

# Direct marketing checklist

---

Businesses can use this checklist to help make sure their marketing messages comply with the law and don't annoy customers. It also includes an at-a-glance guide to the different rules on marketing calls, texts, emails, faxes and mail. It is primarily aimed at small businesses. For detailed advice, [see our full guidance on direct marketing](#).

## Obtaining consent for marketing

- ☐ We use opt-in boxes
- ☐ We specify methods of communication (eg by email, by text, by phone, by recorded call, by post)
- ☐ We ask for consent to pass details to third parties for marketing, and name or describe those third parties
- ☐ We record when and how we got consent, and exactly what it covers

## Using bought-in lists

- ☐ We check the origin and accuracy of the list
- ☐ We check when and how consent was obtained, and what it covers
- ☐ We don't use bought-in lists for texts, emails or recorded calls (unless we have proof of opt-in consent within last 6 months which specifically named or described us)
- ☐ We screen against the TPS
- ☐ We tell people where we got their details

## Making calls

- ☐ We screen live calls against the Telephone Preference Service (TPS)
- ☐ We only make recorded calls with opt-in consent
- ☐ We keep our own do-not-call list of anyone who says they don't want our calls
- ☐ We screen against our do-not-call list

## Sending texts or emails

- ☐ We only text or email with opt-in consent (unless contacting previous customers about our own similar products, and we offered them an opt-out when they gave their details)
- ☐ We offer an opt-out (by reply or unsubscribe link)
- ☐ We keep a list of anyone who opts out
- ☐ We screen against our opt-out list

# At-a-glance guide to the marketing rules

Method of communication	Individual consumers (plus sole traders and partnerships)	Business-to-business (companies and corporate bodies)
<b>Live calls</b>	<ul style="list-style-type: none"><li>• Screen against the TPS</li><li>• Can opt out</li></ul>	<ul style="list-style-type: none"><li>• Screen against the Corporate TPS</li><li>• Can opt out</li></ul>
<b>Recorded calls</b>	<ul style="list-style-type: none"><li>• Need specific consent</li></ul>	<ul style="list-style-type: none"><li>• Need specific consent</li></ul>
<b>Emails or texts</b>	<ul style="list-style-type: none"><li>• Need specific consent</li><li>• Or soft opt-in (previous customer, our own similar product, had a chance to opt out)</li></ul>	<ul style="list-style-type: none"><li>• Can email or text corporate bodies</li><li>• Good practice to offer opt out</li><li>• Individual employees can opt out</li></ul>
<b>Faxes</b>	<ul style="list-style-type: none"><li>• Need specific consent</li></ul>	<ul style="list-style-type: none"><li>• Screen against the Fax Preference Service (FPS)</li><li>• Can opt out</li></ul>
<b>Mail</b>	<ul style="list-style-type: none"><li>• Name and address obtained fairly</li><li>• Can opt out</li></ul>	<ul style="list-style-type: none"><li>• Can mail corporate bodies</li><li>• Individual employees can opt out</li></ul>

This only gives a very broad overview of the marketing rules. For detailed advice, [see our full guidance on direct marketing](#).