

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 ensure that we have consent if we make marketing calls about claims management services.
- We ensure that we are authorised if we make marketing calls in relation to pension schemes and that we have the person's consent to call them (unless contacting our existing customers if they would expect the calls, and we offered them an opt-out when they gave their details and each time we contact them).
- 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<input type="checkbox"/> Consumer must have given caller specific consent to make marketing calls about claims management services<input type="checkbox"/> Pension schemes calls only if authorised and have consent or meet existing customer criteria	<ul style="list-style-type: none"><input type="checkbox"/> Screen against the Corporate Telephone Preference Service (CTPS)<input type="checkbox"/> Can opt out<input type="checkbox"/> Consumer must have given caller specific consent to make marketing calls about claims management services
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