

Tuesday 10 December
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/ Virtual: Fundraising Forum – How Emotion Drives Donor Longevity

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/ Welcome

Liz Curry, Data & Information Consultant, Liz Curry & Co

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/ Making Emotional Connection The Glue for Donor Longevity

Tim Green, Principal Strategist, Paragon

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A woman with dark skin and braided hair is shown from the chest up, looking upwards and to the right. Her right hand is resting on her chin, suggesting a thoughtful or contemplative mood. The background is a plain, light-colored wall. The entire image is framed by a thick orange border.

Making emotional connection the glue for donor longevity

Tim Green, Principal Strategist
Paragon

December 2024

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A TURBULENT, SHIFTING WORLD

An ongoing cost-of-living crisis, two major armed conflicts, a worldwide pandemic, increasing political polarisation, and the human impact of increasingly extreme weather events...

Every one of these can impact charitable giving, whether through reduced financial ability to donate, attitudinal and political shifts on what constitutes a 'worthy' cause, or even inertia caused by crisis overload

With this as a backdrop, creating cut-through and building lasting bonds is (even more) essential for charities

EMOTIONAL CONNECTION

The reason they donate
to you in the first place

The bond that will keep
their engagement and
value for longer

But...



THERE IS SOMETIMES A CREATIVE DISCONNECT

Between how they are
communicated with in
(sometimes dispassionate)
direct communications
versus emotionally-driven
ATL media

AND... WE NEED TO TREAD CAREFULLY

People increasingly think and react to politics and world events with their hearts, not their heads

Emotions have replaced facts as the main currency of decision-making for many people

And many 'wear' these emotionally-led decisions openly on social media, aligning with tribes who share the same views

This shift will already be impacting charity giving, offering barriers and opportunities at either end of an increasingly polarised spectrum of political, moral and personal beliefs

Take the RNLI for example

Traditionally one of the most popular charities in the UK, they were publicly attacked by Nigel Farage for running a migrant 'taxi service' in the English Channel

However, rather than sustaining brand damage, donations actually went up from the usual daily average of £7k to over £200k in a single day. And it's likely that this spike was predominately newly acquired donors, motivated by seeing the RNLI take a clear moral and humanitarian stance in the face of cynical scapegoating.

Shared values, empathy, guilt and social identity were the likely emotional levers behind this, but more importantly, they were powerful enough to drive direct action



**SO... HOW DO WE USE
EMOTIONS POSITIVELY AND
PRACTICALLY IN CHARITY
COMMUNICATIONS?**



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**THINK ABOUT WHY PEOPLE DONATE
IN THE FIRST PLACE, AND REFLECT
SOME OF THIS IN YOUR
COMMUNICATIONS WITH THEM**

Personal connection / resonance

- Experience of a condition that has affected them or a loved one
- Honouring the memory of a loved one or pet who has passed away

Empathy

- Emotional response to seeing the suffering of others

Guilt

- Feeling more fortunate than others
- Awareness of global and regional inequalities

Social Identity

- Wanting to be seen as a "good person"
- Aligning with organisations that reflect your own moral or political values

Control / Agency

- Feel overwhelmed by world problems but aspire to "make a difference" through giving

Gratitude

- Wanting to "give something back" after personal success

Legacy

- Desire to leave a positive mark on the world
- Wanting to set an example for offspring

Immediate Emotional Reward

- "Warm glow" feeling from giving

Community Connection

- Feeling part of something bigger
- Social bonding through collective giving



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Imagine the emotional power of asking this at sign-up, then using that name / memory to personalise in-life comms...



BATTERSEA

MY DONATION IS...

- A general donation
- In memory of a pet
- In memory of someone

THIS SPONSORSHIP

- Is for me
- Is a gift for someone else



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But even without hard data variables and metrics, there are ways to build emotional cues into your creative...

These are some key psychological principles that charities can use to elicit an emotional response within creative copy and content

Some of these will already be very familiar to experienced charity marketers, but we'll explore each one and give some prompts on how they can be practically applied to the donor relationship

1. Identifiable Victim Effect

Focus on the individual, not generic statistics – e.g.

