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## [4] Lead generation for digital marketers

### Generating leads

*It's important to have your legal team write up an agreement to be signed by each sales lead vendor, providing an assurance they're in compliance with the GDPR before running any EU campaigns.*

Marketers should start by identifying all third-party sources using external lead forms. Then, make a simple table containing columns with these headings:

Sources/partners/vendors	Contact information	Compliance with GDPR/PECR	Compliance with cross-border data rules	Date for compliance to be fully implemented
In this column, list any source or partner that captures personal data from individuals in the EU, Switzerland and/or the U.K.	List the names and email address etc. of your contacts at the organizations in this column.	In this column, identify each source as either Y for "currently compliant" or N for "not yet compliant."	In this column, identify each source as either Y for "currently compliant" or N for "not yet compliant."	Date scheduled for compliance to be fully implemented: For those sources, partners and vendors that you marked with N's for "not yet compliant," find out when they will be ready, write that date in this column and

GDPR specifies that organizations must maintain clear records to demonstrate consent. One way to do this is to require your third-party sources to show you the landing pages and forms they're using to present your offers and capture prospect data. Again, companies will want to do this before they start generating leads for any EU campaigns.

GDPR clearly is presenting B2B marketers with some major hurdles, however, each of these challenges only serves to make lead generation better, more targeted and more customer-focused marketers — and that's a good thing.

### [Selling and buying marketing lists for campaigns](#)

*Companies and organizations may be subject to enforcement action if they can't demonstrate appropriate consent, including to the specific marketing activity proposed, becoming very difficult to prove when using third party personal data lists.*

The Information Commissioner's Office (ICO) in the UK makes it very clear that marketers can't just rely on an assurance – contractual or otherwise – from their list broker that the individual's consent is valid.

Under GDPR, it's the data buyer's responsibility to carry out due diligence on the broker to make sure:

- The personal data is current
- The data broker has permission from the individual to pass their personal data on to you
- The individual's consent for your type of planned marketing is valid
- The consent is recent enough to still be valid

Both the GDPR and the Data Protection Act 2018 create an onus on brand owners to understand the risks that they create for others, and to mitigate those risks. It's about moving away from seeing the law as tick box exercise and instead to work on a framework that can be used to build a culture of privacy that pervades an entire organization.

### Creating your own marketing lists

*Marketers may want to compile their own in-house marketing list using details of people who have bought goods or services in the past, or who have registered on their website or made an enquiry.*

Marketers shouldn't assume that everyone is happy to receive marketing just because they have provided their contact details in the past. Companies and organizations should make it clear upfront that they intend to use data subject's details for marketing purposes. The best way to get clear consent for marketing is to provide opt-in boxes that specify the type of messages they plan to send (e.g. by email, by text, by phone, by fax, by recorded call).

Companies should record when and how they obtained consent, and what type of messages it covers. If possible, companies should also record whether the customer is an individual or a company, as different rules apply<sup>1</sup>. If this isn't clear, assume they are an individual.

### Suppression lists

*Marketers must maintain a suppression list of people who've opted out or otherwise told the brand owner directly that they don't want to receive marketing material, similar to Canspam.*

Individuals may ask a company or organization to remove or delete their details from a database or marketing list. However, in most cases the company or organization should instead follow the marketing industry practice for suppressing the individual's personal data. Rather than deleting an individual's details entirely, suppression involves retaining just enough information to ensure that

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<sup>1</sup> There is still a distinction between B2B and B2C under PECR  
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