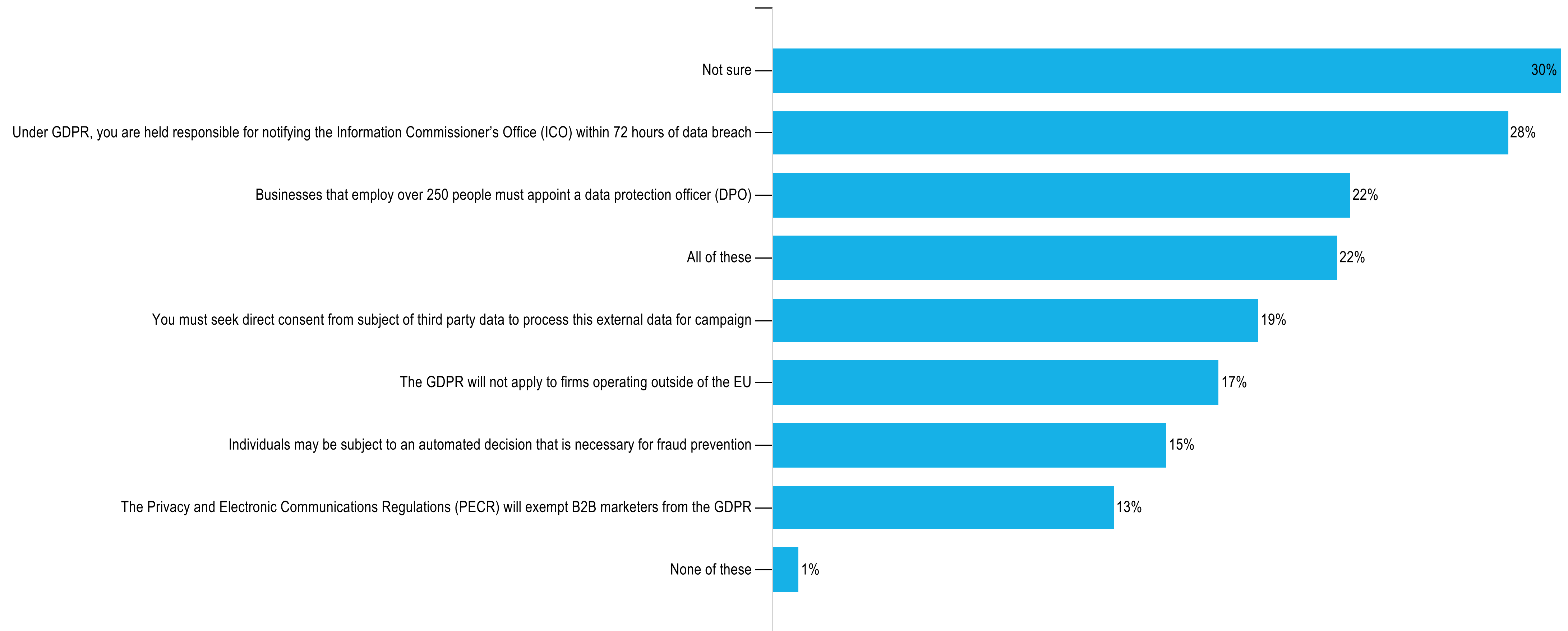
Over a third of marketers (**34%**) incorrectly think individuals over the age of 70 and those who have not been responsive for 90 days are exempt from all automated marketing decisions.

Which of the following steps have you put into action ahead of GDPR coming into force?



