

HOW CHARITIES ARE PREPARING FOR GDPR

RESULTS FROM IOF SURVEY SEPTEMBER 2017

KEY FINDINGS

- Over three quarters of charities are preparing for GDPR – but smaller charities are feeling much less ready with a third of small charities (33%) saying they haven't done anything to review data protection or get ready.
- A 'lack of clear guidance' is the most reported challenge across organisations of all sizes with 72% of respondents saying this is a challenge
- Internal skills, capacity and technology are significant challenges, with 47.7% of respondents saying they don't have the right level of internal skills or expertise in data protection – a more significant concern for medium and smaller charities than larger ones – while 38.9% are concerned about the limitations of admin/CRM systems and the cost of upgrades.
- Larger charities are more likely than smaller or medium-sized organisations to find 'Getting a joined up approach across the organisation' and 'getting support and direction from the Board' as challenges
- Charities are more likely to be using their legitimate interest for postal direct marketing than they are for telephone contact
- The three most common actions that charities have taken so far or are planning to take are:
 1. Discuss issues at Board/Executive level to agree a way forward
 2. Provide internal training for staff on data protection
 3. Have staff attend external training
- The three most common practical steps that charities have taken so far or are planning to take are:
 1. Review privacy policies and fair processing notices
 2. Undertake an audit of current practices and policies
 3. Taken steps to confirm supporters' preferences

ABOUT THE SURVEY

In order to find out more about how fundraisers are reviewing data protection and preparing for the new GDPR, an online survey was conducted between Monday 24th July and Monday 28th August.

The survey comprised on seven multiple-choice questions, and also provided opportunities for respondents to provide additional open comments.

WHO COMPLETED THE SURVEY

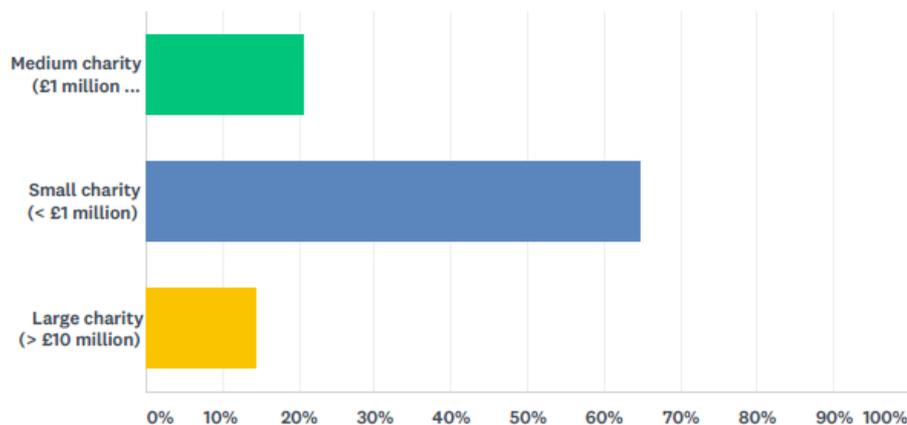
The survey was designed and promoted by the Institute of Fundraising through emails and social media channels. It was also more widely disseminated with the help of the Small Charities Coalition, hence the large number of responses from smaller charities outlined below.

We had 340 valid responses to the survey, the majority of which (63%) were on behalf of small charities – those with an annual total income of less than £1 million.

How is your charity preparing for GDPR?

Q1 To begin with, it would be really useful to know whether you're responding on behalf of a small, medium, or large charity. If you're a consultant or work for a company that supports charities, you can still take part in the survey though not all the questions might be as relevant to you. What is the size of your charity by total income?

Answered: 340 Skipped: 5



ANSWER CHOICES	RESPONSES
Medium charity (£1 million - £10 million)	20.78% 69
Small charity (< £1 million)	64.76% 215
Large charity (> £10 million)	14.46% 48
TOTAL	332

1. READINESS FOR GDPR

78% of charities say that they are thinking about and taking actions to get ready, with 22% reporting they haven't yet done anything to review data protection or get ready for GDPR (nearly all - 95%- of those who report they haven't done anything yet are smaller charities).

