GENERAL DATA PROTECTION REGULATION (GDPR) FAQ

salesforce

At Salesforce, trust is our #1 value and the protection of our customers' data is paramount. We know that many organizations have questions about the GDPR and new obligations under the GDPR. To help you on your compliance journey, we have outlined the most common questions asked.

Overview

This document provides answers to frequently asked questions about Salesforce products in light of the upcoming effective date of the GDPR (May 25, 2018). It does not provide legal advice. We urge you to consult with your own legal counsel to familiarize yourself with the requirements that govern your specific situation. More information about privacy impact assessments can be found here.

Salesforce's forward-looking statement applies to this document. Because this document contains some information about features not yet generally available, and such features can change at any time, make your purchasing decisions based on currently available technology.

What is Salesforce doing to help customers prepare for the GDPR?

Salesforce has released a number of public-facing documents on the GDPR, and we will continue to roll out additional information over the next several months:

- **GDPR Resource Website:** We have created a GDPR resource website with more information on Salesforce's GDPR readiness program.

- **New Trailhead Module:** We have launched a Trailhead module "EU Privacy Law Basics," which provides a detailed overview of the key principles of the GDPR as well as suggested actions for organizations. We hope our customers will take advantage of this free training resource and use it to educate their employees about the GDPR.

- **Contractual Addendum:** We have released an updated data processing addendum ('DPA') that contains revised or additional provisions to assist our customers with their compliance with the GDPR.

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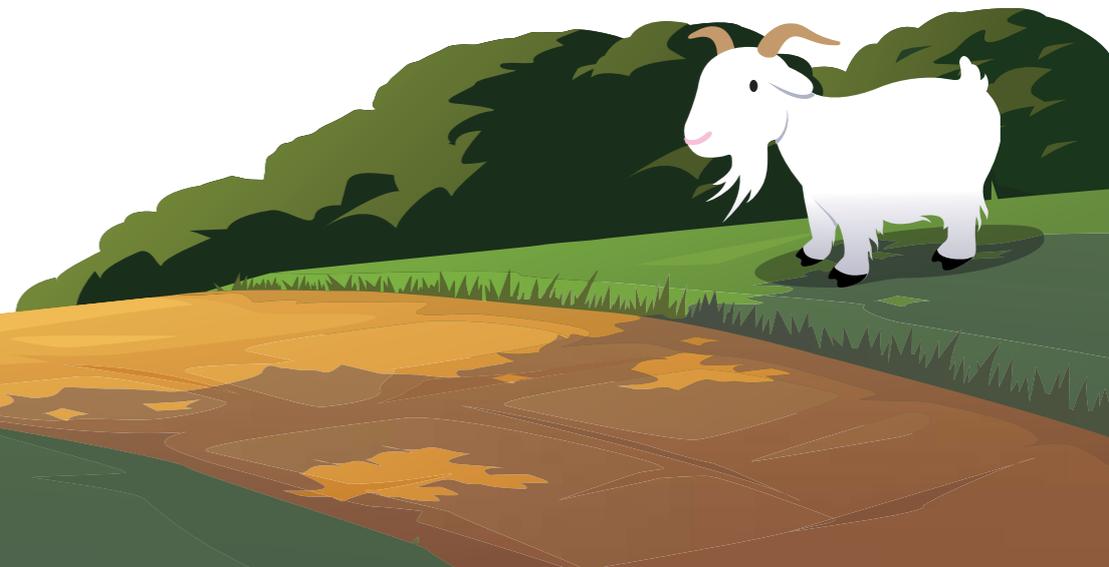
What is GDPR?

The EU General Data Protection Regulation ("GDPR") is a new comprehensive data protection law that updates existing EU laws to strengthen the protection of "personal data" (any information relating to an identified or identifiable natural person, so called "data subjects") in light of rapid technological developments, the increasingly global nature of business and more complex international flows of personal data. It replaces the current patchwork of national data protection laws with a single set of rules, directly enforceable in each EU member state. The GDPR takes effect on May 25, 2018.

External Resources:

- **GDPR.org EU Website**

Salesforce Resources:

- **Data Privacy Help Documentation**

- **Salesforce GDPR Website**

General GDPR FAQ

Is there a GDPR certification?

