



a GDPR Handbook





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What is GDPR



- The General Data Protection Regulation (GDPR) is a new legal framework that sets guidelines for the collection and processing of personal data of individuals within the EU
- GDPR applies to companies that:
 - are in the EU
 - are outside the EU, but sell to EU citizens or EU companies
 - have employees in the EU
- GDPR requires businesses to be transparent about:
 - what data they capture and store about a person
 - the ways in which they use that data
- GDPR grants the following rights to people about whom the data is collected:
 - Right to deny storing or processing their data
 - Right to request for a copy of the data, or
 - Right to request that the data be purged
- GDPR comes into effect on May 25th, 2018

Why GDPR



Empower

Strengthen individual's rights to protection of their data



Secure

Keep pace with technology, and enhance protection against unwanted use of personal data



Unify

Harmonize data protection laws inside and outside the European Union

Key principles of GDPR



Any data that is collected or controlled must pass the following tests, else it must be deleted:

- **Processed lawfully, fairly and in a transparent manner in relation to individuals.**
You need to be upfront with using an individual's data in a lawful manner and let individuals know why and how you intend to use the individual's data.
- **Collected for specific, legitimate purposes and not further processed in a manner that is not in line with the specific purposes.**
After showcasing transparency in how and why an individual's data is used, you mustn't use the data for any other purposes.
- **Adequate, relevant and limited to the purpose for which the data is being collected.**
You shouldn't collect data that has no purpose. For instance, you needn't collect information about height, age, religion, etc. if it has no connection to what your business deals with.

Key principles of GDPR



Any data that is collected or controlled must pass the following tests, else it must be deleted:

- **Accurate and up to date.**
You must take every step to ensure that personal data that is inaccurate is rectified without delay.
- **Data is stored in a form which permits the identification of data subjects for no longer than it is necessary.**
There are some exceptions to this, like where data is stored for the benefit of public interest.
- **Processed in a manner that ensures appropriate security of the personal data.**
Data collected must always be protected against unauthorised or unlawful processing, accidental loss, destruction or damage, using appropriate measures.

Data processing and penalties



- **Grounds for processing data**

If you've passed the first set of tests, you now need to establish grounds for being able to process an individual's data. These must include one or more of the following:

- Consent
- Performance of a contract
- To comply with legal obligations
- To protect the interests of the data subject or other people
- To perform a task in the public interest
- Legitimate Interest

- **Penalties**

- Maximum fine of up to 4% of your annual global turnover or € 20 Million (whichever is greater) for serious violations
- Serious violations include not having sufficient customer consent to process data
- Tiered approach to penalties
- For instance, you may attract a 2% penalty for violations such as not conducting an impact assessment, or not notifying a supervising authority about a breach.

GDPR makes businesses customer centric



GDPR improves customer experience, by helping businesses to:

- **Get a full view of each customer**
 - Audit your customer data and unify the siloes of customer information spread across multiple teams say sales and support
 - This visibility empowers you to engage with customers in ways they prefer, to respond to their requests at times of need and even proactively nurture them
- **Talk to the people who want to hear from you**
 - Forget Spray and Pray
 - Focus and reach out to individuals who need you. You'll see a lot more positive responses this way
- **Be more empathetic. Build trust with your customers**
 - Put yourself in the shoes of a customer. You wouldn't want to give your data to someone who uses it or sell it to other businesses without your consent
 - Be proactive and showcase the steps you are taking towards both compliance and customer centricity. Choose vendors who have the same approach towards GDPR. Your customers will appreciate it
- **See this compliance as an opportunity**
 - An opportunity to collect your data through the right channels, store your data with the customer rights in mind and to deliver customer experiences that make them go 'wow'

How CRM can help in GDPR compliance



Sales Activities	What GDPR compliance requires	How CRM can help
Contact management	<ul style="list-style-type: none">- Be upfront and let individuals know how and why you intend to use their data- You mustn't use the data for any other purposes- You shouldn't collect data that has no connection to what your business deals with- Define a reasonable time for data storage depending on your specific business needs	<ul style="list-style-type: none">- Include explicit Opt-in and Opt-out- Collect and store only information that is required to carry out business with the customer: Name, address, and email information- Avoid collecting data / information that is not relevant or required (e.g., height, age, religion)- Delete personal data as per GDPR requirements
Bulk emailing	<ul style="list-style-type: none">- Gain permission to email the individual by stating what you intend to do with the email address- Record when you got access to the email address- The individual can choose to stop receiving emails at any point of time	<ul style="list-style-type: none">- Include an explicit Opt-in to gain permission, understand the individual's interests and send only relevant emails- Store when and how the consent was recorded- Include an Opt-out option in all emails to let individuals unsubscribe