"Meet Lucy, who lives in Birmingham. She used our food bank last winter when her heating bills meant choosing between warmth and food. Thanks to donors like you, she could feed her children AND keep them warm."

2. Proximity & Similarity

Relatable experiences and situations resonate more – e.g.

"As a parent, you know the feeling of wanting to protect your child. For refugee mothers like Amira, that feeling drove her to make an impossible journey..."

3. Concrete details

Make it tangible and easy to comprehend / measure – e.g.

"£20 doesn't just 'help' - it provides three hot meals a day for a week for someone sleeping rough"

4. Empowerment

Provide evidence that this is 'making a difference' – e.g.

"Your monthly £20 has helped John attend 12 counselling sessions. He's now ready to start job training..."

AUTHENTICITY – WHY IT'S IMPORTANT, AND HOW TO DEMONSTRATE IT

Authenticity is a crucial element in building trust and emotional connections – especially for Gen Z, who are far more likely to demand honesty, transparency and a 'warts and all' / unvarnished view as a prerequisite

Here are some practical ways to embed this into your communications...



1. Real stories, real people

- Show the frontline reality without gloss or staging
- UGC
- Beneficiary voices and involvement in decisions

2. Financial Transparency

- Clear breakdown of spending
- Explanation of donation allocation vs overheads
- Real-time emergency appeal tracking

3. Community

- Two-way dialogue with supporters
- Donor community forums
- Volunteer networks



FINALLY, REMEMBER THAT DONORS DON'T ALL LOOK, THINK & ACT THE SAME

Profile them based on known transactional behaviours and an external life-stage / lifestyle attributes

Evaluate if they need different creative variants or bespoke journeys

Collect and act upon their channel preferences

Collect and reflect personal attributes in comms

Show that you listen

A close-up photograph of a woman with dark skin and braided hair, looking upwards and to the right with a thoughtful expression. Her hand is resting on her chin. The background is a plain, light-colored wall. The text 'THANK YOU' is overlaid in large, bold, orange letters across the lower half of the image.

THANK YOU

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/ Data protection reform for Charity Fundraising The Data Use and Access Bill

Chris Combemale, CEO, DMA

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Respect privacy



Be honest
and fair

100101
001011
101001

Be diligent with
data



Take
responsibility

Our code of conduct advocates for a customer centric approach to build trust and deliver marketing effectiveness.

DM /
Data &
Marketing
Association **A** / The driving
force of intelligent
marketing

Data Use and Access Bill Timing

- Ambition to complete full passage and Royal Assent by March/April
 - EU Adequacy terminates 27 June 2025
- Lords Committee Stage underway, 2nd meeting today 3.45pm
- Lords report stage and Third Reading January
- Commons February/March

Reforms that have been carried forward from DPDI

Issues that are important to DMA members which have been retained

1. The definition of direct marketing in GDPR and PECR
2. Reforms that establish greater certainty for legitimate Interests as a lawful basis, particularly attracting and retaining customers and donors
3. Reforms that clarify how data can be better use to support scientific research and technology development
4. Reforms that reduce the consent requirements for non-intrusive cookies
5. Reforms that update the law to enable beneficial, low risk automated decision-making while maintaining strong safeguards
6. Reforms that create a more flexible international data transfer regime
7. Reforms that modernise the structure of the ICO and ensure it considers the impact on innovation and competition
8. Reforms that establish Codes of Conduct in PECR and may be contained in the same document as a GDPR Code of Conduct.

Reforms from DPDI that have been removed in DUA

Issues that DMA members did not support or were neutral in DPDI

1. Reforms to the accountability framework
2. Reforms to Subject Access Requests (vexatious thresholds)
3. Exemptions to PECR for democratic engagement
4. Benefit fraud provisions
5. Centralised browser solutions for managing cookie consent

Issues that DMA members supported which have been removed from DUA

1. Extension of soft opt-in for email marketing to non-commercial organisations such as charities and trade associations
2. Exemptions to Records of Processing Activities and other administrative burdens from small organisations

/ Direct Marketing and economic growth

The definition in DPA 2018 has been added to GDPR and PECR

The communication (by whatever means) of advertising or marketing material which is directed to particular individuals

/ Legitimate Interests for fundraising and engagement

Article 6.1.f

Processing shall be lawful only if and to the extent that at least one of the following applies

(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

DPDI Amendment:

For the purposes of paragraph 1(f), examples of types of processing that may be processing that is necessary for the purposes of a legitimate interest include—

- (a) processing that is necessary for the purposes of **direct marketing**,
- (b) intra-group transmission of personal data (whether relating to clients, employees or other individuals) where that is necessary for internal administrative purposes, and
- (c) processing that is necessary for the purposes of ensuring the security of network and information systems.