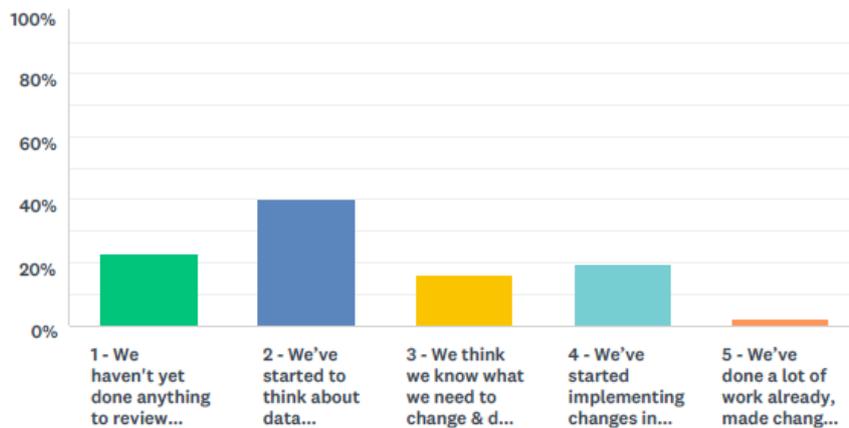
The vast majority of medium and large charities are thinking about GDPR or implementing changes, but smaller charities are feeling much less ready for GDPR with almost a third of small charities saying they haven't done anything to review data protection or get ready.

Half of large organisations have started to implement changes or feel they are ready, with a quarter of medium-sized ones at this stage and nearly all of the remaining organisations at least thinking about what the new changes mean even if they haven't taken any decisions or action yet.

How is your charity preparing for GDPR?

Q2 Which of the following statements describes best how ready your organisation is for GDPR?

Answered: 340 Skipped: 5

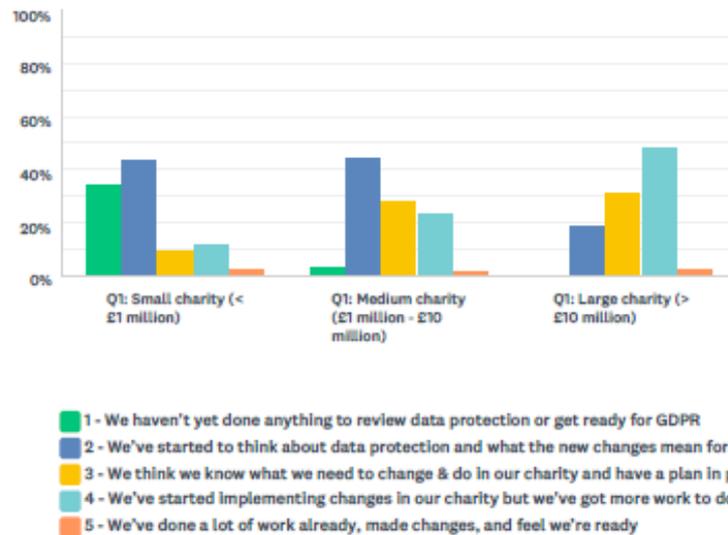


ANSWER CHOICES	RESPONSES
1 - We haven't yet done anything to review data protection or get ready for GDPR	22.65% 77
2 - We've started to think about data protection and what the new changes mean for us, but not yet taken any decisions or action	40.00% 136
3 - We think we know what we need to change & do in our charity and have a plan in place for this	15.88% 54
4 - We've started implementing changes in our charity but we've got more work to do before May 2018	19.41% 66
5 - We've done a lot of work already, made changes, and feel we're ready	2.06% 7
TOTAL	340

How is your charity preparing for GDPR?

Q2 Which of the following statements describes best how ready your organisation is for GDPR? (By charity size)

Answered: 329 Skipped: 3



	1 - WE HAVEN'T YET DONE ANYTHING TO REVIEW DATA PROTECTION OR GET READY FOR GDPR	2 - WE'VE STARTED TO THINK ABOUT DATA PROTECTION AND WHAT THE NEW CHANGES MEAN FOR US, BUT NOT YET TAKEN ANY DECISIONS OR ACTION	3 - WE THINK WE KNOW WHAT WE NEED TO CHANGE & DO IN OUR CHARITY AND HAVE A PLAN IN PLACE FOR THIS	4 - WE'VE STARTED IMPLEMENTING CHANGES IN OUR CHARITY BUT WE'VE GOT MORE WORK TO DO BEFORE MAY 2018	5 - WE'VE DONE A LOT OF WORK ALREADY, MADE CHANGES, AND FEEL WE'RE READY	TOTAL
Q1: Small charity (< £1 million)	33.80% 72	43.86% 93	8.92% 19	11.74% 25	1.88% 4	64.74% 213
Q1: Medium charity (£1 million - £10 million)	2.94% 2	44.12% 30	27.94% 19	23.53% 16	1.47% 1	20.67% 68
Q1: Large charity (> £10 million)	0.00% 0	18.75% 9	31.25% 15	47.92% 23	2.08% 1	14.59% 48
Total Respondents	74	132	53	64	6	329