How CRM can help in GDPR compliance



Sales Activities	What GDPR compliance requires	How CRM can help
Phone calls	Accountability for the calls made by capturing: <ul style="list-style-type: none">- When the call was made- Duration of the call	<ul style="list-style-type: none">- Include an option to Record calls (ONLY after explicit consent)- Track duration and timing of call
About individual's rights and requests	<ul style="list-style-type: none">- An individual can request for access, rectification, deletion and portability of their personal data / information	Efficient record management: <ul style="list-style-type: none">- Mention where, when and how the records entered into your system- Ease of data identification- No record duplication- Option for data export

How Freshsales complies with GDPR



Existing Product Capabilities

- **Unsubscribing a contact from Emails:** Freshsales already has a field called “Do not disturb” which will restrict sending bulk emails to these contacts and warns the user while sending an individual email. We will make it easier to Unsubscribe a lead or contact by giving the option in the quick actions (3-dots).
- **Rectify lead or contact information:** If a lead or contact requests to change or update any of their information, then you can use “Edit” option on lead or contact to rectify the information.
- **Complete Data Export:** We already have an option to completely export all the data present that gives an complete export of all the data with Freshsales of the particular account.
- **Permanently Deleting Freshsales account:** We already have “Cancel Account” feature which deletes all your data stored with Freshsales. You can choose to delete your account with Freshsales, and we will delete all your data within Freshsales and your data shared with third parties completely within 30 days of raising the request.

How Freshsales complies with GDPR



New Product Capabilities

- **Opt-in option in Web forms:** Web forms will have an option to include “opt-in” check boxes to record the consent.
- **Opt-in option in Emails:** If you follow double opt-in process or need to re-collect consent, you most probably will need an option to collect consent through email. We have made this easy by giving an option to include “opt-in” link in your email.
- **Storing the consent details:** GDPR also states that you should be able to show when, how and for whom the consent was recorded. To assist in this, we are adding a new activity in activity timeline. Which means, whenever you subscribe (or unsubscribe) a lead or contact, it is shown in the activity timeline. The activity on the timeline will have information regarding when the action was performed, what was the source (Web forms, emails, or manual) and for which lead the action was performed.
- **Easy data export:** Under GDPR, an EU citizen can request a copy of their data anytime. To comply with such requests we are introducing an option to export complete data of a particular lead or contact on the respective landing page. This will make your life easy by enabling you to export a lead or contacts data with one click.

How Freshsales complies with GDPR



New Product Capabilities

- **Forget Lead or Contact:** Under GDPR, an EU citizen can request to be completely deleted from your system. To comply with such requests we are introducing an option to “Forget” a lead or contact. Selecting this will completely delete the particular lead or contact data from Freshsales.
- **Restrict sending emails when unsubscribed:** We will introduce a new setting for Admins that will prevent Freshsales users from sending emails to those leads or contacts with the "Do Not Disturb" field checked.
- **Including Unsubscribe option in Emails:** Under GDPR, a lead or a contact should be able to unsubscribe at any time. To enable this we are providing an option to include an unsubscribe link in individual emails too. We already have this option for emails sent via bulk emails and sales campaign.
- **Disabling auto profile enrichment:** If you don't have required consent or your leads and contacts don't want their social profile to be shown in Freshsales, we are providing an option to disable Auto-profile enrichment. This option is available under Admin Settings -> CRM Settings.

How Freshsales complies with GDPR



New Product Capabilities

- **Restrict Export of Reports:** We will introduce a new setting that will prevent the users from exporting the reports. This setting will be at a user level, which means an admin can choose who can export reports and who cannot.
- **Restrict “permanently deleting” a record:** We will introduce a new setting that will prevent the users from permanently deleting (Forgetting) a record. This will give admin control over which sales agent can delete a record completely.
- **Delete User:** Not just a Contact or Lead, but a Sales agent can also raise a request to be completely deleted from Freshsales. We are introducing a “Delete User” feature that will delete the Freshsales user completely from Freshsales and the third party providers we might’ve send the user’s data to.

Freshsales - GDPR FAQ



Q. How will GDPR affect sales teams?

Aligning sales processes with GDPR

The GDPR requires transparency around data collection and processing. Both sales and marketing teams should also make sure the data software in use can handle requests from individuals who wish to exercise their rights under the new legislation. Sales should handle data that has consent. They must know when and how the data was collected and what it can be used for. These individuals should have agreed to be contacted by the sales teams. Sales team should use CRMs like Freshsales that can handle requests around access controls, data portability and processing, and deletion.