/ Proportionality: Recital 4 GDPR

“The processing of personal data should be designed to serve mankind.

The right to the protection of personal data is not an absolute right; it must be considered in relation to its function in society and be balanced against other fundamental rights, in accordance with the principle of proportionality.

This Regulation respects all fundamental rights and observes the freedoms and principles recognised in the Charter as enshrined in the Treaties, in particular the respect for private and family life, home and communications, the protection of personal data, freedom of thought, conscience and religion, freedom of expression and information, **freedom to conduct a business**, the right to an effective remedy and to a fair trial, and cultural, religious and linguistic diversity.

/ Proportionality in case law: Experian

“Turning next to a detailed consideration of the law, **we observe that at recital 47, the GDPR recognises that direct marketing may (our emphasis) be regarded as a legitimate interest**”.

“With respect to the requirements of transparency, we find that (ICO witness) Mr Hulme’s evidence on this makes little sense. Given how it is defined, what is or is not transparent will be fact-specific and context related. The level of transparency required, for example, **when sharing intimate health details will not be the same as people consenting to the processing of, for example, data about their preferred supermarket**

In addition, in his cross-examination **Mr Hulme accepted that the scenarios set out in his witness statement as to how people would be distressed by the data processing were incorrect** to the extent that he accepted his evidence in his witness statement was “completely wrong, completely misleading and perverse”.

“Mr Hulme accepted also that the report that the Information Commissioner had compiled in respect to data broking, not specifically Experian, failed to present a balanced account of Experian’s processing and **he accepted it did not include any of the benefits of its processing for data subjects in wider society**”

“We accept also that in reaching a decision, the Commissioner and this panel must have regard to the regulatory decisions in **respect of the economy, the environmental impact and positive benefits for the consumers of processing** (which appear from Mr Hulme’s evidence not to have been taken into account in the enforcement notice).”

We are satisfied that the Information Commissioner got the balance wrong in terms of proportionality in exercising her discretion because the Information Commissioner had fundamentally misunderstood the actual outcomes of Experian’s processing

/ Consistency with EUCJ Case Law

The European Court of Justice has consistently ruled:

1. That any interest that is legal may be a legitimate interest
2. That no member state may limit the scope of legitimate interests
3. That the processing must be necessary to pursue the legitimate interest
4. That the processing proportionate and is balanced with any risk to the individual

A particularly powerful opinion was issued on 19 December 2018 by Advocate General Bobek in the Fashion ID case. In paragraphs 122 and 123 Bobek concludes “I would agree that marketing or advertising can, as such, constitute such a legitimate interest.”

In its judgement of 4 October 2024, the CJEU recognized that a wide range of interests can be considered a ‘legitimate interest’ under the GDPR

1. there is no requirement that the interests of the controller are laid down by law.
2. the CJEU is clear: “legitimate interests” can serve purely commercial interests

Data Protection Authorities in Austria and Italy have approved GDPR Codes of Conduct that base the processing of third-party data for print channels and B2B data on legitimate interests.

/ Cookies exemptions in Schedule 12

The government's objectives are to reduce the number of cookies consent banners as they have effectively become meaningless.

The schedule in DUA has greater clarity and detail than the similar clauses in DPDI

- * Strictly necessary
- * Statistical purposes for own use
- * Enhance website functionality
- * Security and software updates
- * Emergency assistance

The net effect of these exemptions is that websites who use cookies for first party relationships only and do not take advertising should be exempt from cookie banners, especially B2B websites and pure ecommerce sites

/ Automated Decision Making

“

DUA makes it easier to use automated decision making for beneficial, low risk processing and limits the strongest restrictions to special categories of data.