Additional comments from those who have started to take action, detailed the following:

- “We have decided on an overall approach (to use a blend of Consent and Legitimate Interest depending on audience and channel) and have started planning what this looks like in detail, but we are still some way off finishing the plan, let alone starting implementation”
- “We have a GDPR project working group, a full time staff resource as project manager, and a few smaller sub-groups. We've started making plans for change in marketing and fundraising, and are reviewing practices elsewhere in the organisation in order to assess the highest risks and make recommendations. We will be writing new policies and awareness raising with staff training in the New Year.”
- “We're running an extensive data audit to help us make decisions for September.”

Others explained that the reasons they have not yet done anything (**22.5%**) was because:

- “Have not started to consider our current data protection policy but once the new legislation comes out we will carry out a review of our current policy.”
- “What little research we've done on this seems to indicate the principles of data protection aren't changing and haven't highlighted any specific actions we need to take.”
- “We don't have the time, and training is very expensive.”

2. CHALLENGES

The most reported challenge across organisations of all sizes is a ‘lack of clear guidance’ with 72% saying this is a challenge

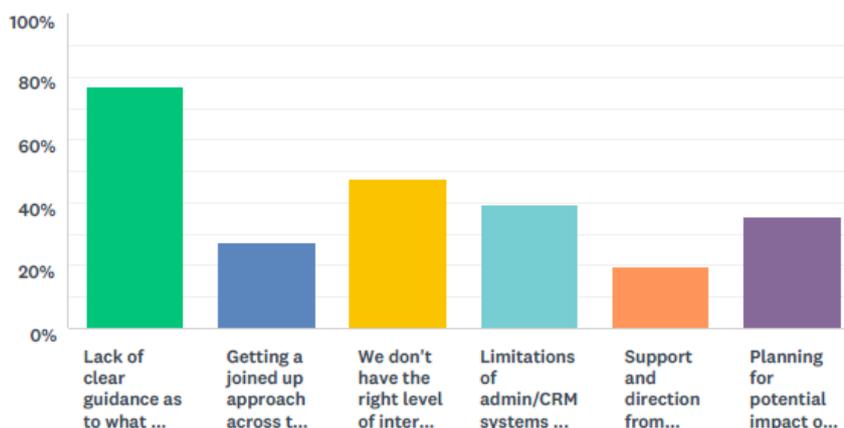
Internal skills, capacity and technology is also a challenge, with 47.7% of respondents saying they don’t have the right level of internal skills or expertise in data protection, while 38.9% are concerned about the limitations of admin/CRM systems and the cost of upgrades.

These internal issues seemed to present more issues for the larger organisations, with 48% of large charities reporting that ‘getting a joined up approach across the organisation’ was proving to be a challenge and 33% finding it difficult to get the right ‘support and direction from Executive or Board level’. This was comparable to 19.80% and almost 16% of small charities respectively. 35.5% were finding it challenging to plan for the potential impact that any changes would have on income and relationships with supporters.

How is your charity preparing for GDPR?

Q3 Which of the following, if any, have you found challenging in reviewing data protection and getting your organisation ready for GDPR? Choose as many as apply

Answered: 329 Skipped: 16



ANSWER CHOICES	RESPONSES	
Lack of clear guidance as to what the new legislation requires	77.20%	254
Getting a joined up approach across the organisation	27.05%	89
We don't have the right level of internal skills or expertise in data protection	47.72%	157
Limitations of admin/CRM systems or the cost of upgrades	38.91%	128
Support and direction from Executive or Board level	19.45%	64
Planning for potential impact on our income and relationships with supporters	35.56%	117
Total Respondents: 329		

