

Direct Marketing Policy (Soft Opt-in)

This document establishes the strategic framework for the charity to communicate effectively with its beneficiary community. It is designed to ensure the charity can fulfil its constitutional objective of providing a vital communications network while upholding the highest standards of data protection and respecting the communication preferences of every individual it serves.

Document Control

Item	Detail
Policy Title	Direct Marketing Policy (Soft Opt-in)
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1.0 Purpose and Legal Basis

A clear purpose and legal basis are essential for ensuring that all communications are lawful, respectful, and directly support the charity's mission as defined in its governing document. This section grounds all direct marketing activities in both the charity's core objectives and its statutory obligations, providing a robust foundation for compliance and ethical practice.

Purpose: This policy provides clear and consistent guidelines for all direct marketing activities undertaken by or on behalf of the charity. The guidelines are designed to ensure that the charity's communications are lawful, respectful, and effective. This directly supports the charity's constitutional object, as stated in Clause 3(5) of its governing

document: "To provide a communications network to disseminate news and information throughout the beneficiary community."

Legal Basis: All direct marketing activities are governed by a strict legal framework. This policy is based on the requirements of the following primary legislation:

- The UK General Data Protection Regulation (UK GDPR)
- The Data Protection Act 2018
- The Privacy and Electronic Communications Regulations 2003 (PECR)
- The Equality Act 2010

This legal framework provides the foundation for the policy's specific scope, which defines precisely who and what is covered by its rules.

2.0 Scope

A comprehensive scope is vital for the effective implementation of this policy, ensuring that everyone connected with the charity understands their obligations. This section defines precisely which individuals and what activities are covered by the policy to ensure the consistent application of these rules across all operations.

This policy applies to all direct marketing communications undertaken by or on behalf of the charity, including but not limited to emails, text messages, and postal mailings. The policy covers:

- Trustees
- Staff (if any are appointed)
- Volunteers
- Contractors or third parties acting on behalf of the charity
- All beneficiaries and other individuals whose data is processed for marketing purposes.

This comprehensive scope underpins the Board of Trustees' formal declaration of its commitment to lawful and respectful communication.

3.0 Policy Statement

The Policy Statement is the Board of Trustees' formal declaration of its commitment to lawful, fair, and respectful communication practices. It serves as the guiding principle for all direct marketing activities, establishing the standard for the entire organisation's approach to engaging with its community.

The charity is committed to respecting the privacy and communication preferences of its beneficiaries, supporters, and stakeholders. The charity will only engage in direct marketing that is lawful, fair, transparent, and directly supports its charitable objects as

laid out in its Constitution. We will ensure that individuals have clear control over the communications they receive and can easily opt out at any time.

To ensure the consistent application of this statement, it is essential that the key terms used throughout this policy are clearly understood.

4.0 Definitions

This section defines the key terms used throughout the policy to ensure a shared and unambiguous understanding among all trustees, volunteers, and contractors. This clarity is essential for the correct and consistent application of the procedures that follow.

Term	Definition
Beneficiary Community	As defined in Clause 3(1) of the charity's Constitution.
Direct Marketing	Any communication of news, information, or requests for support that is directed to specific individuals. For the charity, this directly supports the fulfilment of its constitutional object to provide a communications network with information on support services, heritage activities, research, and remembrance events.
Soft Opt-in	A rule under the Privacy and Electronic Communications Regulations (PECR) that permits the charity to send marketing emails or texts to individuals where their contact details were obtained in the course of them engaging with the charity (e.g., requesting support or information). This is conditional on them being given a clear opportunity to opt out at the time of data collection and in every subsequent message, and the marketing must be for similar charitable purposes.
Existing Contact	An individual who has previously engaged with the charity and provided their contact details in the process. Examples include individuals who have received financial assistance, participated in heritage activities, or contacted the charity to request information.

Personal Data	Any information relating to an identified or identifiable individual, as defined under the UK General Data Protection Regulation (UK GDPR).
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5.0 Procedures

These procedures are the core operational guide for implementing the policy, providing mandatory, step-by-step instructions for all direct marketing activities to ensure legal compliance and protect individuals' rights. Adherence to these steps is the primary mechanism by which the Board demonstrates and audits its compliance.