Training to manage customer queries on data

When the GDPR comes into effect, it will give customers a lot more control over their relationship with you. They'll have the right to access, update, port and delete the data you hold about them. With "Right to access" and "Portability," customers can request a copy of their data at any given point in time. For e.g., if a customer asks you what they have signed up for, how their data is being used or shared across the organization, you should be able to share that with them. Every member of the sales team will need to be trained on these customer rights and the system should empower them to give the right responses.

Freshsales - GDPR FAQ



Q. How will GDPR affect sales teams? (contd.,)

Improved process rigor

With explicit opt-ins in place, the list of prospects that you can reach out to may come down. But this helps zero in on leads who are truly interested in you, which then leads to better conversion percentages in the long run. Use the CRM to your advantage. Maximise opportunities within the list you have to start with. E.g., Features like [Lead Scoring](#) can help you focus on the right leads who are more likely to convert, while [Sales Campaigns](#) in Freshsales can help you start meaningful conversations with your prospects through well thought out automated emails. Your CRM should be able to help you optimise your sales funnel and get the most out of it.

Q. Does GDPR require to move my data to the EU data center?

The GDPR does not require EU personal data to stay in the EU, nor does it place any new restrictions on transfer of personal data outside the EU. GDPR only mandates that such transfers be legitimized through any of the mechanisms provided in the regulation. Some ways of legitimizing transfers are through EU-US Privacy Shield Certification and Model Contractual Clauses. Freshworks uses both ways to legitimise data transfers. However, if your organization's policy requires you to store data in the EU, you can choose from available [Freshsales plans](#) for options.

Freshsales - GDPR FAQ

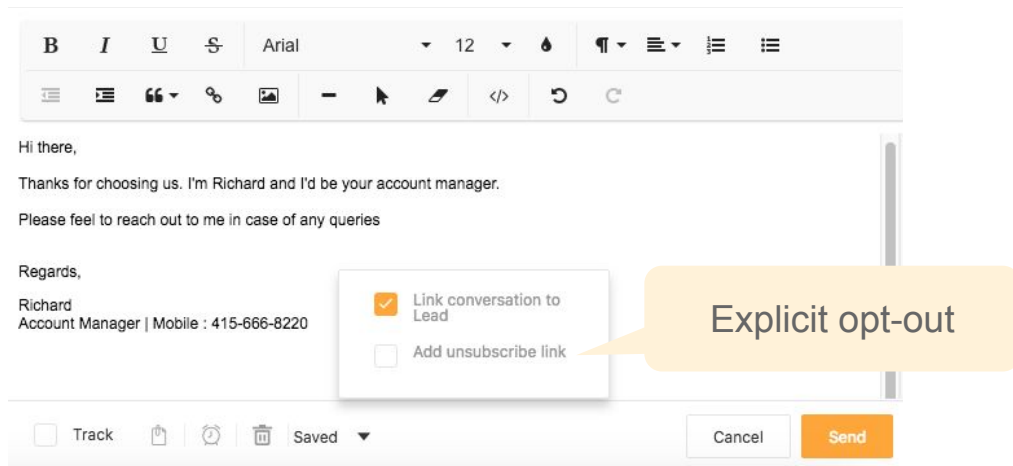


Q. How to include unsubscribe link or opt-out option in every sales email?

GDPR mandates that every prospect should be able to unsubscribe or opt-out from your sales or marketing emails. To enable this we are providing an option to include an unsubscribe link in all the emails you send via Freshsales.

You will have the option to include “unsubscribe” link in the compose window.

- Click on more option at the bottom of the compose window
- Check the “Include unsubscribe link” option. That’s it!



Freshsales - GDPR FAQ



Q. How to create GDPR compliant web to lead or contact forms? (lead generation)

We have introduced an option to include “opt-in” checkboxes along with an editable text area. You can use the “opt-in” check box to record consent of the lead (or contact) and use editable text area to inform the purpose of consent.

- Go to Web forms in Admin
- Create an new web form or edit an existing one
- Select “Include opt-in option” in the drop down
- Edit the text you want to include along with “opt-in” box to inform the lead or contact why you are asking the consent for.

Include opt-in checkbox at the end of the form to get consent from the users for further communication ⓘ *

Don't include opt in checkbox ▲

Don't include opt in checkbox

Include opt-in checkbox

I agree to receive communication on newsletters, promotional content, offers and events.

