

DMA insight: Email business practice and compliance

Email marketing, like many digital mediums, involves activities governed by various legislations with penalties for non-compliance, but also codes of practice respected by the industry that keep the medium one that continues to engage.

This infographic looks at the legislation, compliance and regulation that govern how marketers use email.

Compliance

The two key pieces of current legislation governing email marketing are:



The Privacy and Electronic Communications (EC Directive) Regulations 2003 (as amended) (PECR)

PECR main impacts:



Explicit permission and soft opt in



Being clear about emails customers will receive at point of sign up/selling your email programme



The General Data Protection Regulation (GDPR)

GDPR main impacts:



Cross selling



Abandoned baskets



Service and contractual emails



Penalties



Penalties for compliance failure includes fines for breaches of the DPA and PECR and sanctions under the various industry codes.

To find out the latest information on penalties and sanctions, including examples of companies that have been penalised, visit: ico.org.uk

Dealing with complaints



1. Have a complaints procedure in place



2. Define escalation processes



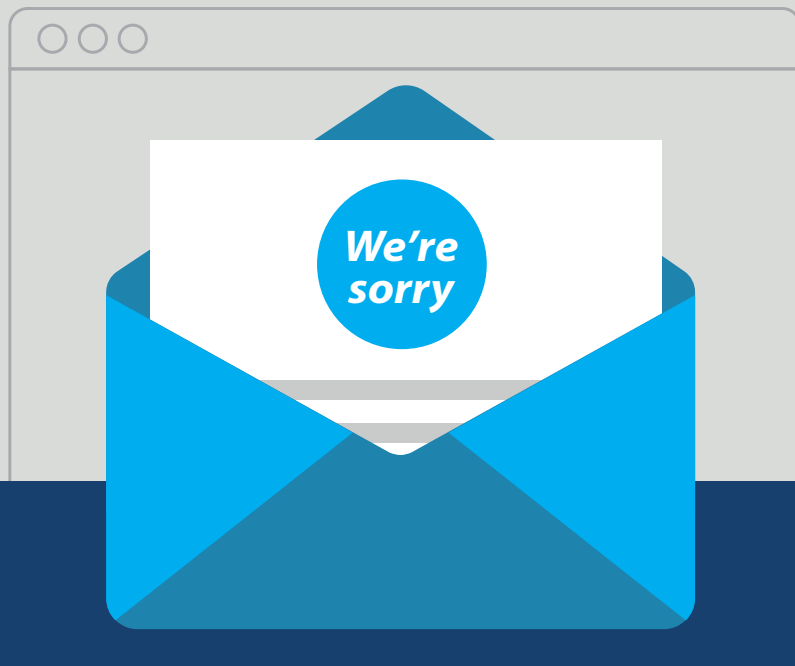
3. Aim for speedy resolution

Dispute resolution



Be prepared to make a strong, prompt decision about how to rectify any negative consequence

Apology emails



Expect occasional mistakes - they can and do happen



Assess the impact quickly



Make an appropriate response which could be to send an apology email

Conclusion

Complying with the law is a basic requirement that marketers must adhere to, but it is also important to understand the ethical responsibilities you have as a brand in relation to having the ability to invade a person's inbox.

Putting importance on your own ethical codes of conduct helps to develop an understanding of the medium and has a very positive effect on campaign activity.

About the DMA

The DMA provides guidance and support to help its members put their customers at the heart of their one-to-one communications to give them the rich benefits of a much more relevant, welcomed and effective relationship with each individual customer.

The DMA aspires to facilitate its members' marketing evolution with the opportunities, advice, support, networks and tools to be able to reach the sensitivity and sophistication of marketing to build their future prosperity – along with the success of the industry as a whole.

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