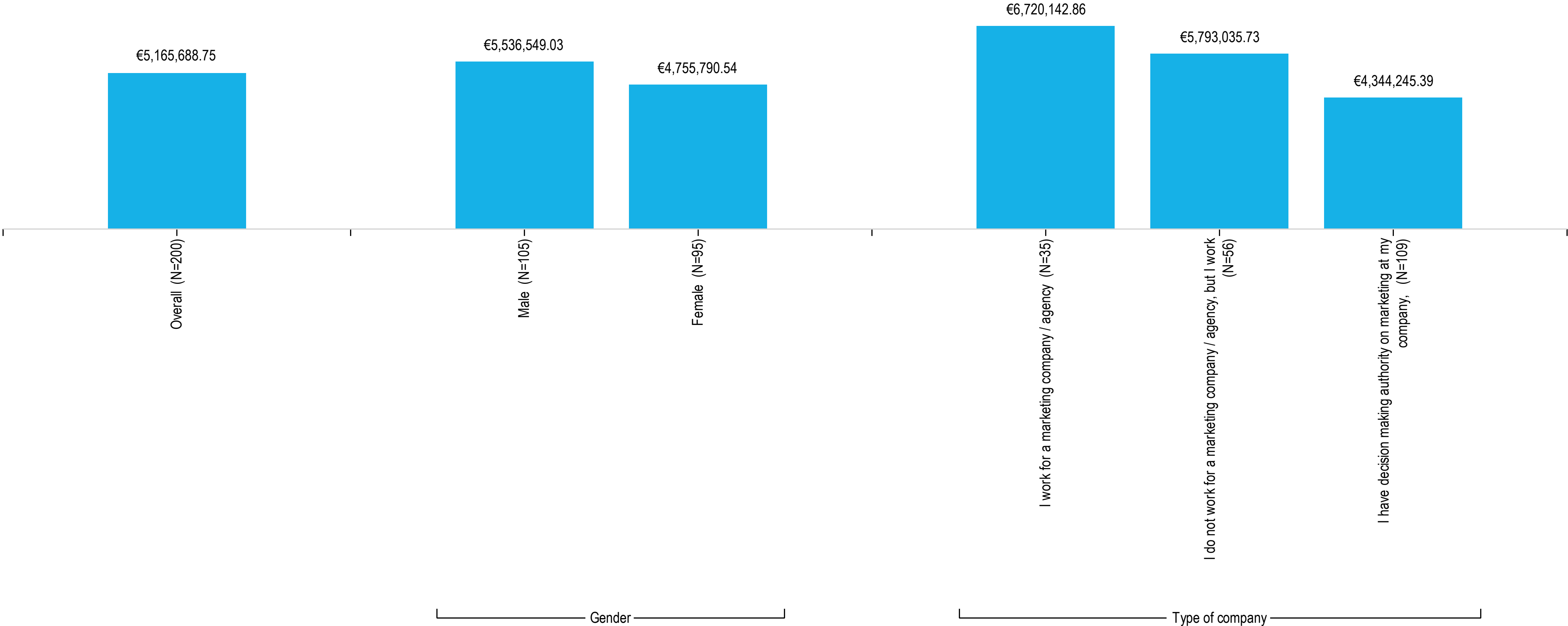
Only 17% of respondents have taken all of the recommended steps towards GDPR compliance, while the same proportion admit they have not enacted any such checks or changes.

When it comes to the new GDPR, which of the following statements do you believe to be true?