No, there is not currently a GDPR certification issued by the European Commission. Salesforce will be monitoring any certifications that come out after the GDPR goes into effect and will certify to them, if it is deems them to be appropriate.

What is the difference between the "right to restrict processing" and the "consent management?

The right to restrict processing refers to the right of Data Subjects to request that a data controller block or suppress the processing of their personal data. Regarding consent management, in order to process personal data, organizations must have a lawful basis to process the data. Under the GDPR, there are six legal bases which organizations can rely on to lawfully process personal data. One basis for processing is with the consent of the data subject.

If an organization is relying on consent, and an individual requests a restriction of processing of their personal data, depending on the circumstance of the request, organizations may also want to consider whether to update the individual's consent preferences to reflect their desire for personal data processing to cease. Organizations should seek legal counsel to understand what legal bases they are relying on to lawfully process personal data, their obligations under the GDPR, and then design their process.

Is encryption required by the GDPR?

No. Encrypting your data at rest is not specifically required under GDPR. Learn more in the **GDPR Fact vs. Fiction** document.

How should we notify customer of these new rights?

The European Commission has a website with **guidance for its citizens on GDPR**.

Is there an overview of the security measures in place for all the services Salesforce offers?

The **Trust and Compliance Documentation** for each service includes a document titled, "Security, Privacy, and Architecture Documentation" that details the security measures in place and certifications each service has.

Is there a trailhead module on GDPR?

Yes. We have GDPR-specific trailhead modules, visit **Trailhead** to earn your badge.

Will Salesforce assist customers with their Data Protection Impact Assessments?

Yes. As stated in Section 11 of our **Data Processing Addendum**, Salesforce will provide reasonable assistance to customers.

SALESFORCE PLATFORM

(Sales Cloud, Service Cloud, & Community Cloud)

Salesforce Platform (Sales Cloud, Service Cloud & Community Cloud)

Where is the best place to find information on handling common GDPR requests on the Salesforce Platform?

Please refer to the documentation **here** or **Salesforce.com/GDPR**.

Is Salesforce planning to have a 'release' with added GDPR features or functionality?

Salesforce Platform GDPR enhancements are made available in the Spring '18 release (2/12/18).

Will I be able to automate the deletion of customer data?

Customers can use declarative and programmatic options to automate key processes for the GDPR. There is no one-size-fits-all approach for automated deletion and customers should design their approach after seeking legal counsel. For more information on how to exercise Right to Be Forgotten please refer to **help documentation**.

Can customer data in Salesforce be encrypted?

Yes. Customers choose to leverage Platform Encryption to demonstrate their security measures and to serve as an additional layer of precaution against a data breach. Learn more about the **Salesforce Shield our encryption solution**.

Can customers delete User Objects on the Salesforce Platform?

User Objects cannot be deleted. However, User Objects can have their fields nullified or anonymized, and be deactivated to prevent further @mentions and use. For required fields, such as email and username, their values can be changed to random meaningless strings and thus become anonymized. To learn more **visit the help documentation**.

What is the new Individual Object? How will it help accelerate GDPR readiness?

The Individual Object is designed to link a consolidated preferences across an individual that may be referenced across many Salesforce records, including contacts, leads, person accounts, and custom object records, representing the many roles that an individual may play in an organization. Is it available in Classic and Lightning. **See documentation**.

Will using the new Individual Object impact storage in the Salesforce Platform?

No. Individual Object records are not counted toward storage limits in Salesforce. This decision was made in the spirit of enabling customer success on the Salesforce platform, allowing customers to store data privacy attributes without the added expense of adding new records.

How can companies indicate granular privacy settings (by product or communication type) that may be specific to one product or service, but not another that they offer?

In the Spring '18 release (2/18/18), Salesforce customers may add custom fields to the Individual Object to capture the privacy settings that they require. These organizations should seek legal counsel to understand their obligation under the GDPR and design their processes around these privacy settings accordingly. Salesforce plans to expand on the Individual Object in future releases (forward looking statements apply). Please visit the **help documentation** for more information.

