# Background

## Introduction

- The General Data Protection Regulation (GDPR) is new legislation that comes into effect across the EU on 25th May 2018.
- Its main effect for us is in relation to any personal data we hold
  - Applies to all personal data we hold - customers, vendors, access contacts, subcontractors, people who make enquiries, etc.
- This is essentially the information on a contact record (such as in Outlook or NAV)
  - Name, address, email, phone numbers, etc.

## Overview of GDPR Provisions

- We cannot hold any personal data without the subject's consent
  - Any personal data held must be treated as confidential
  - It must be deleted unless the consent is obtained
- We cannot use any data for sales or marketing purposes without the subject's consent
  - We cannot use initiate an interaction using a means of communication unless the subject has consented to using that means
- Consent cannot be assumed - it requires a specific opt-in with
- The consent must be informed
- We must update any personal data whenever the subject requests it
- We must update the subjects consent whenever requested
- We need to be very careful when sharing data

## References

### Website

There is an updated section on GDPR, Privacy & Personal Data Security on our website.
See at the bottom of the website under More Information:

There is a URL to go straight there: http://www.davidphillips.com/DataProtectionGDPR
You may wish to save this so you can send it to customers.

### External Policy Statement

- Customers can download a PDF version of our policy statement from there. This gives almost identical text to the website.
- It is a brief 2-page introduction and overview.
- All those who interact with customers should be familiar with this.
- Whenever customers (or anyone else) ask about GDPR or privacy, this is the first place you should direct them.
- Note that this statement and the web text is liable to be amended occasionally - particularly during the first month or two.

### Internal Policy

Our formal policy will be published in the Business Process Library on SharePoint and also on the GDPR section of our intranet.
This will go into much more detail about the measures we are taking to be compliant.

### Training

A training presentation on the impact of GDPR is published on the GDPR page of our intranet.

### Queries

If unsure about anything, ask your manager in the first instance.
If still unsure, email to GDPR@davidphillips.com.

# Steps to amend GDPR data

## 1. Whenever anyone asks to amend data or consent, ensure the person is who they say and that they are authorised to change it.

a. If in doubt, check. You can ask them to email to confirm the request. Or you can check the phone number.
b. All people are authorised to amend their own data but they may not be authorised to amend team information (e.g. AccountsPayable@... or PropertyManagement@... If in doubt, ask for the request to be emailed. You can also check with another contact or your manager about the request.
c. Note the overriding principle of confidentiality.

## 2. Other considerations

a. Owing to the slightly complex data relationships, there may be significant ramifications to entering/amending a consent. Consider these before proceeding.
b. If required, confirm with the subject.
c. See below for details

## 3. Amend the data in NAV

a. See below.

## 4. Confirm the new settings

a. Confirm back to the data subject if required
b. If relevant, notify anyone else who may wish to know. E.g. BDM, CAM, Customer management

# Amending GDPR Data in NAV

- NAV is the primary repository for all the GDPR data including consents.
- This is the 'master data' which must be kept updated.
- This is the data we will notify to the contact.

## Contact Cards & Customers

- All the personal data is held on the Contact Cards
- Note that there should be a Company Contact as well as one or more Person Contact for each customer.
- For most contacts (over 70%), the information on the Company Contact may well be the same as on one of the related Person Contacts
    - Particularly for private individuals
    - Generally not for businesses or organisations
- The data on a Customer record is linked to the related Company Contact
    - If any data on one is amended, it automatically updates the other
    - Likewise for vendors and related Company Contacts
    - You can navigate to the Customer from the Contact Card and *vice versa*
        - Click the Contact button at the bottom of the Company Contact card then select Customer/Vendor/Bank Account - note this does not work for a Person Contact
        - Similarly on a Customer Card, click the Customer button then Contact

## GDPR Consent Data

- There is a new GDPR tab on the Contact card.
- This applies equally to Person & Company contacts.
- Initially, all but the top field are not editable.
    - They are searchable/filterable.

### GDPR Consent Received Via

- Select how the contact informed us of the consent (or changed consent)
    - Use the drop-down box.
- This will then update the GDPR Consent Date field below with today's date.
- And the GDPR Consent Purpose field will then be editable
    - But only for the day of the GDPR Consent Date
    - To edit again, re-enter the GDPR Consent Received Via.

