

Direct marketing checklist

Obtaining consent for marketing

- We use opt-in boxes
- We specify methods of communication (eg by email, text, phone, recorded call, post)
- We ask for consent to pass details to third parties for marketing and name those third parties
- We record when and how we got consent, and exactly what it covers

Bought in lists

General

- We check that the seller is a member of a professional body (or is accredited in some way)
- We don't use bought-in lists for texts, emails or recorded calls (unless we have proof of opt-in consent within last six months which specifically named us)
- The product, service or ideals we are marketing are the same or similar to those that the individuals originally consented to receive marketing for
- We only use the information on the lists for marketing purposes
- We delete any irrelevant or excessive personal information
- We screen the names on bought-in lists against our own list of people who say they don't want our calls (suppression list)
- We carry out small sampling exercises to assess the reliability of the data on the lists
- We have procedures for dealing with inaccuracies and complaints.
- When marketing by post, email or fax we include our company name, address and telephone number in the content
- We tell people where we obtained their details
- We provide people with a privacy notice
- We tie the seller into a contract which confirms the reliability of the list and gives us the ability to audit

The seller can verify that the people on the list:

- gave specific consent to receive marketing from us;
- were provided with readily accessible, clear and intelligible information about how their contact details would be used (eg privacy notices were easy to find and understand);
- were offered a clear and genuine choice whether or not to have their details used for marketing purposes;
- took positive action to indicate their consent (eg ticked a box, clicked a button or subscribed to a service);
- gave their consent reasonably recently (within the last six months); and
- in the case of texts, emails or automated calls, gave specific consent to receive marketing by those means.

Marketing by mail

- We have screened the names and addresses against the Mail Preference Service
- The individuals on the list have at least given a general statement that they are happy to receive marketing from us
- Where the individuals haven't given specific consent, marketing is consistent with context in which the information was provided and concerns a similar product, service or ideal

Live calls

- We screen the numbers against the Telephone Preference Service (TPS) (or for corporate subscribers the Corporate Telephone Preference Service (CTPS))
- We keep our own do-not-call list of anyone who says they don't want our calls
- We screen against our do-not-call list
- We display our number to the person we're calling

Automated calls

- We only make recorded calls where we have opt-in consent
- We display our number to the person we're calling

Marketing by email or text

- We only text or email with opt-in consent (unless contacting previous customers about our own similar products, and we offered them an opt-out when they gave their details)
- We offer an opt-out (by reply or unsubscribe link)
- We keep a list of anyone who opts out
- We screen against our opt-out list

Faxes

- The individuals on the list have specifically consented to receiving marketing faxes from us
- We have screened their numbers against the Fax Preference Service (FPS)

At-a-glance guide to the marketing rules

Method of communication	Individual consumers (plus sole traders and partnerships)	Business-to-business (companies and corporate bodies)
Live calls	<ul style="list-style-type: none"><input type="checkbox"/> Screen against the Telephone Preference Service (TPS)<input type="checkbox"/> Can opt out	<ul style="list-style-type: none"><input type="checkbox"/> Screen against the Corporate Telephone Preference Service (CTPS)<input type="checkbox"/> Can opt out
Recorded calls	<ul style="list-style-type: none"><input type="checkbox"/> Consumer must have given caller specific consent to make recorded marketing calls.	<ul style="list-style-type: none"><input type="checkbox"/> Consumer must have given caller specific consent to make recorded marketing calls.
Emails or texts	<ul style="list-style-type: none"><input type="checkbox"/> Consumer must have given sender specific consent to send marketing emails/texts.<input type="checkbox"/> Or soft opt-in (previous customer, our own similar product, had a chance to opt out)	<ul style="list-style-type: none"><input type="checkbox"/> Can email or text corporate bodies<input type="checkbox"/> Good practice to offer opt out<input type="checkbox"/> Individual employees can opt out
Faxes	<ul style="list-style-type: none"><input type="checkbox"/> Consumer must have given sender specific consent to send marketing faxes	<ul style="list-style-type: none"><input type="checkbox"/> Screen against the Fax Preference Service (FPS)<input type="checkbox"/> Can opt out
Mail	<ul style="list-style-type: none"><input type="checkbox"/> Name and address obtained fairly<input type="checkbox"/> Can opt out	<ul style="list-style-type: none"><input type="checkbox"/> Can mail corporate bodies<input type="checkbox"/> Individual employees can opt out