Can default field values be pre-populated when creating an Individual Object record?

The Individual Object is designed to link a consolidated preferences across an individual that may be referenced across many Salesforce records, including contacts, leads, person accounts, and custom object records, representing the many roles that an individual may play in an organization. There can be many differences across these records, introducing a challenge in determining a 'winning' default. Some organizations may choose to introduce this type of logic with APEX to arrive at a default value.

Can customers capture consent on the contact level?

Do Not Call / Email / Fax flags available on the contact record, corresponding processing based on Do Not Call / Email is also applicable. More information is available in the **Help Documentation**.

For record merger scenarios, is there any view for data steward in place to view the matching records?

Yes. Completing the process will require use of two APIs, a contact API and an individual API. The Individual API will create an individual, and the contact API will link that contact to the individual.

Is Salesforce providing providing a mechanism to turn off all types of tracking so that the Data Subject being forgotten activity is not tracked?

Wherever we have had tracking and logging of customer behavior in the past, we're making all of that information transparently available for you to decide if you want to export it, or delete it, or otherwise.

Are there any differences in the deletion and/or export mechanisms for different editions of Salesforce?

Enterprise, Performance, Unlimited, Developer, and Database.com Editions: **Export Data**, **Data Deletion**.

Salesforce Essentials and most Professional editions: API access is not available, so deletion would go through the User Interface, or the data management options under Setup. Exporting data would be via reports, and/or data management option under Setup.

When you delete a person record (Contact / Lead / Person Accounts) from Salesforce, are all the associated records/objects deleted?

When a person record (modeled as either Contact or Lead or Person Account) is deleted in the Salesforce Platform, all the associated records are automatically deleted, however, additional steps may need to be taken to delete the personal data from from other fields, like calendar events, tasks, and voicemail messages. More information about this process can be found in the **Help Documentation**.

MARKETING CLOUD

Marketing Cloud

Where is the best place to find information on handling common GDPR requests in Marketing Cloud?

Please refer to the documentation **here** or **Salesforce.com/GDPR**.

Is there an API call to remove multiple contacts at once in all Marketing Cloud ?

There is an API for which a Data Extension containing the contacts to be deleted can be referenced. More information is available in the **Help Documentation**.

Will "All Contacts" in Contact Builder be restricted to just the data available in the Business Unit? Currently functionality is that all contacts are available in Enterprise 2.0 accounts in all Business Units.

This is not currently available, but is an enhancement we are considering for future product releases.

Will contact deletion be available for use in Automation Studio, and would it be possible to apply certain filters to define contacts that need to be deleted?

At this time, Automation Studio does not support contact deletion as an automation activity. However, it is possible to use Automation Studio to create a data extension that can be referenced in Contact Builder as the list of contacts to delete.

How can I automatically delete multiple contacts from the mobile channel?

Contact Builder allows the use of a data extension to provide a list of contacts to be deleted.
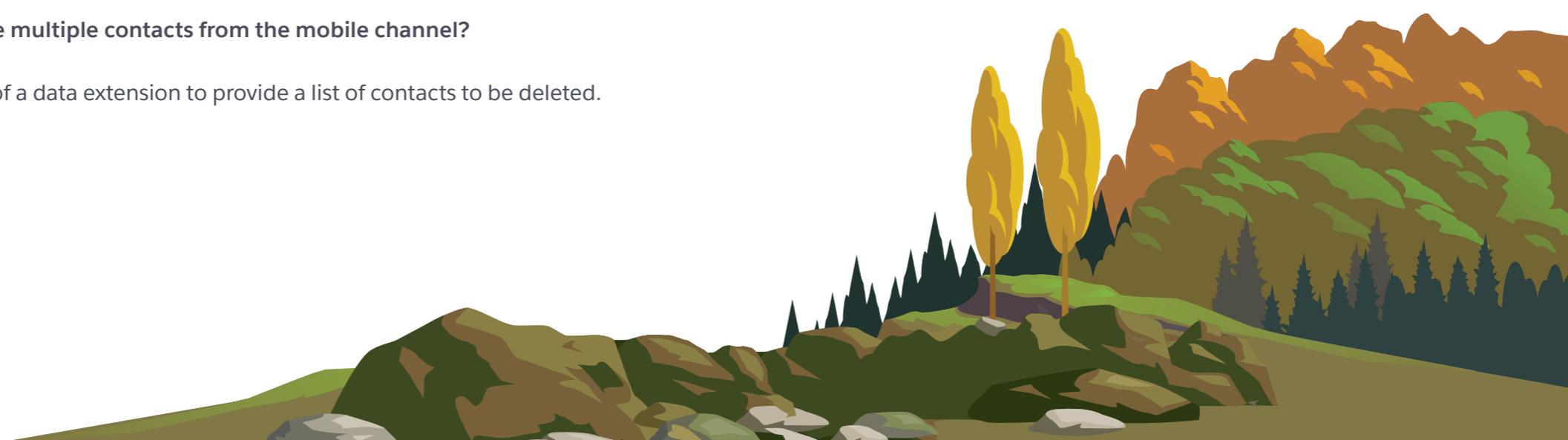
How do customer create a process for handling a data subject requests (such as a Right to be Forgotten request)?

