

Module 2: Data + Privacy

[00:00:07] **Joseph Lichterman** Hey everyone, welcome back to Newsletter's Strategies for Journalists. I'm Joseph Lichterman. This is week two of four. In this video, we're going to focus on privacy, best practices and what you need to know to ensure that your readers trust you and that you are compliant with the law. All right, I'm going to pull up my slides and we'll get right into it.

[00:00:29] **Joseph Lichterman** OK, a quick reminder to orient ourselves where we are on this week. Video one, we focused on the key elements of the tech stack. This video, video two, is focused on data and privacy basics. In our next video, video three, we'll talk about data-informed decision making.

[00:00:48] **Joseph Lichterman** So first, a quick reminder about why data is so important and why data makes email so valuable. We talked about this a bit last week, but email is really so critical because you maintain control of the relationship with reader. There is no platform intermediary, and as a result, you maintain control over the data. So you want to make sure that you treat readers with respect. Journalism is built on trust, and so you want to ensure that as a journalist or as a newsroom, you are ensuring that and not doing anything to disrespect them or give them pause for why they should continue to support your work. But also, there are legal limits and legal considerations you have to keep in mind. So, that is also really important to keep in the back of your minds as well. And so privacy laws. Here are a few you may have heard of. The thing about privacy laws is they vary from country to country or even vary within jurisdictions of countries. In the case of the United States, in California, more specifically. So I'm not going to get into the specifics of all these laws here - GDPR in the EU, CAN-SPAM in the United States, CASL in Canada and others. But I think it's important to recognize what they are, and in the course resources on the website we'll have listings and some resources that get you much more in-depth into what each of these permit and doesn't permit and what you need to know based on your jurisdiction.

[00:02:19] **Joseph Lichterman** What we're going to focus on in this video are some key considerations and rules of thumb that you want to keep in mind, regardless of where you live. So first, you want to make sure that you get clear consent from readers. You want them to know what they're signing up for. Email sign-ups should be simple, clear and descriptive. No matter if you're doing single opt-in or double, opt-in, they should know what they're signing up for. You should only send emails that they've signed up for as well. You want to be sure to get clear consent from readers, email sign-ups should be simple, clear and descriptive. You should only send emails that they've signed up for. You should make it easy to unsubscribe or opt out.

[00:03:08] **Joseph Lichterman** A note on consent. Also, there are really two essential types of consent and what you're allowed to do will vary based on where you live. So explicit consent, this is when the user opted-in to receiving email communications and this is from an email sign-up form that they clearly and unambiguously say, "Yes, I want to receive your emails, you can send them to me." Implied consent is a little more tricky. This is when a reader gives you their email address, but doesn't explicitly say that they want to receive email communications. An example of this may be that say, they sign up for a subscription to your newspaper, but they don't sign up for that email newsletter explicitly. Depending on where you live and what the laws are, you could still send them that email newsletter. But you just want to make sure that you're in line with the laws. And it's still a good idea just to get consent and input from the reader. You can still do that as part of the

sign-up process for a subscription or something else. So really, again, just be sure of what the laws are based on where you live.

[00:04:13] **Joseph Lichterman** You want to make privacy easy to understand as well. So, write your privacy policy in simple, clear language. Don't have it in legalese, buried somewhere on your website. Make it easy for readers to understand. You want to make it clear, also, when readers are opting into marketing or promotional emails, they may want that, they may find it valuable, but you don't want to trick them. And finally, don't collect more data than you need. You want to make sure that you're able to store everything appropriately, you don't want to risk overstepping.

[00:04:43] **Joseph Lichterman** So here are some examples of email sign ups that address this. A note on this, I was browsing with a VPN that put me in the European Union. So these are all GDPR compliant. So TheMorning on the left, that's the New York Times flagship morning newsletter. There is the email box where you can put in your email, and clearly underneath it says you may opt-out any time by clicking unsubscribe and how to contact the Times for any help. It makes it really clear that by opting-in, you can opt-out as well. In the middle is the South China Morning Post, the Hong Kong-based newspaper. This is their newsletter sign-up page, you can see that you can sign up for multiple newsletters and then at the bottom, you enter your email and it says, by submitting you consent to receive marketing emails from SCMP, if you don't want these tick here. So you gives you the option to opt-out of marketing emails and lets readers know what they are getting into. And finally, here on the right is the Markup, a US-based nonprofit covering technology. They have very clear privacy principles. It's in simple English down here at the bottom of the sign up page. A note on The Markup, they are a bit of an outlier and take privacy very seriously and have stricter rules than as many outlets. But you can clearly see at the bottom, they tell the readers as part of the value proposition in the sense that, at The Markup your privacy comes first.

[00:06:18] **Joseph Lichterman** And here are some examples of how to manage your preferences, showing that it's easy to unsubscribe or change what you want to do. On the left is from a substack email, Slow Boring. You can clearly see name, email, what list you're on, how to adjust it, and if you keep scrolling you can see the unsubscribe button. On the right is from Quartz. You can clearly see which emails you're signed into if you want to opt-in or out and how to opt-out of all emails. So whatever ESP you end up using will have some sort of opt-out system and you can hopefully customize that to some degree. But even if you can't, it's a good idea maybe just to have an email address for someone on staff that folks can reach out to if they have questions or want help managing their account. It's good to be open and transparent and accessible when it comes to this type of stuff.

[00:07:09] **Joseph Lichterman** So some key takeaways. Most importantly, be transparent, be straightforward with readers. Do not send them emails they don't sign up for. You want to be sure to earn reader's trust. Trust is at the heart of all journalism and make sure that you're compliant with the laws where you live. We have more region-specific resources on the course site, and feel free, also, to jump into the chat on the forums with any questions and we can be sure to try and address some there as well. So that's it for for this video. Next up, we're going to talk about essential analytics in video number three. So I will see you over there. Thanks so much.