### GDPR Consent Purpose

- This field is used to show the purpose for which the subject consented to permit us to use the personal data
- Blank signifies that no consent has been given - i.e. Unknown
    - This is the default until the Purpose is first entered
    - Once consent has been given, it should never be changed to blank - it should always be updated to one of the listed consents
- Select the relevant consent
    - See below under Help Info for further details on what the options mean
- Unless the GDPR Consent is Basic Marketing, none of the Boolean (tick-box) Means Consent fields will be relevant

    - If Nil-Delete or Transaction Only, then the GDPR update is complete.
- If, as we would wish, the subject consents to permit us to carry out Basic Marketing, then go on to GDPR Marketing Means Consent

## GDPR Marketing Means Consent

- Tick/untick the relevant fields.
    - Note that the subject must positively opt in to each
- If you tick the coloured All Means field, then this will tick all the others.
    - You can then untick if you wish
    - If you untick any, then the All Means field will automatically be unticked.
    - And if you tick all the others, then the All Means field will automatically be ticked.
- If the coloured All Means field is ticked, it shows in green.
    - This one field signifies that the contact has given us full consent to use their personal data for sales and marketing purposes by any means of communication
    - If it is unticked, then it will be shown in red. This means that we have to be careful before initiating any sales or marketing interaction because the contact has refused us some consent.
        - This may be either that the subject has not consented to the Purpose of Basic Marketing or that the subject has withheld consent to one or more of the Means.

- If you amend the GDPR Consent Purpose field above to anything other than Basic Marketing, then these Means Consent fields will automatically be cleared and disabled.
- See below under Help Info for further details on what these fields mean
- Once the Means Consent has been entered, the update of the GDPR Consent information is complete.

## GDPR Help Information

As with the ATS/CAQ fields, we show little yellow [*i*] boxes beside each field with help information. These give the information below.
If you are on the phone to a contact, you can refer to these for a quick reminder of the significance of the fields.

## GDPR Consent Purpose

| | |
|---|---|
| **Blank** | Means the contact has not yet responded about consent. This is the default setting.<br>We should not allow this to continue – we should obtain a positive response from the contact about their consent.<br>If the field is still blank when we come to the next routine data cleansing, then we will treat as Nil - Delete. |
| **Nil – Delete** | Means the contact has responded to withdraw consent to keeping their personal data.<br>DO NOT INITIATE any sales or marketing interaction.<br>May contact by most appropriate means in relation to transactions (existing enquiries, quotes, orders, accounts, queries, etc.).<br>We will delete the contact from the system on the next cleansing occasion if all transactions are complete. |
| **Transaction** | Means the contact has given consent for the personal data to be held - but only for transactional purposes.<br>DO NOT INITIATE any sales or marketing interaction.<br>May contact by most appropriate means in relation to transactions (existing enquiries, quotes, orders, accounts, queries, etc.).<br>This is the GDPR Consent Purpose we request from vendors and other supplier-type contacts. |
| **Basic Marketing** | Means the contact has given consent to holding their personal data and opted in to permit us to use it for basic marketing as well as transactional purposes.<br>This is the highest level of consent we use. It is the GDPR Consent Purpose we typically request from customer and potential customer contacts.<br>Any marketing can come only from David Phillips companies and is limited as set out in our Privacy Policy – see website [enter URL].<br>Any interaction we initiate for sales or marketing purposes is limited to those means the contact has permitted. |

## GDPR Marketing Means Consent Header

We have included a 'text box' with the header GDPR Marketing Means Consent around the individual Boolean (tick-box) fields where the means are specified.
The help information here refers to the Means Consent generally rather than a particular Means.

| | |
|---|---|
| **GDPR Marketing Means Consent** | This applies only where the contact has given consent to 'Basic Marketing' - see GDPR Consent Purpose.<br>We MUST NOT INITIATE any sales or marketing interaction by any communication means unless the contact has specifically consented to it.<br>The contact must positively confirm which means of communication they to permit us to use for marketing purposes.<br>Note that this does not restrict us from using the most appropriate means of communication for existing transactions (enquiries, quotes, orders, accounts, queries, etc.). |

### Marketing Means Consent Fields

| | |
|---|---|
| **GDPR All Mktg Means Consent** | This is a shortcut for users to select or de-select all of the Means Consents below.<br>Note that this is not a Marketing Means Consent itself but gives a summary of the individual consents.<br>If all the Marketing Means Consents are permitted, it is green. Otherwise it is red. |
| **GDPR Email Mktg Means Consent** | This signifies that the contact permits us to initiate a sales or marketing interaction by email.<br>This covers any email from a David Phillips account and includes email marketing surveys. |
| **GDPR Phone Mktg Means Consent** | This signifies that the contact permits us to initiate a sales or marketing interaction by phone.<br>It includes telephone calls & SMS to any of the numbers recorded for the contact. |
| **GDPR Post Mktg Means Consent** | This signifies that the contact permits us to initiate a sales or marketing interaction by post.<br>It includes sending brochures, flyers, letters and any other print media to the address recorded for the contact. |