Marketing Cloud does not provide functionality for receiving data subject requests. One option would be to use existing customer support networks for your business to receive requests and follow with email communications to the data subject to confirm their identity and validate the request. Customers should consult with their legal counsel to determine an appropriate method for receiving data subject requests for their business.

How will "Right to be Forgotten" requests affect marketing metrics such as email sends?

With the deletion of a contact, the statistics do not associate to that deleted contact, and any personal data in the statistics table is removed, and the data becomes anonymized. For example, the statistics will show all 100 as sends, but the one deleted will not be identifiable, and will remain in the aggregate data from the send job.

Will the contacts that have been deleted via the new Data Extension for deletion also be deleted from the All Subscribers list?

Yes. The Data Extension is used as the list of contacts to be deleted, and includes the All Subscribers list.

What about multiple Business Units? Is subscriber data to be deleted per Business Unit?

We are cascading deletes within an Enterprise down through all child BUs, but not across Enterprises. Where customers have more than one enterprise account, the deletion will have to be initiated on each account.

Will the Marketing Cloud product have a way to automate the approval processes in situations where a customer needs confirmation from multiple parties as part of their deletion process prior to deleting data?

The process to receive and approve deletions prior to executing the deletions is a customerowned process, and the deletion should not be initiated until all internal approvals have been met. We do not currently have functionality to 'hold' a deletion for a period of time to allow for internal approvals to be acknowledged.

How is the information on the all subscriber list handled, where all individuals land on every time a journey builder is used e.g. an email address. Will there be an easy option or best practise to delete the data?

For a contact deletion using Contact Builder, the contact is also ejected from any journeys and the associated data deleted. The delete will also remove the contact from All Subscribers.

When is Customer Data on the Marketing Cloud FTP deleted?

Customers have 90 days to access their Customer Data when the account has expired.

Is there a specific way and format that a data subject's data can be exported and send to the data subject?

The **Help Documentation** outlines the tools customers can use to export data from Marketing Cloud to respond to a contact's data portability request.

Where can I find more information about managing consent and the Marketing Cloud Services?

Customers must obtain consent for marketing data subjects. With GDPR, consents must be transparent and must indicated what data is collected, how it is collected, and how it is used. To assist customers in creating updated consents and/or privacy notices please refer to our Help Documentation. Customers should work with their legal counsel to determine how to best update their consents and privacy notices.

Will do not track/do not profile work with Marketing Cloud connect?

This is not an automatic feature. The request would have to be managed first in Core, then in Marketing Cloud. The permissions would not be inherited from Core services. For Marketing Cloud as a standalone account, do not track is managed in email as a subscriber attribute, and once enabled removes tracking pixels and link tracking within the email content before being sent. In this case, customers should understand that stats data will be affected. For example, if a send to 100 subscribers had 20 invoke do not track, the stats for that send could show 80% open rate, when in fact it could be 100%, but 20 recipients stats would not be returned. Additionally, no link tracking data would be returned.

How will a contact in Marketing Cloud be restricted?

