

# HOW THE COOKIE CRUMBLES: GDPR

## GENERAL DATA PROTECTION REGULATION

"The GDPR (General Data Protection Regulation) is a new EU policy... to significantly enhance the protection of the personal data of EU citizens and increase the obligations on organizations who collect or process personal data."

-HubSpot ([hubspot.com/data-privacy/gdpr](https://hubspot.com/data-privacy/gdpr))

### SMART COOKIE FAST TRACK (GDPR at a Glance)

- To protect users general personal information for data driven purposes.
- Seek explicit user consent to track and collect data.
- Tracking all data collection, processing, and transmission activities (audit purposes).
- Users rights to request, access, and update personal data.
- Users have right to be forgotten.
- Immediate reporting of breaches to the EU.
- Org requirements of how data is being managed, processed, and stored.

### KEY INGREDIENTS (Terms Cheat Sheet)

- **Data Subjects:** Your prospects and customers
- **Data Processing:** Any collection, recording, organization, structuring, storage, adaptation, alteration, retrieval, consideration, use, disclosure by transmission dissemination, erasure, or destruction of personal data.
- **Controller Organization:** Who controls the data
- **Lawful Processing:** The legally given authority to store a data subject's information with their consent which can be an explicit newsletter opt in, data processing to meet contractual obligations such as sending a quote, or processing for interests pursued by resellers.
- **Lawful Communication:** Lawful Communication is the actual communications you have with data subjects after they give the consent for lawful processing. This is your direct email marketing tactics and information. As long as you observe the data subject's rights, your communication will be able to be considered "lawful communication."
- **Right to be Forgotten:** This means that data subjects can request for ALL of their data to be removed and all data processing to stop. Often times CRM or CMS software will not permanently delete the data, so be sure your system has a GDPR compliant data deletion setup.

# · NOT YOUR GRANDMA'S · GDPR COMPLIANCE RECIPE

## BAKING TIPS (GDPR Tips)

- ☐ Keep data in a single location such as a CRM with GDPR complaint deletion – basically a data diet.
- ☐ Ensure you have legal basis for data processing.
- ☐ Don't burn yourself by not updating your privacy policy.
- ☐ Setup a cookie crumb trail of how you obtain, manage, and process data.
- ☐ Be prepared to report on how long you have kept data.
- ☐ Allow data processing for the right to be forgotten.

## THE BEST BATCH (Best Practices)

- ☐ For the love of freshly baked gooey deliciousness stop buying lists without validation!
- ☐ Be ready for hot out of the oven subject requests:
  - ☐ for personal info.
  - ☐ to easily update their own personal info to keep accurate.
  - ☐ to automatically delete data that your business no longer has a use for.
  - ☐ to quickly request deletion of their personal data.
  - ☐ to simply request that we stop processing data.
  - ☐ to easily request that their data be delivered to themselves or a 3rd party.
  - ☐ to easily object to profiling or automated decision making that could impact them.

## BATTER SOLUTIONS (Better Solutions)

- ☐ HubSpot - of course!
- ☐ Obtain a lawful basis for marketing.
- ☐ Allow users to explicitly opt into receiving (yummy chocolate chip) communication.
- ☐ If your users become lactose intolerant, give them the ability to opt out of communication.
- ☐ Ensure forms have a GDPR compliant consent checkbox. What kind of person denies cookies?
- ☐ Leverage bot technology to relay GDPR information to your website visitors. Automate the bakery!
- ☐ Keep it simple. Update your privacy policy to be written in laymen terms. Let's dip in!

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- ☐ Do you have a Cookie notification Banner? Just like you can't have cookies without the milk, you can't be GDPR compliant without a notification banner!
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