1. Applying the Soft Opt-in for Electronic Marketing (Email & SMS)

- The soft opt-in rule may only be used where an individual's email address or mobile number was collected during the course of them engaging with the charity's services or activities.
- At the point of data collection, every individual must be provided with a clear and simple opportunity to opt out of receiving future marketing communications.
- All electronic marketing messages sent under the soft opt-in must be for purposes similar to those for which the contact details were originally collected (e.g., news about support services, heritage events, research updates, or remembrance activities).
- Every electronic marketing communication sent must contain a clear, prominent, and simple one-click "unsubscribe" link or an equivalent, easy-to-use mechanism to opt out.

2. Postal Marketing

- Marketing communications sent by post are conducted on an "opt-out" basis, relying on the charity's legitimate interests as the lawful basis for processing.
- All postal communications must include clear and simple instructions on how an individual can opt out of receiving future mailings (e.g., by providing a contact email address or phone number).

3. Recording Marketing Preferences

- The charity must maintain a central and accurate record of all individual marketing preferences.
- Any request from an individual to opt out or unsubscribe from marketing communications must be actioned promptly and, in all cases, within a maximum of 28 days of receipt.

4. Vulnerable Beneficiaries

- Given the charity's beneficiary community includes people and their families, who may have experienced significant health and social challenges, special consideration must be given to ensure marketing

communications do not place undue pressure or create distress for potentially vulnerable individuals.

6.0 Roles and Responsibilities

This section assigns specific responsibilities to ensure clear accountability for the policy's implementation and oversight. A clear allocation of duties is essential for effective governance and compliance.

Role	Responsibilities
Board of Trustees	The Board holds ultimate responsibility for the adoption and oversight of this policy. It must ensure that the charity has the appropriate resources and processes in place to comply with all direct marketing regulations.
Data Protection Officer (DPO)	The DPO (an ordinary Trustee appointed by the Board of Trustees) is responsible for advising the Board on compliance with data protection law, providing guidance on marketing initiatives, handling marketing-related complaints, and acting as the primary point of contact for the Information Commissioner's Office (ICO) on these matters. This role must be exercised with full impartiality, and measures will be taken to manage the potential conflict of interest inherent in the Trustee holding this position, ensuring independent data protection oversight.
Volunteers / Staff	All volunteers and any future staff are responsible for understanding and adhering to the procedures outlined in this policy when handling personal data or sending communications on behalf of the charity.
Third-Party Contractors	Any contractor engaged to conduct communications or process data on the charity's behalf must be contractually bound to comply fully with this policy and all relevant data protection legislation.

7.0 Implementation

This section outlines the practical steps the charity will take to embed the policy into its culture and operational framework. A formal implementation plan is necessary to ensure the policy is not just a document, but a lived practice.

- **Timeline:** This policy is effective immediately upon its formal adoption by the Board of Trustees.
- **Training:** All Trustees, and any relevant volunteers or contractors involved in communications, will receive training on the requirements of this policy within three months of its adoption to ensure a thorough understanding of their responsibilities.
- **Resource Allocation:** The Board will ensure that adequate resources are allocated for maintaining an accurate and centralised system for recording and managing all marketing preferences.

8.0 Monitoring, Review, and Reporting

This section establishes the formal process for ensuring the policy remains effective, compliant, and fit for purpose over time. Continuous monitoring and periodic review are critical governance disciplines.

- **Key Performance Indicators (KPIs):** The policy's effectiveness will be monitored through key metrics, including the number of marketing-related complaints received and the unsubscribe rates from electronic communications. These metrics will be tracked to identify any areas for improvement.
- **Reporting:** The Data Protection Officer (DPO) will provide a report to the Board of Trustees at least annually on direct marketing compliance, detailing performance against the KPIs and any incidents or complaints.
- **Review Schedule:** This policy will be reviewed by the Board of Trustees annually, or more frequently if there are significant changes in legislation, Charity Commission guidance, or the charity's operations.

9.0 Related Policies and Documents

This policy operates as part of an integrated governance framework and should be read in conjunction with other key documents to ensure a comprehensive and consistent approach to compliance.

- Data Protection Policy
- Privacy Notice
- Subject Access Request (SAR) Policy
- Data Breach Notification Policy
- Complaints Handling Policy
- The charity's Constitution