

What is GDPR?

General Data Protection Regulation (GDPR) is a set of guidelines and regulations aimed at protecting the user data of EU citizens.

The general guiding principle of GDPR is that users should have control over their personal data and that companies need to provide transparency about how personal information is stored and processed. For example, if a user signs up for a new service, the company would need to tell the user that their information is stored on their servers (and what protections are in place to safeguard this data), cookies may be used to track their activities, their data could be provided to third parties, etc. This regulation has binding legal force and will go into effect May 25, 2018.

Under the GDPR, the burden of proof that sufficient consent has been given lies with the company. This means that companies will need to prove and show reasonable evidence that they have complied with the GDPR if they are challenged.

Main Requirements of GDPR

- Add disclaimers to all forms, asking users to agree to the site's privacy policy before form submission.
- For email signups, per GDPR guidelines: an affirmative action signaling consent may include checking a box on a website, "choosing technical settings for information society services", or "another statement or conduct" that clearly indicates consent to the processing. Silence, pre-checked boxes, or inactivity are not adequate.
- Update privacy policy to indicate all the ways their personal data will be used and stored.
- Re-verify that users have opted to be a part of an email list. This can be accomplished by creating a re-permissioning campaign to bring an existing subscriber database up to GDPR standards.
- Provide users with a way to download their personal data and to request that their data be deleted from your system(s).
- Implement a plan for breach notifications, which are required to happen within 72 hours of the discovery of a breach.



Who is Affected by GDPR?

In general, GDPR applies to any organization operating within the EU, as well as any organization outside the EU which offers goods or services to customers or businesses in the EU. At a more granular level, the new regulation applies to companies in the EU processing any personal data and companies outside of the EU that are processing personal data of the individuals in the EU, including customers, prospects, employees or website visitors (if personal data is being tracked by cookies or other means). For example, if you are a U.S. company sending emails to subscribers in the EU, GDPR applies to you.



Penalties for Non-compliance

The maximum fine of **20 million euros or 4% of worldwide revenue** – whichever is greater – is for infringements of the rights of the data subjects, unauthorized international transfer of personal data, and failure to put procedures in place for or ignoring subject access requests for their data.

GDPR Privacy Policy Examples

The screenshot shows the Trello website's 'Legal' section. At the top, there's a 'Log In' button and a green 'Sign Up' button. Below the 'Legal' header, there are links for 'Terms of Service', 'Privacy Policy', 'DMCA', and 'Operations and Security'. The 'Privacy Policy' link is selected. The main heading is 'Trello Privacy Policy'. A red box highlights the text: 'The revised privacy policy will be effective starting on May 25, 2018'. Below this is the section 'What this policy covers', which states: 'Your privacy is important to us, and so is being transparent about how we collect, use, and share information about you. This policy is intended to help you understand:'. A red box highlights a list of links: 'What information we collect about you', 'How we use information we collect', 'How we share information we collect', 'How we store and secure information we collect', 'How to access and control your information', 'How we transfer information we collect internationally', and 'Other important privacy information'. Below the list, a paragraph explains the scope of the policy. A red box highlights the final sentence: 'If you do not agree with this policy, do not access or use our Services or interact with any other aspect of our business.'.

Trello Privacy Policy

The revised privacy policy will be effective starting on May 25, 2018

What this policy covers

Your privacy is important to us, and so is being transparent about how we collect, use, and share information about you. This policy is intended to help you understand:

- [What information we collect about you](#)
- [How we use information we collect](#)
- [How we share information we collect](#)
- [How we store and secure information we collect](#)
- [How to access and control your information](#)
- [How we transfer information we collect internationally](#)
- [Other important privacy information](#)

This Privacy Policy covers the information we collect about you when you use our products or services, or otherwise interact with Trello (for example, attending Trello events), unless a different privacy policy is displayed. This policy also explains your choices about how we use information about you. Your choices include how you can object to certain uses of information about you and how you can access and update certain information about you. **If you do not agree with this policy, do not access or use our Services or interact with any other aspect of our business.**

Effective date

Sections for requirements of GDPR

Notice for those who do not agree with policy

Other privacy policies to reference



<https://trello.com/privacy-updated>

<https://www.checkmarket.com/privacy-policy/>

<https://twitter.com/en/privacy#update>

<http://www.sage.com/company/privacy-notice-and-cookies>

Visual Examples of GDPR Compliance

Phone

Company

Employees

Country

☐ I agree to the [Master Subscription Agreement](#).

☐ Yes, I would like to receive marketing communications regarding Salesforce products, services, and events. I can unsubscribe at a later time.

By registering, you confirm that you agree to the storing and processing of your personal data by Salesforce as described in the [Privacy Statement](#).

[Start my free trial](#)

* Salesforce Customer Success Metrics Survey, conducted 2015-2017 among 7000+ customers randomly selected. Response sizes per question vary.