Any significant decisions based on solely automated processing may be made so long as the following safeguards are in place:

1. the individual is provided with information about the decision
2. the individual is able to make representations about the decision
3. the individual is able to obtain human intervention
4. the individual is able to contest the decision

A significant decision involving special category data may not be taken by a controller by solely automated processing unless:

1. it is based on an individual's explicit consent, or
2. the decision is necessary for the performance of a contract or required by law, and the processing is necessary for employment/social security or for substantial public interest

“Solely automated decision making” and “significant effects” are now defined within GDPR with the same meaning as in DPA2018

/ Campaign for email soft opt-in for charities

Amendment tabled on HoF by Lord Clement Jones, Baroness Harding and Lord Black with widespread support

Letter sent to SoS Kyle copied to Ministers and DSIT officials. DMA meeting with officials.

Supporting analysis by Wood for the Trees indicating £290 millions of increased donations per annum

Supporting PR campaign to charity and marketing press



The Hon. Peter Kyle MP
Secretary of State for Science, Innovation and Technology
300 Parliament Street
Westminster

25 November 2024

Dear Secretary of State,

Re: Extending the soft opt-in for email to charities (Regulation 22 of PECR)

The Data and Marketing Association is extremely supportive of the Data Use and Access Bill and the opportunities it creates for growth, improved public services and improving lives.

In our capacity as representatives of businesses across different industries, I want to make you aware of a significant remaining concern of the charity sector that, if addressed in the Bill, would be a significant opportunity for the government to help these vital organisations.

Clause 115 of the previous DPA Bill extended the 'soft opt-in' for email marketing for charities and other non-commercial organisations. The DMA estimates that extending the soft opt-in to charities would increase annual donations in the UK by £200 million based on analysis of 33.1 million donors by our member [GiveAid Group](#). At present, the DMA Bill proposals remove this. The omission of the soft opt-in from will prevent charities from being able to communicate to donors in the same way as businesses can. As representatives of both corporate entities and charitable organisations, it is unclear to the DMA why charities should be at a disadvantage in this regard.

Donors and volunteers to a charity have an external emotional connection to the cause they are supporting, whether that be saving children, animals, cancer research or a myriad of good causes. In 2023 the British Public donated £28 billion to charities including legacies. However, the cost-of-living crisis has made it significantly more expensive to deliver the services charities provide, and the recently announced increase in employer's national insurance is expected to cost charities £1.4 billion, making it an imperative for many charities to increase donations if they are to survive.

We understand the government has had to take tough decisions about the economy, including the rise in National Insurance for employers. While not a silver bullet, including the soft opt-in for email marketing for charities will help facilitate greater fundraising and go some way to mitigating the additional burden while demonstrating that the government understands the important work they do for society.

Many charities have written to the DMA seeking support for reinstating clause 115 of DPA Bill into the DDA Bill. Attached to this letter please find supporting statements from many charities. An amendment will be tabled in the Lords to reiterate what had been clause 115 in DPA and we hope that the government will support this amendment.

Best regards,

Christopher P Combès
Chief Executive Officer
Copy to: Baroness Jones, Chr's Bryant MP, Owen Rowland, Simon Westley, Robin Edwards

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Supporting statements from DMA charity members

Gregory Gray, Individual Engagement Director, Oxfam:

"The inclusion of the soft opt-in for charities in the Data (Use and Access) Bill would be of significant benefit to the UK charity sector, which has suffered a series of financial challenges post Covid-19. The commercial sector has benefited from soft opt-in since the implementation of the Privacy and Electronic Communications in 2003. It's now time to finally level the playing field for charities too and to allow them to similarly engage their passionate and committed audiences. This will correct the imbalance and will finally turn the tide, empowering them to generate increasing levels support for the causes they represent, at a time that their work has never been more needed."

Leah Miles, Director of Customer Transformation and Retention, British Heart Foundation:

"It would help to generate significant income for the sector and increase levels of public engagement with UK charities. Government has acknowledged the value of the charity sector in delivery of its few missions, which is welcome. The sector makes vital contributions to UK society, from delivery of services for some of the most vulnerable groups to funding pioneering research and providing much-valued information and support."