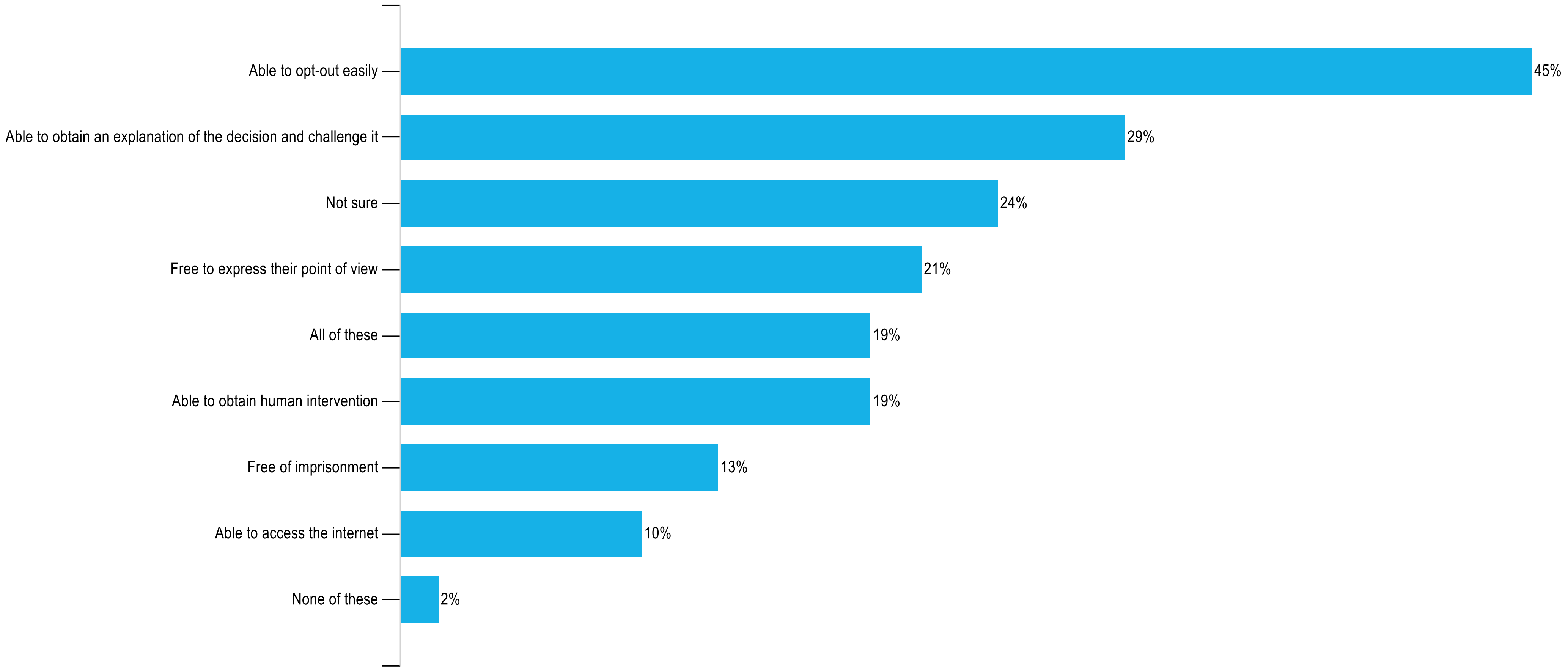
44% of respondents claim businesses that employ over 250 staff must appoint a chief data officer, despite this only being a requirement where data is of a particularly sensitive nature.

In €, what is the maximum penalty for breaching the GDPR rules?