	LACK OF CLEAR GUIDANCE AS TO WHAT THE NEW LEGISLATION REQUIRES	GETTING A JOINED UP APPROACH ACROSS THE ORGANISATION	WE DON'T HAVE THE RIGHT LEVEL OF INTERNAL SKILLS OR EXPERTISE IN DATA PROTECTION	LIMITATIONS OF ADMIN/CRM SYSTEMS OR THE COST OF UPGRADES	SUPPORT AND DIRECTION FROM EXECUTIVE OR BOARD LEVEL	PLANNING FOR POTENTIAL IMPACT ON OUR INCOME AND RELATIONSHIPS WITH SUPPORTERS	TOTAL
Q1: Small charity (< £1 million)	70.30% 142	19.80% 40	49.50% 100	37.62% 76	15.84% 32	24.75% 50	138.80% 440
Q1: Medium charity (£1 million - £10 million)	91.04% 61	38.81% 26	58.21% 39	40.30% 27	23.88% 16	58.21% 39	65.62% 208
Q1: Large charity (> £10 million)	83.33% 40	47.92% 23	29.17% 14	47.92% 23	33.33% 16	54.17% 26	44.79% 142
Total Respondents	243	89	153	126	64	115	317

Additional comments

Clarity of guidance:

- “We don’t have legal or DP expertise inside the organisation and there’s no-one on the Board who can help with this. It’s taking up SO much time that we’d rather be spending on supporting people and raising funds. I know it’s important but it’s really been a battle.”
- “The opt in v opt out debate has been driving us mad”
- “Nothing seems to be finalised which means we don’t know if what we are doing is the right thing.”
- “We have a concern that further clarifications from the ICO later in the year on legitimate interest could affect the decisions we have made.”
- “Opt in/opt out is still controversial. Some charities who are going to opt in are making others feel bad for sticking with opt out.”
- “We hope that we are doing the right thing in light of the training, but it feels like unknown territory and that even the ICO have not finalised what they want us to do!”

Internal skills, capacity and technology:

- “Lack of people, resources and funds - outdated, even non-existent systems and records (having a CRM is a distant dream for most!) - This makes it very hard for most charities and other civil society organisations to even think the changes through let alone act to make the changes they need to make.”
- “The biggest challenge for us is time. As a small team we’re already incredibly stretched so it’s incredibly difficult to find the time we need to devote to fully understanding, planning for and actioning our preparations for GDPR.”
- “Not only do we lack internal expertise, but more importantly we lack the staff capacity. The most relevant staff in our charity to research GDPR and propose a plan of action is also the most overstretched.”

3. WHAT ACTIONS ARE CHARITIES TAKING TO GET READY?

The three most common actions that charities have taken so far or are planning to take are:

1. Discuss issues at Board/Executive level to agree a way forward (227 responses)
2. Provide internal training for staff on data protection (208 responses)
3. Have staff attend external training (185 responses)

Larger charities are more likely to be recruiting new staff to work on data protection and seek external support from a data protection expert or get legal advice, whereas smaller and medium charities are more likely to be providing internal training for staff or have staff attend external event

How is your charity preparing for GDPR?

Q4 We'd like to find out a bit more about how you are responding to get your organisation ready. Which of the following have you done or are planning to do? Choose as many as apply

Answered: 273 Skipped: 72



	WE'VE DONE THIS, OR ARE DOING IT NOW	WE ARE PLANNING TO DO THIS	TOTAL RESPONDENTS
Provide internal training for existing staff on data protection	29.61% 61	73.30% 151	206
Recruit new staff to work on data protection	60.78% 31	45.10% 23	51
Staff have attended external training or conferences	75.00% 135	28.89% 52	180
Seek support from a data professional expert or get legal advice	61.31% 84	40.15% 55	137
Discuss issues at Board/Executive level and agree a way forward	50.00% 113	51.77% 117	226

4. PRACTICAL STEPS THAT CHARITIES ARE IMPLEMENTING

The three most common practical steps that charities have taken so far or are planning to take are;

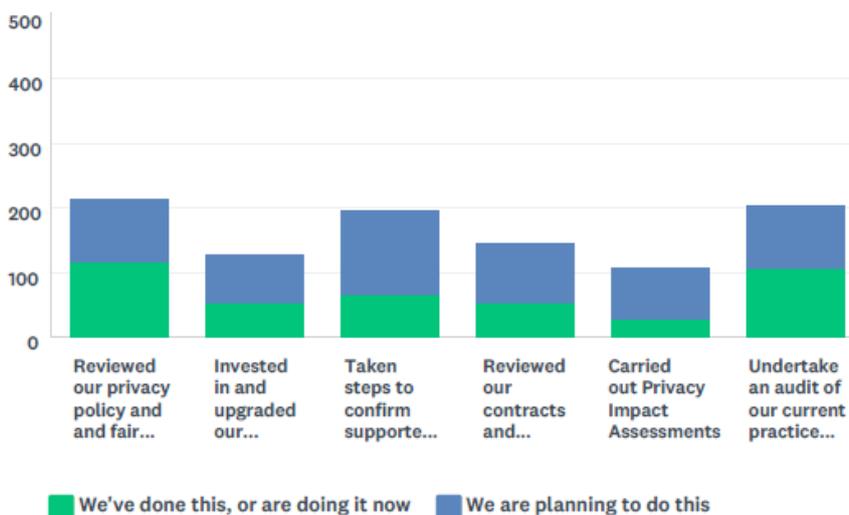
1. Review privacy policies and fair processing notices (213 respondents)
2. Undertake an audit of current practices and policies (200 respondents)
3. Taken steps to confirm supporters' preferences (196 respondents.)