Alex Wathen, Fundraising Compliance Manager, WaterAid:

"In an increasingly challenging fundraising environment, the need for the soft opt-in has become urgent for charities to build meaningful relationships with their supporters without undue barriers. While businesses can leverage this option to communicate after a single transaction, charities are denied the same ability, even when a donor has actively chosen to support a charitable cause. This disparity suggests that a person's relationship with a charity is valued less than with a retailer – an implication that is far from reality and undermines the essential support charities need to carry out their vital work."

The soft opt-in offers charities a practical alternative to consent, enabling them to maintain communication with engaged supporters without the obstacles of repeatedly obtaining explicit consent. This helps charities [explore](#) their engagement and build a sense of community with their supporters. Importantly, supporters retain control over the communications they receive and can easily opt-out at any time."

Sarah Dutton, Chief Executive Officer, Diabetes Research & Wellness Foundation:

"The 'soft opt-in' would benefit us as a small charity, with limited resources, by enabling better engagement with donors and beneficiaries. It would support our need to drive more awareness and help us to generate fund-raised income to support our charitable activities, at a time when fundraising is challenging and demand for our support as high as ever. It could make a significant difference to future campaigns and stewardship programmes, meaning that we can concentrate on delivering more benefit to our diabetes patient and research communities."

Sally Doyle, Senior Fundraising and Marketing Compliance Manager, Macmillan:

"The inclusion of the soft opt-in for charities in the Data (Use and Access) Bill would be of significant benefit to the UK charity sector, which has seen significant impact due to the [cost-of-living](#) crisis and high inflation rates of recent years. It would finally provide a level playing field for charities given that the commercial sector has benefited from the soft opt-in since the implementation of the Privacy and Electronic Communications Regulations in 2003. It would generate significant income for the sector, and increase levels of public engagement with UK charities."

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Victoria Ingram, Head of Public Fundraising, Cancer UK:
"Email is an important tool for raising funds, but also one of the best channels for increasing our transparency with supporters and allowing them to see the impact their donation is making. A move to a soft opt-in to bring the charity sector in line with the commercial sector would not only help charities like us fundraise more effectively in a difficult economic [climate](#), but ensure our supporters who choose to regularly donate and engage with us feel more connected to our cause and have a better understanding of how we use their donations."

Karen Searle, Associate Director of Fundraising & Marketing, Macular Society:

"The Macular Society is the only UK charity dedicated to beating macular disease, the UK's biggest cause of sight loss, affecting around 1.5 million people in the UK. Email offers us a cost-effective way to contact the optimum number of supporters to raise funds to beat this disease. As present, less than 20% of our database have opted into email, should the soft opt-in [be added](#) based on our insight into contactable supporter rates across other channels, we would be able to target around four times as many supporters. Even with a small increase in response rates to such a change in volume of recipients, it would significantly uplift our income, thereby enabling us to support more people with Macular Disease and fund more research to find a cure."

Rudney Burns, Data Protection Manager, Young Lives VS Cancer:
"The extension of 'soft opt-in' for charitable purposes, as proposed in the previous Data Protection and Digital Information Bill, was widely welcomed, with many charities preparing for its introduction. Its omission from the current Bill is therefore disappointing."

Charities are not asking for special treatment, but rather an extension of the well-established rules that currently benefit commercial [organisations](#). This amendment could have a significant, if not transformative impact on charities' ability to fundraise effectively, enabling them to continue delivering excellent value and contributing significantly to sectors and causes across the economy and society."

Shabby Amin, Director of Fundraising and Marketing, Medical Aid for Palestinians:

"Charities like us use the soft opt-in to have a significant and positive impact for the charity sector, increasing income and driving engagement and loyalty with charity audiences. Our supporters, who choose to part with their money for causes aligned to their values, should be able to be communicated with easily and clearly regarding the impact they have had. Soft opt-ins enable charities to build stronger connections with supporters without requiring repeated consent, boosting fundraising and engagement and helping drive forward critical causes. For Medical Aid for Palestinians, this change would play a pivotal role in providing more sustainable income to expand our medical research in support of the health and dignity of the Palestinian people. This change would help maintain trust in our causes, growing loyalty whilst still allowing easy opt-out options for charity audiences."