### Contact List

- The GDPR Consent information is also shown on the right of the Contact List view
  - From the Contact card, select F5 or the up arrow button in the ribbon at the top to see the List view
- As with the other fields and as in other Lists, you can search or filter here by any of these fields
- As in other Lists, you cannot edit in this view
  - But NAV will automatically open a Find dialogue box if you start typing in any field
- This is a very helpful way of finding duplicates
  - You may wish to Show Column for the Email and Phone number fields if these are not already visible for you

## Other Considerations

### Person & Company

- There are normally Person and Company Contacts for any customer.
- If the subject amends consent for one, consider whether they may wish to amend the other.
- This applies particularly to individuals where the data on the two cards is often very similar.

### Duplicates

- We have numerous duplicate Customers/Company Contacts for the same customer
  - Customers are linked to the related Company Contact
- Many of these are valid. E.g.
  - Estate agent branches
  - The customer wants separate NAV Customers for their different funds/budgets
  - Separate projects with different commercial terms for the same PRS/BTR developer
- Many others are not - we have simply set up a duplicate by mistake.
- If there is a duplicate customer, then there will be duplicate Company Contact data.
  - Search/Filter to check for others with the same personal details

- If the details are being corrected, check if these need to be amended on the duplicates too
  - If the consent is being updated, check if this applies equally to the duplicates
- If we have duplicate Company Contacts, then it is possible that each of them might have a Person Contact for the data subject underneath them
  - Again, check if amended contact details/consents might apply to any other person contacts
- Suggest filtering on the email as a good way to find any similar contacts whatever the relations in the system
- Alternatively, try using the Contact Search function for a 'fuzzy logic' search.

## Customers

- If the data subject gives a Purpose Consent of Nil-Delete against a Company Contact, this means that the related Customer will need to be deleted.
  - Check with the subject that this is their intention.
  - It may be that they wanted only to opt out of marketing.
- If so, the transaction history, Ship-to Addresses, etc. will all be lost. And all the data will of course need to be re-entered if they wish to request a new quote/order.
- If there is an unnecessary duplicate customer/Company Contact, we would wish for one to be deleted.
  - But check which is the one with the greatest or most recent history.
- If the customer has agreed any special terms, then these will be lost when it is deleted
  - These include credit account, CDG other than CDG-NIL, CPG other than LIST, special prices or discounts, exemption for charges, etc.
  - If the customer wishes to place another order, then they will be back on *pro forma* terms with regular prices.
  - They would have to go through a new application process to negotiate revised terms
  - It should be rare that a special customer would want to delete their account. Refer to the CAM & BDM.
- If the Person Contact is the Primary Contact for a Customer and requests to be deleted
  - Double check that they really want to be deleted - and not just opt out of Basic Marketing or amend their details
  - If so, see if another Person Contact should become the Primary Contact
  - The Primary Contact is the default Bill-to Contact on any SQ/SO.

## Deletions

- Customers cannot be deleted if there are:
  - any outstanding balances or open entries
  - any entries in any year that has not been finally closed (after audit)
  - This will be up to 18 months after the last entry has been closed
- This means that the related Company Contacts cannot be deleted until then
  - They will therefore remain on the system with GDPR Purpose Consent status Nil-Delete until then
  - The Company Contact cannot be deleted if there are any open opportunities against it (i.e. For any of the related Person contacts)
  - If the Company is to be deleted, presumably these will need to be closed as Lost.
- Person Contacts can normally be cleansed more quickly.
  - We will cleanse them every few months
  - But again they cannot be deleted if they have any open entries against their name
    - Opportunities, open SQs, SOs or SIs where they are the Sell-to or Bill-to Contact
    - If they have open opportunities, check if these need to be closed as lost

- Remember to notify all relevant people if a customer/contact has requested to be deleted - particularly if there are open balances, entries, orders or opportunities.  Also write Comments as appropriate.

## Unsure

- If unsure, check initially with the contact.
- If the situation is unclear, check with your manager.
- If there is a policy query, email GDPR@davidphillips.com.
- Remember also to notify the relevant BDM/CAM/customer manager where relevant.

## Comments

- If the situation is unusual or if you have checked with the subject, your manager or anyone else about how to proceed, make sure to record a note in the Comments against each applicable Contact.
- If the Purpose Consent is Nil-Delete, make a note against the Customer too.
    - You can just copy and paste the Comment from the Company Contact card.