Charities are more likely to have already carried out an audit of their practices and policies and reviewed their privacy policies and fair processing notices, while actions such as taking steps to confirm supporter preferences, review contracts, and make investments in CRM/databases are more likely to be actions they are planning to take in the future.

How is your charity preparing for GDPR?

Q5 And what practical steps has your organisation taken?

Answered: 251 Skipped: 94



	WE'VE DONE THIS, OR ARE DOING IT NOW	WE ARE PLANNING TO DO THIS	TOTAL RESPONDENTS
Reviewed our privacy policy and and fair processing notices that we provide to supporters	53.74% 115	47.20% 101	214
Invested in and upgraded our CRM/Admin systems	41.60% 52	60.00% 75	125
Taken steps to confirm supporters' communication preferences	33.16% 64	69.43% 134	193
Reviewed our contracts and agreements with partners and suppliers	36.62% 52	64.79% 92	142
Carried out Privacy Impact Assessments	25.47% 27	75.47% 80	106
Undertake an audit of our current practices and policies	52.74% 106	49.75% 100	201

5. CONTACTING SUPPORTERS BY POST AND TELEPHONE

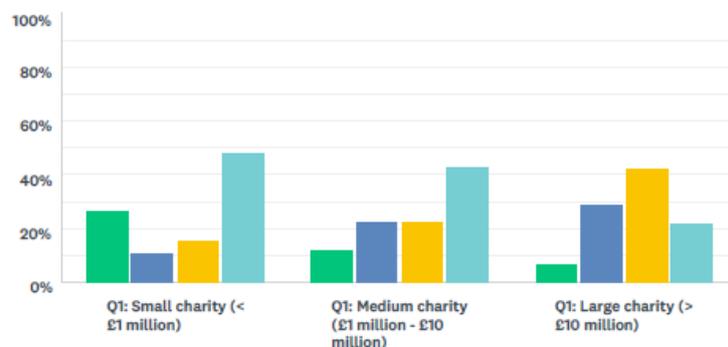
Half of the small charities that responded (48%) said that they hadn't decided whether they'd be using consent or legitimate interest to contact supporters by post. 26% indicated that they'd only be contacting supporters when they have their consent, and 25% say that they'd be relying on their legitimate interest or using either consent or legitimate interest for postal direct marketing depending on different campaigns and activities. For medium-sized organisations 44% said that they'd be relying on their legitimate interest or using either consent or legitimate interest for postal direct marketing depending on different campaigns and activities, with 12% saying that they'd only contact supporters with consent.

Larger charities are much less likely to be only contacting supporters when they have their consent (6%) with 29% saying they'd be using legitimate interest, and 42% saying they'd be relying on their legitimate interest or using either consent or legitimate interest for postal direct marketing depending on different campaigns and activities. A fifth of larger charities have still not decided which approach they'll take.

How is your charity preparing for GDPR?

Q6 Which of the following best reflects the approach your organisation is taking or likely to take for postal direct marketing?

Answered: 247 Skipped: 85



- We will only be contacting individuals by post for direct marketing where we have their consent
- We will be relying on our legitimate interest to contact individuals by post for direct marketing
- We will be using either consent or legitimate interest for postal direct marketing depending on different campaigns and activities
- We haven't decided yet which approach we'll take

	WE WILL ONLY BE CONTACTING INDIVIDUALS BY POST FOR DIRECT MARKETING WHERE WE HAVE THEIR CONSENT	WE WILL BE RELYING ON OUR LEGITIMATE INTEREST TO CONTACT INDIVIDUALS BY POST FOR DIRECT MARKETING	WE WILL BE USING EITHER CONSENT OR LEGITIMATE INTEREST FOR POSTAL DIRECT MARKETING DEPENDING ON DIFFERENT CAMPAIGNS AND ACTIVITIES	WE HAVEN'T DECIDED YET WHICH APPROACH WE'LL TAKE	TOTAL
Q1: Small charity (< £1 million)	26.39% 38	10.42% 15	15.28% 22	47.92% 69	58.30% 144
Q1: Medium charity (£1 million - £10 million)	12.07% 7	22.41% 13	22.41% 13	43.10% 25	23.48% 58
Q1: Large charity (> £10 million)	6.67% 3	28.89% 13	42.22% 19	22.22% 10	18.22% 45
Total Respondents	48	41	54	104	247

Charities of all sizes are more likely to seeking consent as a basis for telephone fundraising than relying only on their legitimate interest.