Francesca Savage, Deputy Director of Public Income and Engagement, Save the Children UK:

"Supporters are at the heart of everything we do. If Save the Children UK could use the soft opt-in for marketing, it would allow us to connect with supporters more meaningfully by sharing relevant, timely updates that strengthen our relationships and demonstrate the impact of their contributions. We would use the soft opt-in responsibly, always giving supporters the choice to adjust their preferences at any time. Ultimately, this could transform relationships with supporters and enable us, together, to create lasting change for and with children."



Terry Naylor, Director of Digital, Data and Technology, RNLI:
"The charity sector is playing an increasingly critical role in delivering vital services and creating the social change that has a real impact on people's lives. Fundraising across the sector needs to grow to meet this demand. Extending the soft opt-in to charities will allow us to develop closer relationships with our supporters building greater engagement and generating more income, whilst always ensuring that individuals can still opt-out of communications at any time."

Craig Walker, Information Governance & Risk Manager, Diabetes UK:

"The commercial sector has benefited from the soft opt-in since the introduction of the Privacy and Electronic Communications Regulations in 2003. The extension of this benefit to the UK charity sector would at last provide a level playing field allowing charities to increase levels of engagement with the public and generate income. We strongly urge the government to reconsider its decision to omit this from the planned legislation."

Abi Corney, Head of Legacies and Single Gifts, Guide Dogs for the Blind Association:

"The charitable sector is an essential part of UK society, delivering services and support which all have come to rely on. However, the current economic climate sees a growing reliance on the services of charities, whilst they shoulder increasingly higher costs and at the same time experience a decline in the percentage of those donating to them. Enabling charities to [opt-in](#) the soft opt-in would further enhance their communication with engaged supporters, whilst helping to generate vital funds for the sector. Soft-opt-in would also divert funds from the current requirement of needing to repeatedly obtain explicit consent to contact supporters by email and enable charities to properly thank their supporters at less cost than using a printed letter."

Pete Meacham, Fundraising Operations Manager, MIND:

"MIND's ability to reach people who care about mental health is vital. We cannot deliver life-changing mental health services without the financial support we receive from the public. The fundraising environment continues to be extremely challenging, and the removal of the extension of soft opt-ins to charities makes it harder for charities to grow support for the difference they make to society. The continued omission of the soft opt-in rule to not-for-profits would have a significant impact on MIND's ability to expand the community of people who care about mental health and want to ensure that everyone has access to the support they need."

David Welch, Chief Executive Air Ambulance Charity Kent Surrey Sussex (KASS):

"The underlying principle of data protection law revolves around the reasonable expectations of those who data we're processing. It is challenging to engage meaningfully with our supporters via email, with such a broad application of the current regulations relating to direct marketing and consent. We firmly believe inclusion of the soft opt-in for charities will enable charities to deliver better more meaningful supporter experiences, aligned with the expectations of those individuals. Our own experiences have shown that, when legitimate interest is used for postal and telephone communications, where we are well-served in processing opt-out requests, the number of opt-out requests we get as a result are minimal."

More demand is being placed on the charity sector than ever before, and yet it appears with the soft opt-in, charities are being held to an unfair higher standard than that of other sectors, such as commercial retail. Positive supporter experience is shown to correlate with intention to support and, at a time that is particularly challenging for the sector, this will be a meaningful step towards generating sustainable long-term income."

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Nigel Lewis, Income & Engagement Compliance Lead, RNIB:

"The charity sector continually finds opportunities to make an impact across society within the boundaries of multiple regulatory bodies and an extremely challenging external climate. The inclusion of the soft opt-in to this Bill is another way we can responsibly engage with the public to provide our vital services. Our supporters and service users expect us to keep in touch with them, and they do not understand why we cannot do so in the same way as commercial [organisations](#), whether that is to provide our services, to understand more about what people need from us, or to raise the funds which we depend. Any legislation which [removes](#) the importance of charities and supports the work we do is wholly unacceptable."