Explicit opt-out

Freshsales - GDPR FAQ



Q. How leads or contacts can be deleted as per GDPR requirement?

A lead or contact can raise a request to be permanently be deleted from Freshsales. In GDPR parlance, this is know as Right to be Forgotten. We have developed a new feature meets GDPR requirement in deleting the lead or contact. To use the feature follow below steps:

Create an new web form or edit an existing one

- Go to lead's or contact's landing page you want to completely delete
- Click on quick actions menu (3-dots)
- Click on “Forget” option
- Confirm the action and the lead or contact will be deleted as per GDPR requirement

The screenshot shows a contact record for Jane Sampleton (sample), Sales Manager at Widgetz.io. The record includes fields for Owner, Department, Work, Has authority, Territory, Address, Unqualified reason, Email, Mobile, Do not disturb, Time zone, and Zipcode. A quick actions menu is open, showing options like Clone, Delete, Add call log, Add to campaign, Remove from campaign, Add sales activity, Unsubscribe, and Forget. The 'Forget' option is highlighted with an orange box, and a callout bubble points to it with the text 'Delete option'.

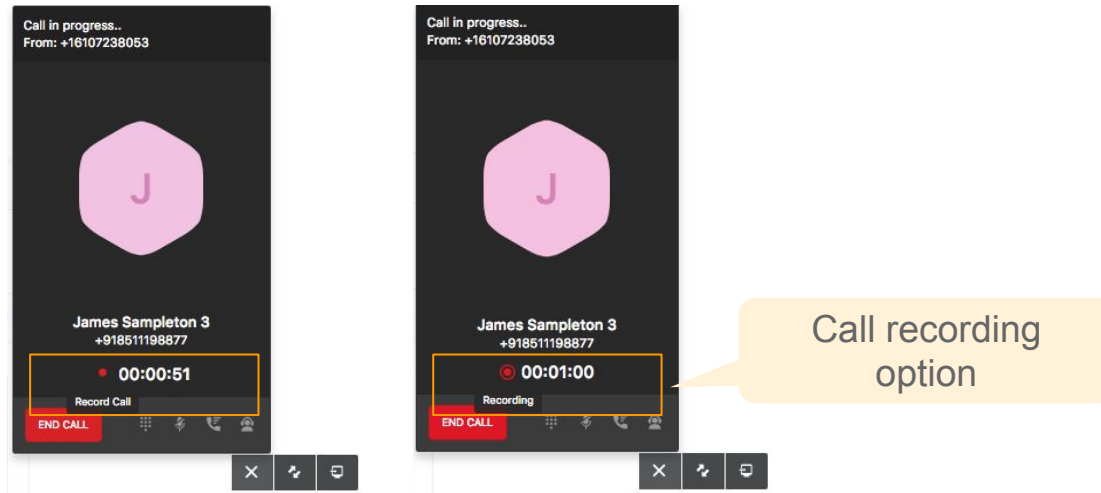
Owner	Richard R	Unqualified reason	Not av
Department	Sales	Email	janesa
Work	(368) 493-2360	Mobile	1-926-
Has authority	No	Do not disturb	No
Territory	USA	Time zone	(GMT-
Address	604-5854 Beckford St.	Zipcode	10065

Freshsales - GDPR FAQ



Q. How to get consent from user before recording a call?

Most of the company don't collect consent while collecting the lead information. If in some case you need to record the call, you can do so by first requesting for the consent explicitly and only record once the lead or contact provides the consent.



[Check out more Freshsales specific GDPR FAQs](#)

Relevant Resources



To help you, we've rounded up some of the best resources that we've come across while doing our research. Using these resources you can better understand the GDPR, what it means for you and use that to get yourself as prepared as possible for the GDPR:

- [The EUGDPR Website](#)
- [GDPR made searchable by Algolia](#)
- [GDPR Checker by Siftery Track](#)
- [GDPR Email Copy](#)
- [The Ultimate GDPR Quiz](#)
- [GDPR in 3 minutes](#) [Video]
- [EU GDPR: A Pocket Guide by Alan Calder](#) [Paperback/Kindle]
- [10 ways to prepare your organization for GDPR](#) [Article]
- [What does the GDPR mean for global data protection?](#) [Infographic]

Disclaimer: This document is provided for informational purposes only and should not be relied upon as legal advice or to determine how GDPR might apply to you and/or your organisation. We encourage you to obtain independent professional advice, before taking or refraining from any action on the basis of the information provided here.



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