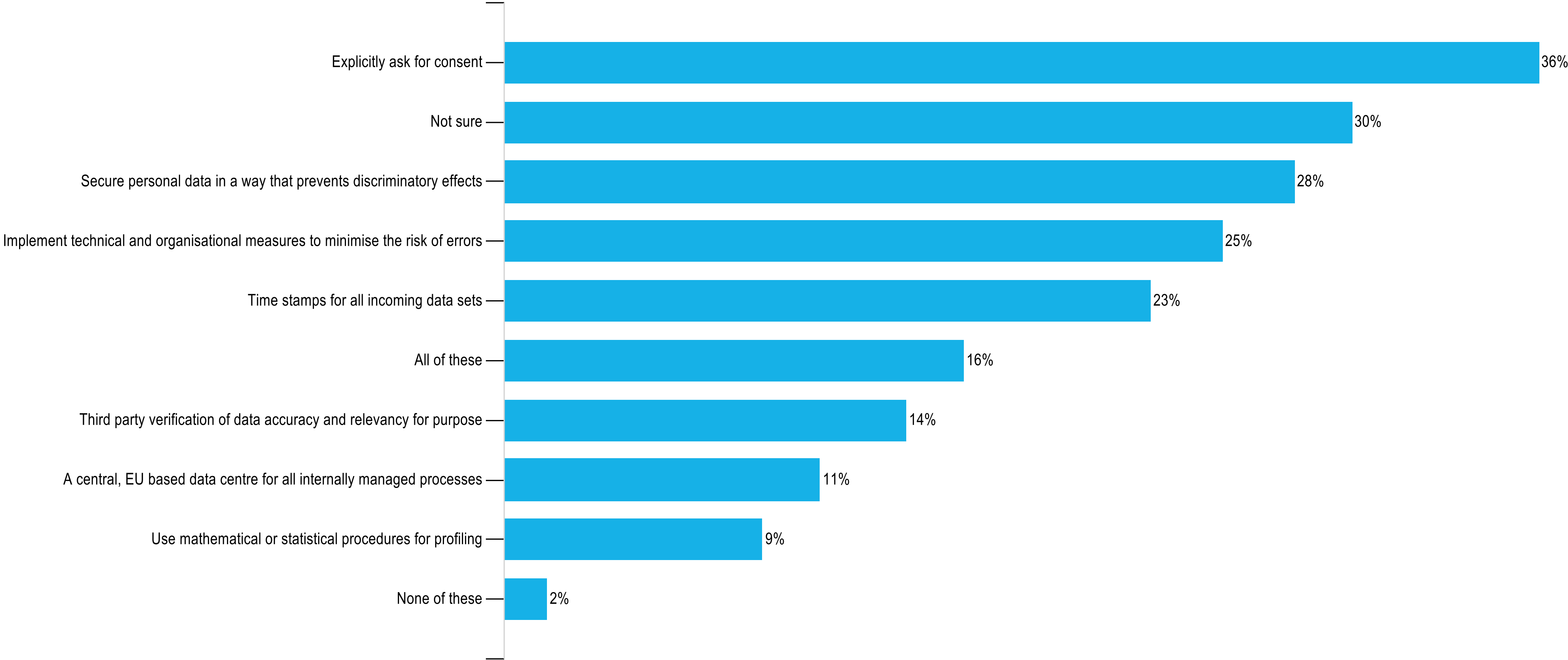
Marketers believe they're facing a total fine of €5.2 million. In reality, the maximum penalty for noncompliance is €20 million, or 4% of their global revenue.

The new GDPR laws will mean you must ensure that individuals are:



32% claim the regulatory changes will mean their organization must guarantee that all marketing recipients are free from imprisonment.

According to GDPR, what safeguards do you need in processing personal data for profiling purposes?



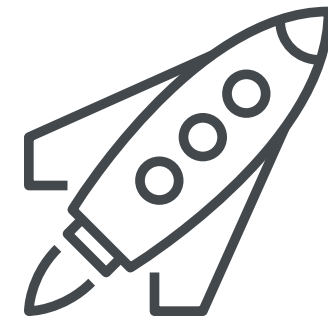
72% of UK marketers either cannot answer, or incorrectly list the necessary conditions to meet GDPR (General Data Protection Regulation) requirements for “opt-in” consent.

Mailjet's View:

While it's relieving to hear 48% of marketers have begun reviewing how they seek and record consent, there's no doubt that GDPR will have a huge impact when it comes into force. For many it's the first time they have had to respond to international legislation and the scope of work this process entails is only just becoming clear to them.

It's up to every partner in their ecosystem to provide the support, guidance and expertise that will ensure they don't fall foul of the heavy penalties reserved for any noncompliant businesses. For marketers who think it will negatively impact their marketing efforts, need to put their customers interests ahead of more stringent processes and regulations.

Advanced Tools To Master Email



Fly Higher

Give your email marketing strategy the edge against your competition with our Segmentation, Email Automation, A/X Testing and Campaign Comparison tools. Our [Premium Features](#) can enable you to meet consumer expectations. Send breath-taking, personalized emails that land in the inbox at a time that's relevant to your customers.



A True Partner

Mailjet's sophisticated analytics tools and simple APIs give businesses the best understanding of how to maximize the benefits to each individual contact of every email sent. Founded in France, Mailjet achieves exceptionally high deliverability rates for its global customer base through a combined emphasis on achieving the email sender's goals and safeguarding brand reputation over time.



Thank You