Edward Brown, Fundraising Compliance Lead, Parkinsons UK

"We encourage the government to consider including the amendments to the Soft opt-in as previously proposed within the DPA Bill. There are certainly circumstances and opportunities that charitable [organisations](#) would like to responsibly explore, to increase awareness of their cause and generate support in a range of ways such as financial support, but also through volunteering and campaigning for their charity. It continues to be a situation where charities who are more likely to have a person's interest as an [opt-out](#) cause are not allowed to use the Soft opt-in for these purposes, where commercial sales companies can use it as a legal basis for communications."

John May, Chief Executive Officer, Cats Protection

"Cats Protection was disappointed that the recent Data (Usage and Access) Bill did not include the soft opt-in for charities. The decision will harm our fundraising efforts and make it harder to reach new audiences in an already challenging time for the sector. Including the soft opt-in would have helped us stay connected with potential supporters, boosting engagement across the cat community whilst respecting their right to opt at any time."



0203 666 666
info@woodfortrees.org
www.woodfortrees.org

19 November 2024

RE: UK charities missed out on £200m additional annual income without email marketing soft opt-in

Dear Mr Comandante,

On behalf of Wood for Trees, part of Saloon Group, I am writing in support of the Data & Marketing Association (DMA)'s letter to the Secretary of State for Science, Innovation and Technology, Peter Kyle, regarding the establishment of charity email marketing soft opt-in.

Clause 115 of the previous Data Protection and Digital Information Bill extended email marketing soft opt-in to charities, as well as commercial businesses. However, this clause has not carried over into the new Data Use and Access (DUA) Bill. In agreement with the DMA, we believe although the current bill offers huge opportunities for commercial growth and improvements for public services, individuals and communities, this disparity leaves charities severely disadvantaged.

At Wood for Trees, we provide, donate and fundraise for for funding UK charities. Our analysis indicates charities could potentially receive significantly more income – 3% additional income per year, equivalent to £200m for the sector overall (England and Wales) – from the establishment of charity email marketing soft opt-in.

This analysis considers transactional data from 13.3m supporters and is based on the latest voluntary income figure across charities (England and Wales) at £20m per annum.

However, without email marketing soft opt-in, charities currently have a contactable file of 20%. We would expect this to grow considerably over time, depending on the sector, especially with the delivery of improved supporter journeys from enabled email communications. We anticipate this could lead to an additional annual gain of £40m in the next 10-15 years.

Including the voluntary income figure for Scotland and Northern Ireland, we estimate this will increase these figures by 15%, adding the total to £200m of potential additional UK charity income per annum, from the establishment of email marketing soft opt-in.

/ Wood for the Trees Analysis

Over 13 million donors analysed from 20+ charities. Emailable contacts generate £35 more over the average lifetime of 7 years, than a non-emailable supporter.

20% of an average charity file is contactable by email. Commercial organisations that can rely on soft opt-in have an average contactable file is 30% – 70% depending on sector. Our assumption is that charities should be able to rely on 50% remaining opted-in

Our analysis shows charities should expect to increase their annual income by 3% at 50% opt-in rate. The latest voluntary income figure across all charities in England and Wales (only) is £28bn. The split between donations and legacy, that makes up voluntary donations is 30/70 respectively.

If we assume we can only influence the 'donation' element at 3% income uplift – the sector could generate an extra £252,000,000 per year more income. Including Scotland and NIR, these number would increase by 15% to £290,000,000 extra income per annum

However, we should also expect charities to be able to grow their legacy file by delivering a better support experience leading to an expected annual gain of £840,000,000 within the next 10 – 15 years.

/ Preservation of Lotteries for Charity Fundraising

A Gambling Commission Review in 2024 would have banned lotteries for charity fundraising, an essential mechanic used by many large and small charities to raise funds for their good works.

The Chartered Institute of Fundraising estimated lotteries raised **£345 million pounds** to good causes in 2019.

The DMA's intervention with the Gambling Commission was instrumental in preserving this source of fundraising for all charities preserving an important source of revenue and engagement with donors.

/ Open Discussion/Q&A

Chris Combemale, CEO, DMA

Tim Green, Principal Strategist, Paragon

Chanelle Evans, Senior Legal and Compliance Manager, DMA

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/ Closing Comments

Liz Curry, Data & Information Consultant, Liz Curry & Co

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