



Frequently Asked Questions: GDPR Compliance for S&MS Customers

From May 25th, 2018, all companies will be subject to the requirements of the General Data Protection Regulation (GDPR) when they process “personal data” on European Union (EU) residents. This document addresses some frequently asked questions and sets out Dun & Bradstreet’s (D&B’s) position on direct marketing under the GDPR and other privacy legislation. Business entities will be affected differently by GDPR depending on certain matters such as (a) what ground of processing they rely on, (b) what relationship they have with the individuals they process data on, or (c) the type of data they process. The details noted below are specific to D&B and should not be taken as legal advice for your company. In the United Kingdom (UK), Dun & Bradstreet Limited (Dun & Bradstreet) is ISO 27001 certified and is authorised and regulated by the Financial Conduct Authority.

What is “personal data”?

Personal data is **any** information relating to an identified (or identifiable) living individual. It does not matter whether the information relates to them in a private, business, or professional context – as long as it can be linked to a human being (the “data subject”) it is deemed as personal data. This includes information such as name, age and address, but also less obvious data such as cookies and IP addresses when they can be linked to someone. Personal data does not necessarily need to include a name – most people can be identified from a combination of details such as their date of birth, postcode and gender. A D-U-N-S® number serves as personal data when it relates to an unincorporated business (e.g. sole proprietorship).

Is D&B affected by the GDPR?

Yes. Although D&B only processes business data, neither the GDPR nor the legislation it is replacing make a distinction between private and business information. Therefore, D&B has always considered the data it processes in relation to people (e.g. directors, sole traders, shareholders, trustees, employees, beneficial owners, etc.) as personal data under EU law. We will continue to process this information as personal data under the GDPR.

The GDPR will result in better consistency of privacy legislation throughout the 28 EU member-states. We have been preparing for GDPR changes since it was passed into law, minimizing any commercial or business disruption, while

remaining fully compliant with and observant of, the legislation.

Does D&B get consent of the individuals it processes data on?

There are six grounds under which companies can process personal data – consent is only one such ground. Due to the size of our database and the nature of our work, consent is not the most appropriate ground when D&B processes personal data.

How does D&B process personal data without consent?

D&B processes data to enable businesses to manage their financial risks, protect against fraud, know who they are doing business with, meet compliance and regulatory obligations and better understand organizations, industries and markets.

We also licence or sell professional business contact information to authorized resellers or organisations for marketing and data management purposes.

We process personal data for these legitimate business purposes¹ and consent is not required. We meet the GDPR principles as follows:

- We do not process data in a manner that is incompatible with what it was collected for

¹ See Article 6 (1)(f) GDPR 2016/679



- We only collect the minimum amount of data necessary
- We take steps to ensure our data is accurate and up to date
- We only store the data for as long as it is necessary
- We ensure we have appropriate technical and organizational measures to keep data confidential

Have you obtained consent to market to individuals?

D&B only processes personal data relating to businesses. The Privacy and Electronic Communications Regulations (PECR) control consent for direct marketing. These regulations are not affected by the introduction of the GDPR. They differentiate between marketing to consumers and marketing to businesses. They state² that consent is only required prior to sending email marketing to consumers. This is known as the B2B marketing exemption.

Our marketing lists are made up of businesses. To ensure we fulfil the B2B marketing exemption, we remove private email addresses and unincorporated businesses (e.g. sole traders and partners). In products and services where we retain unincorporated businesses, we take steps to ensure it is a business email.

Telephone direct marketing is also covered by these regulations³ and stipulates that direct marketing calls can only be made if the individual has not opted out of receiving such calls. To ensure you are receiving the most up to date information, customers must screen the numbers they wish to call against the [Telephone Preference Service \(TPS\)](#). We do not sell our data for the purposes of automated calling.

What about individuals who have objected to

² Reg 22 The Privacy and Electronic Communications (EC Directive) Regulations 2003. See also the “Corporate subscriber” and “Individual” in Reg 2

³ Reg 21 The Privacy and Electronic Communications (EC Directive) Regulations 2003

receiving marketing?

Under GDPR⁴ all individuals - whether consumers or businesses-have the right to object to receiving direct marketing and businesses must observe that objection. We remove any individuals who have indicated they no longer wish to receive direct marketing from our marketing lists. For products with several purposes we indicate when an individual has opted out of direct marketing (either on the data record or in a separate file). To remain compliant with GDPR, customers must observe that indication and not send direct marketing.

Can I market to individuals from the data I purchase from you?

If you have purchased the data for that purpose and the following criteria are achieved, you are permitted to market to our lists:

- There is no opt-out indicator (either on the record or in the “delist” file we provide to you)
- You have screened against the TPS and/or Mail Preference Service (MPS)
- Your business is compliant with GDPR

Who do I contact for questions or support?

Should you or your customers have any questions or need assistance, please contact the local D&B Customer Services Team at +44 (0) 845 145-1700.

⁴ Article 21 (2) GDPR 2016/679