Salesforce plans for Contact restriction to be available through API with our April release. Once restricted, all processing and outbound messaging against that contact will be stopped. Unsubscribes will continue to be collected during a restriction.

How do I get Contact Builder added to my account and is there a cost?

Contact Builder is available to all Pro, Corporate and Enterprise Edition customers. Contact your account representative to request that Contact Builder be enabled. There is no cost to add Contact Builder. Additionally, the Contact Delete framework for API access will automatically be added to Basic, Pro, Corporate and Enterprise Edition customers by May 2018.
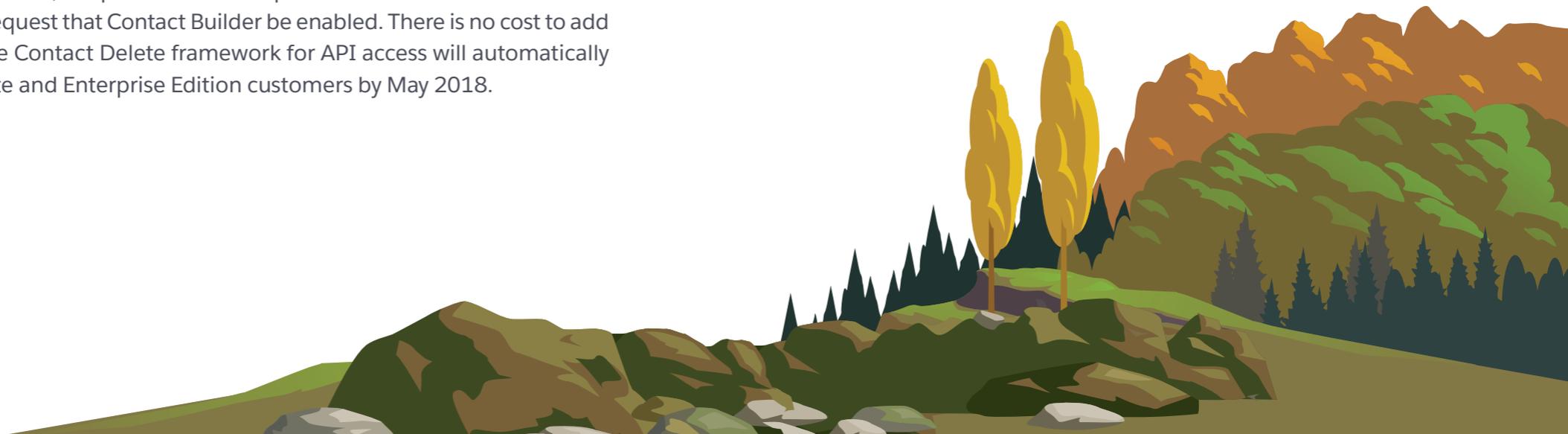
Does Salesforce plan to update the features for Marketing Cloud Connect, so that email and mobile opt-in/op- out are always synced?

This is not currently planned, but is an enhancement we are considering for future product releases to improve cross-cloud interactions.

How does Do Not Track work with Predictive Intelligence products: Predictive Email, Predictive Web, and Web & Mobile Analytics?

