

Sharing Donor Names: Can it be done securely?

Scenario: donors have been giving to a named memorial fundraiser. The family or memorial organizer wishes to know who has given and any messages they sent. They've also asked if they can thank each donor personally.

Common solution: include a notice in thank you letters that states that the donor's name (and contact information) will be shared with the family of the deceased. Send the family a list of donor names and messages (or even contact information and gift details).

Why this fails under GDPR

Consent to share information has not been obtained from donors. Including language in a thank you about sharing is not consent, it's an assumption or automatic opt-in. Furthermore, there is no practical mechanism for managing opt-outs once information has been shared. Imagine you give a list of donors and their contact information to the memorial organizer. What happens when a donor later asks that their information be removed and not shared? If the memorial organizer is not an employee or volunteer of your organization, you would need them to agree to some sort of data handling policy in advance. They would need to only use the donor list for thanking and nothing else, to not share it further and to destroy it after a fixed period of time. But how would you enforce this? In reality this puts an undue burden on the memorial organizer and puts your organization into a grey area of responsibility.

What about just names, comments and gift amounts?

Names are personally identifiable information so this would fail a GDPR test unless consent had been obtained from donors and the handling of the information by the memorial organizer could be practically managed. As noted above, in reality this would be hard to do.

The safest approach

Share the total amount received, number of donors and average gift size. Pass on any messages so long as they do not contain personally identifiable information. If the family wishes to contact donors, your organization acts as the go-between. No burden of handling personal information is placed on the family/memorial organizer and keeping it within your organization makes complying with your policies for data handling possible.