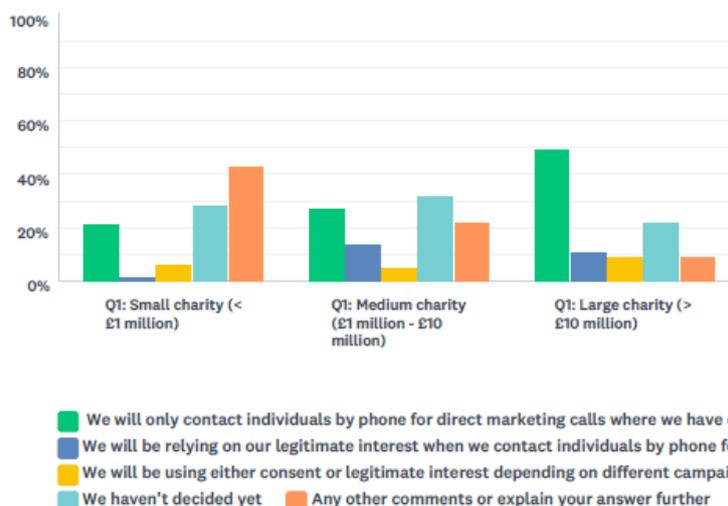
Almost half of the large charities (48%) that responded said that they would be only contacting supporters by telephone where they have their consent. Again, a significant proportion of charities - 28% of smaller charities and 32% of medium sized charities - say they are yet to decide which approach they'd take.

(NB nearly all the 'Other' responses indicated that these charities did not carry out telephone fundraising)

How is your charity preparing for GDPR?

Q7 Which of the following best reflects the approach your organisation is taking or likely to take for direct marketing calls by telephone?

Answered: 276 Skipped: 56



	WE WILL ONLY CONTACT INDIVIDUALS BY PHONE FOR DIRECT MARKETING CALLS WHERE WE HAVE CONSENT	WE WILL BE RELYING ON OUR LEGITIMATE INTEREST WHEN WE CONTACT INDIVIDUALS BY PHONE FOR DIRECT MARKETING CALLS (AND WON'T BE CALLING ANY TPS REGISTERED NUMBERS WITHOUT CONSENT)	WE WILL BE USING EITHER CONSENT OR LEGITIMATE INTEREST DEPENDING ON DIFFERENT CAMPAIGNS AND WHETHER OR NOT THE NUMBER IS TPS REGISTERED	WE HAVEN'T DECIDED YET	ANY OTHER COMMENTS OR EXPLAIN YOUR ANSWER FURTHER	TOTAL
Q1: Small charity (< £1 million)	21.51% 37	1.74% 3	5.81% 10	27.91% 48	43.02% 74	62.32% 172
Q1: Medium charity (£1 million - £10 million)	27.12% 16	13.56% 8	5.08% 3	32.20% 19	22.03% 13	21.38% 59
Q1: Large charity (> £10 million)	48.89% 22	11.11% 5	8.89% 4	22.22% 10	8.89% 4	16.30% 45
Total Respondents	75	16	17	77	91	276

Additional comments

“We were thinking only of the consent route, and with lack of much clear guidance as yet on the legitimate interest route, we may consider this. If there is insufficient guidance in the very near future, we may just have to bite the bullet on consent and go out to donors for this.”

“While we are relying on our legitimate interest, we are tightening a number of policies around this, including number of mailings and time period we believe this legitimate interest to last for. We will also be ensuring that continuous donor choice is provided at every stage (including at point of collection/first donation) for donors to change their contact preferences/opt out.”

“Our final decision will be subject to final guidance from the ICO and FR which we could really do with now!

“We are doing impact assessment modelling to help with our decision”

“Majority of supporter contact is via post. Efforts are being made to update preferences but consideration is still being given to how we will handle non-response“