Do Not Track for Predictive Intelligence products is managed as a Do Not Profile, and Salesforce currently plans for it to be available in our April release in both the User Interface and through API for any of the Predictive Intelligence products. With Do Not Profile, the javascript code on the web site will need to be triggered by customers owning the web site (for example, through a preference center option) to enable the feature. Once enabled, behavioral browsing data is no longer tracked on that contact, and only generic data (recommendations, etc) is presented to the contact. Initiating any data subject request in Predictive Intelligence through the User Interface or API will result in all Predictive Intelligence products inheriting that action.
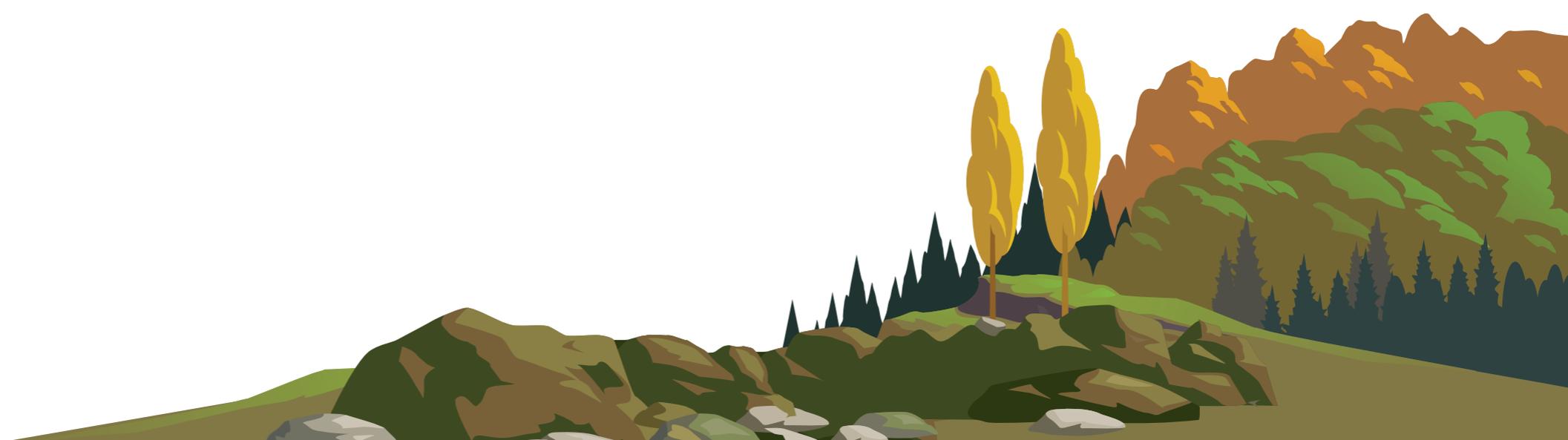
COMMERCE CLOUD

Commerce Cloud

Why is the GDPR important to Salesforce Commerce Cloud merchants?

Here at Salesforce Commerce Cloud, we are building tools that will help you get ready for the GDPR, but each merchant is responsible for assessing the scope of the GDPR within their own company and taking action to ensure compliance.

Salesforce will serve as an enabler of tools and features to help comply with the GDPR, and we recommend each merchant take steps to ready themselves. The GDPR will impact each merchant differently depending on their own implementation of Commerce Cloud. Merchants will be responsible to take action to ensure their own compliance.

What GDPR principles is Commerce Cloud providing solutions for?

Commerce Cloud conducted a huge investigation across our entire infrastructure: Digital, Einstein, Order Management and aligned this data to the GDPR principles. In doing that investigation we've identified four areas where we are building building tools and workflows that will help merchants with their GDPR compliance efforts. These areas include:

Data Deletion and the Right to be Forgotten - allowing merchants to request information be deleted or removed from systems on behalf of their shoppers.

Consent Management - giving our merchants tools to store and honor consents from shoppers visiting a merchant's website.

Data Portability - tools to allow merchants to provide shoppers with a copy of certain personal information.

Restriction of Processing - freezing shopper data to ensure it is no longer processed.

When are Commerce Cloud GDPR features expected to be delivered?

Commerce Cloud GDPR-related functionality is expected to be delivered across releases 18.1, 18.2, 18.3 and 18.4 prior to the May deadline. As new GDPR-related solutions are launched, Commerce Cloud will provide specific documentation to help customers understand how these new features can be used to help with compliance.

Where can I find more information?

Commerce Cloud merchants are encouraged to visit the **GDPR resource page** on the XChange customer portal for the latest information and content including a recorded webinar, release information, and detailed FAQ. Bookmark this space for all merchant updates on GDPR.

Pardot

Does Pardot have a feature that supports a confirmed opt-in stroke, double opt-in email process?

Yes, Pardot does support this feature. Please review this **Help Article** for more information about configuring a double opt-in process.

Can customers limit access to personal data within their Pardot Instance?

Yes. Please review the **Pardot User Roles**.

What is the current process for deleting prospects, and does Pardot plan to enhance the functionality?

The current process for deleting process it outlined in the Help Documentation. In the next few months, Salesforce currently plans to launch a Prospect Delete function.

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Thank You