GERMANY & SWITZERLAND TELEMARKETING & CONSENT GUIDE

How to Successfully Call DACH Companies
German and Swiss people **need security, trust and quality**. DACH companies might feel alarmed when they see foreign phone numbers! It might be better to setup a VoIP phone number that looks like you're calling from the country you're targeting. Your call-to-connect rates will improve.

The below is a summary of how the calls need to be conducted to ensure GDPR Compliance.

Every call participant must consent to be recorded. Implied consent is not acceptable. A caller must actively consent to be recorded. This should be built into the script.

Simply taking part in the call after being informed is not considered explicit consent so consent must be verbally given and accompanied by the recording.

If you plan on sending an email for follow up you must also gain consent for that purpose.

Unless you have recorded the conversation (and thus also the consent to send an e-mail), you can repeat what the prospect has consented to during the call in the e-mail follow-up.

Remember to include:

- your purpose
- the reason why you're following up by email
- what you have agreed on during the conversation, and
- the possibility to opt-out if the prospect objects to any further contact.

Ensure that all parties are informed that they will be recorded – both the subject and the agent. It's a bit tricky, especially when you do the outbound calling. But it's possible.

Practically, you need to notify the person you intend to record and get consent off-the-record before you have permission to record the conversation. When you start the recording, ask the person to confirm that they consent to the recording.

A way of doing this is to make a recap on your agreement, e.g., by saying: "…As we agreed, I have started the recording now…" or "I need you to confirm that we agreed on recording this conversation…"

It's a good idea to provide your agents with a comprehensive script with clear instructions on collecting the consent in the right manner to avoid any misunderstandings in the process.

Collecting the data and seeking permission from the individual

GDPR revolves around correctly seeking permission to collect, store and use personal data. The most typical example for seeking permission is through a web form - including a link to a privacy statement or in a follow-up email.

Under GDPR, individuals have the right to be informed about what data you collect, why you are collecting it and how you intend to use it.

But that's not all, Individuals also have the right to be informed about the purposes of processing their data and the period for which their personal data will be stored (you can read more about the individuals rights under article 13 and article 14).

So, if you haven't obtained their consent at the time you have collected their personal data, you must inform them – **within 30 days of obtaining the data** – that you have done so and the purpose for why you are keeping their personal data in your system.

When you collect personal data such as an email address, not only do you need to inform the individual that you have stored it, but you also need to make sure that your prospects actively 'opt-in' or choose to join a specific email list before you start sending them marketing messages.

Simply put:
You cannot assume that you have permission to send mass email campaigns just because you have their email address.

At this stage, it is worth repeating that each time you add a new prospect to your CRM database, you'll need to get their consent before you can start sending them promotional offers.

So, while you are on the call with the prospect, just ask them if they would like to receive newsletters. If they say yes, you can send them a link to a "manage my subscriptions" page where they can opt-in to specific news, content and updates.

The challenge with cold calling is that it can be difficult to document their consent, unless you record a call with a prospect. To overcome this, you can follow up the call with an email that sums up everything you have discussed.

In this email, make sure you include:

- The purpose of why you called them,
- What was agreed during the call,
- Why you are following up by email.

Here's an example what this email could look like.

Cold call follow up template

Hi John,

This is just a quick email to follow up on our call earlier today.

The reason for the call was to invite you to our next webinar on the topic of GDPR.

As mentioned on our call, we've just rolled out new GDPR specific features that will allow you to register consent for new contacts, and record the legal base. I understand you're busy this week, so here's the link that you asked for me to send you to our next webinar, which takes place on May 22nd, 2018.

www.superoffice.com/webinars/gdpr

We also discussed monthly newsletters. You can opt-in receive the type of emails that interest you most by clicking the link below. Use the same link to unsubscribe (anytime you want):

www.superoffice.com/manage-subscriptions

Speak to you soon!

Warmest regards,

Jennifer Lim Lund

Each time you send an email with this information, make sure you store it in your database under the prospect's details. If the prospect responds and asks to be removed from your mailing list, then you have to comply with their request.

How Long Can I Keep The Data?

No longer than necessary. As soon as necessity has expired, you need to erase the data.

And how long is necessary, you may ask? Well, if you have a good reason to keep the data, it's necessary.

"Nice to have" is not a reason – and always make sure that the data lives up to the compliance mentioned above. Ask yourself why it's important for your business to keep data and consider anonymizing any personal data that's no longer necessary to keep. We'll get back to that.

Consent expires when it has been inactive for a year.

Prevent Things From Going Wrong

It's always a good idea to set up clear workflows and use a script when calling – both when it comes to B2B and B2C sales. It makes it much easier for your agents to remember and fulfill your legal obligations and ensure documentation is completed properly. It also helps establish efficient processes and workflows that make it easier for subjects to opt in and out.

There are five relevant points:

- Individuals have to agree to the collection of their personal data during the call.
- They must know how and when that data is collected
- People must be able to request copies of their data
- These individuals also must be able to ask for their data to be edited or deleted
- They must explicitly agree to be contacted by salespeople