Agreement to privacy policies prior to form submission.

Email *

Website

☐ Save my name, email, and site URL in my browser for next time I post a comment.

[Post Comment](#)

Additional permissions to store information in cookies prior to comment submission.

Disney account

Disney MOVIE REWARDS

We need to periodically update the consent you gave when you joined our service, so Disney Movie Rewards can continue to share information regarding your account, video titles and video descriptions. We share this information with The Walt Disney Family of Companies and third party service providers for many reasons, including to optimize our services for you. Simply click the button below to update your consent:

I continue to authorize Disney Movie Rewards to share information regarding my account, video titles and video descriptions with The Walt Disney Family of Companies. I understand that Disney Movie Rewards, including their respective third party service providers, will use the information in accordance with the privacy policy and applicable terms and conditions of The Walt Disney Company.

[I agree](#)

[I do not agree](#)

Re-affirming consent for users who have previously had data collected, but have not been notified about how their data is used or processed.

Action required: Update your email subscription

MH Themes <newsletter@mhthemes.com> on behalf of MH Themes <newsletter@mhthemes.com>

IS Team

Monday, May 14, 2018 at 11:31 AM

[Show Details](#)

[MH THEMES](#)

You may have heard about the new General Data Protection Regulation ("GDPR"), that comes into effect May 25, 2018. To help comply with GDPR consent requirements, we need to confirm that you still would like to receive content, news and updates from us in the future.

We hope that our content is useful to you. If you'd like to continue hearing from us via email, please update your subscription settings.

[Update Settings](#)

[f](#) [t](#) [v](#) [p](#)

Example of a verification email requiring people to re-verify to remain on an email list. The original opt-in method may not have been in compliance with the GDPR.

OTHER GDPR NOTES

WordPress Admin Updates

For those sites that utilize WordPress, admin updates will be coming that provide GDPR-specific functionality (dedicated privacy policy page management and the ability to honor user data export requests).

The screenshot shows the WordPress admin dashboard with the 'Privacy Tools' section active. The left sidebar contains navigation links for Dashboard, Posts, Media, Pages, Comments, WooCommerce, Products, Appearance, Plugins, Users, Tools (highlighted), Available Tools, Import, Export, Privacy, Settings, and Collapse menu. The main content area is titled 'Privacy Tools' and includes a 'Privacy policy page' section with a link to 'Edit or view your privacy policy.' Below this is a 'Select another page for your privacy policy' section with a dropdown menu set to 'Privacy Policy' and a 'Set Page' button. The 'Personal Data Export Requests' section features a table with columns for Email, Requested, Verified, and Export File Actions. The table lists four requests from 'allendav@emma.localdomain' and 'allendav@allendav.com' on March 16, 2018. Each request has a 'Download' and 'Send via Email' action. Below the table is an 'Add New Request' section with a text input field and an 'Add New Request' button. At the bottom, there is a message: 'Thank you for creating with WordPress.' and a note: 'You are using a development version (5.0-alpha-42125-src). Cool! Please stay updated.'

Email	Requested	Verified	Export File Actions
allendav@emma.localdomain	March 16, 2018 10:51 pm	-	Download Send via Email
allendav@emma.localdomain	March 16, 2018 11:02 pm	-	Download Send via Email
allendav@emma.localdomain@gmail.com	March 16, 2018 11:51 pm	-	Download Send via Email
allendav@allendav.com	March 16, 2018 11:56 pm	-	Download Send via Email

These and other GDPR-related changes will be implemented into WordPress v4.9.6 which is due to be released in mid-May and WordPress v5.0 which is due out in later 2018.

OTHER GDPR NOTES

Google Analytics Data Retention

Beginning on May 25, 2018, Google Analytics is implementing a new data retention policy to better allow companies to be in compliance with the GDPR. The default setting for data retention that Google has implemented across all Google Analytics accounts is 26 months. This setting can be changed to never remove data. This only affects specific types of data, such as anonymous user data and custom segments.

Some companies may be implementing data retention policies and will be using the new data retention setting in Google Analytics to be in compliance.

The data retention settings are under Settings > Property > Tracking info > Data Retention.

The screenshot displays the Google Analytics Admin interface, divided into two main sections: ADMIN and USER. The ADMIN section on the left includes options for Account (with a '+ Create Account' button), radiology.ucsf.edu, Account Settings, User Management, All Filters, and Trash Can. The USER section on the right includes options for Property (with a '+ Create Property' button), http://radiology.ucsf.edu, Property Settings, User Management, and Tracking Info. The Tracking Info section is expanded, showing a list of settings: Tracking Code, Data Collection, Data Retention (highlighted with a red box), User-ID, Session Settings, Organic Search Sources, Referral Exclusion List, and Search Term Exclusion List.

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