

# Powerful e-marketing and PoPIA

Data breaches are expensive and cost South African businesses more than R40m in 2020 alone. Although most organisations are implementing robust measures to keep customer information secure, it's concerning that some of the most serious data breaches, such as the Experian breach in 2020, was only identified after two months and contained after three months.



Data breaches aren't good news for customers who are at risk of identity theft, credit card fraud, and question whether businesses can protect their valuable information.

On 1 July 2021, South African's Protection of Personal Information (PoPI) Act to protect customer information, went into full effect. This act is positive news and reassuring for customers, as they know their details are secure and are protected from unsolicited email newsletters or phone calls they didn't sign up for.

## What is PoPI Act?

This act protects customers' personal information and regulates how businesses manage customers' details, such as age, gender, religion, culture, language, contact details, location, and communications preferences.

## What happens when businesses don't comply with the act

Section 107 of the PoPI Act specifies that if any person doesn't comply with the act, a 10-year prison sentence, a hefty fine of up to R10m, or both can be their reality. And businesses can suffer from reputational damage in the case of a data breach.

"This is a necessary law designed to better protect against online scams that can be damaging for individuals and organisations. It also presents an interesting challenge for marketing professionals as we need to understand how to ethically obtain customer information, remain compliant and still add value to their lives," said Desirée Gullan, executive creative director of G&G Digital.



## Businesses should see PoPIA as an opportunity to build customer trust

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### PoPI compliant communications made simple

#### 1. Ask customers to opt-in

Always include an opt-in on all marketing communications. Section 11 of the PoPI Act clearly states that a person visiting a website should have the option to opt-in to receive emails from the business or brand. Have a link to your company's Terms & Conditions and Privacy Policy so users can easily understand what they're signing up for. Always keep a record of customer agreement that is PoPI compliant.

#### 2. Easy opt-out

Make the unsubscribe option as easy as possible. One click, and they're out. Even though you want to keep your customers on your mailing list, make opting out clearly visible. When a customer opts out, it's your responsibility to remove them from your mailing list, and permanently delete their data to protect your business and them in case of a data breach.

#### 3. Voice of authority

We all know that getting new customers to want to receive ongoing communications from your business and brand is difficult and costly and requires a well-considered strategy and plan. At the core of this plan should be providing content that adds value and establishes your brand as a voice of authority on a specific topic.

Make it easy for customers to share your content with their friends and families, and in the process, you will not only create brand ambassadors but also increase your mailing lists. People are more open to subscribing to newsletters and emails when a peer, friend, or someone they trust suggests it to them.

#### 4. Offer exclusive content

Reward your customers for subscribing to your database (and for their ongoing loyalty) by offering them exclusive discounts, special events, access to free gated content, new product information previews and news first.

"As technology advances and communication regulations become more necessary, marketing professionals may feel blocked by Draconian regulations and laws. This need not be the case. A tight brief can bring out the best in your communications agency. Most communications agencies are filled with smart creative solution seekers. PoPI and any other industry regulations need not put the brakes on your marketing and communications ambitions and objectives. A smart strategy based on deep industry insights and full knowledge of all regulations, that takes all the steps to get approvals (local and global) can get results," Gullan added.

Europe's General Data Protection Regulation (GDPR) is widely considered the blueprint of customer data protection laws, and our PoPI Act meets these international standards,<sup>7</sup> signifying our commitment to protect customer information and their right to privacy.

“Remember while your competitors become bunny in the headlights as a result of new laws or industry policy changes, now is the best time to take the first mover advantage,” concluded Gullan.

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