RNIB

See differently

Major Donor Prospecting – smash your GDPR fears to unlock new prospects

Sacha Tremain

Senior Manager Prospect Research

RNIB

sacha.tremain@rnib.org.uk

Sacha Tremain | LinkedIn

What we'll cover

RNIB

See differently

1. Whistlestop tour of data protection framework and personal data - GDPR is a good thing
2. What you need to do and processes to think about
3. Finding and qualifying good prospects, compliantly
4. Talking through some examples and pitfalls to avoid
5. Key Takeaways
6. Questions

What is GDPR anyway?

RNIB

See differently

Legal, regulatory and guidance framework:

- UK's Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR)
- General Data Protection Regulation - GDPR (EU) 2016/679
- PECR -
- The Data Use and Access Act (DUAA) 2025 – received Royal Assent in July 2025, but won't be law until January 2026 - "soft opt-in"

Other considerations:

- The Privacy and Electronic Communications Regulations derived from European law, the 'e-privacy Directive' - European Directive 2002/58/EC.
- The Freedom of Information Act 2000 or 2002 in Scotland
- European Convention on Human Rights (ECHR, in particular Article 8)
- The Charities Act 2016
- Fundraising Code of Practice
- CC20 guidance from the Charity Commission

…and why should I care?

RNIB

See differently

- **Getting it right:** Fundamental building block of relationship-based fundraising is to build trust. Assuring people you are committed to looking after their data is the first step. It is no one person's responsibility.

- **Getting it wrong:** Article 83(5)(a) states that infringements of the basic principles for processing personal data are subject to the highest tier of administrative fines. This could mean a fine of up to £17.5 million, or 4% of your total worldwide annual turnover, whichever is higher. Data protection fining - GOV.UK

Data Protection principles

RNIB

See differently

The UK GDPR sets out seven key principles:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

A guide to the data protection principles | ICO

Personal Data

RNIB

See differently

- Data related to an identifiable (living) person
- Applies to automated personal data, databases, files, and also manual filing systems accessible according to specific criteria.
- If it's searchable and can identify an individual, it's personal data.
- It's not your data, it's theirs. Treat it wisely and with care.

Special Category of data

RNIB

See differently

Stronger legal protection for sensitive information as processing this information could have considerable effect on the person's rights and freedoms. Usually requires explicit consent to process and store.

- Race
- Ethnic background
- Political opinions
- Religious beliefs
- Trade union membership
- Genetics
- Biometrics (where used for identification)
- Health
- Sex life or orientation

There are separate safeguards for personal data relating to criminal convictions and offences.

Data Subject's Rights

RNIB

See differently

Data subjects have the right to:

- be informed about how their data is being used
- access personal data
- have incorrect data updated
- have data erased
- stop or restrict the processing of their data
- data portability (allowing them to get and reuse their data for different services)
- object to how their data is processed in certain circumstances

They also have rights when an organisation is using their personal data for:

- automated decision-making processes (without human involvement)
- profiling, for example to predict your behaviour or interests

Summary of what do you need to do?

RNIB

See differently

Must

- Map out all your processes (Record of Processing Activities RoPA) and document your legal basis for processing data - ICO RoPA template
- Make sure your Privacy Notice covers everything you are doing now and want to do in the future with personal information and is publicly available
- Complete a Legitimate Interest Assessment / Data Privacy Impact Assessment, if data processing is high risk
- Review Fundraising Codes of Practice - Standards which apply to all fundraising | Fundraising Regulator

Should

- Get to know your Data Protection team
- Ensure everyone understands how to share privacy notice and capture consent or preferences
- Adopt a Privacy by Design and default data minimisation approach to your research
- Write down your research and major relationship management procedures and templates

Legal Basis for processing

RNIB

See differently

There are 6 lawful basis for processing personal data:

1. **Consent**
2. Contract
3. Legal Obligation
4. Vital Interests
5. Public Task
6. **Legitimate Interest**

Most prospect research and major donor fundraising is done under the basis of Legitimate Interest. Certain forms of contact are done on the basis of Consent.

Why do prospect research?

RNIB

See differently

Identifying relevant prospects

- To match prospects to fundraisers
- To match prospects to programmes based on capacity and interest

Rejecting unsuitable prospects

- To reject prospects not relevant for major donor fundraising programme
- To reject prospects that are not suitable or that might pose a reputational risk

Understand gift capacity:

- To give confidence in making the ask at an appropriate level

Prioritising prospects

- Contributes to efficiency and effectiveness of fundraising programmes

Engaging with prospects:

- To help devise an approach strategy
- To prepare for a meeting
- To help build positive relationships with prospects

- The Essential Development Toolkit - has a great flow chart on whether you can do prospect research

Types of prospect research processes

Source: RIF Handbook/Prospecting for Gold

RNIB

Research Activity	Information processed	Purpose
Research to identify or qualify a major gift donor or prospect	Name, Job Title, Organisation; Business and charitable interests; Financial Information in the public domain; Media coverage; Existing connections to your organisation	To identify and qualify a prospect in early cultivation stages. To understand whether they have the capacity or affinity to make a major gift
Full research briefing	As above but include: Contact details; Personal and charitable giving interests; Family; Education; Gift capacity or rating	To prepare for meetings; To give the fundraiser information to help them understand the motivations
Due Diligence	As above, but include relationship and giving history with organisation; source of wealth; media/social media coverage; political affiliations; other risk factors	To protect your organisation's reputation and to ensure any donations are in line with your gift acceptance policy and legislation
Network mapping	Name, Job Title/Org; connection to key contact	To identify new prospects; to qualify existing; to support cultivation
Event briefing	Name, Job Title/Org; summary of charitable and business interests; relationship to organisation;	To help staff prepare for event
Wealth screening	Name; Home address; Wealth; Business/Philanthropy/Social indicators	Identify prospects within the current supporter database
Data appending (third party)	Contact details (change of address); demographic flag; date of birth; deceased record checks	To improve data accuracy of database or add extra data points
Data analytics or data mining	Data held on your database, e.g. giving history, interactions, demographics	To identify likely groups of individuals who could have major donor potential

Legitimate Interest

RNIB

See differently

- To demonstrate you have a legitimate interest, and that the processing is necessary to achieve the outcome.
- and you must balance your organisation's interest with the impact on your supporters whose data you are processing.
- Your assessment of this balance must be clearly documented.
- The purpose is to prevent disproportionate impact on the data subject (CASE 2019)

Legitimate Interest Assessment Summary - 3-part test

Source: RIF Handbook

RNIB

See differently

Part	Sample response for prospect research
1. What is your legitimate interest?	Relationship fundraising is reliant on prospect research. Raising funds for charitable cause. Assessing whether they have the means and are likely to donate at a higher level. Limited pool of people. Ensuring right people are approached and minimising inappropriate asks. Acting within Codes of Fundraising Practice and GDPR requirements. Work towards UK Government's philanthropic objectives. Doesn't involve automated decision making or profiling
2. Is it necessary?	To give fundraisers the insight they need to raise funds. To identify major gift opportunities to enable us to fund delivery of charitable objectives If using a third party: because they have the skills and resources to undertake the research under contract
3. Balancing exercise	Not processing any special category of data Data minimisation approach - proportionate and limiting impact Processing takes place within the UK Prospect research is an established process in major gifts fundraising Reasonable expectation of HNWI - see book Richer Lives: Why People Give Individuals have been informed of processing via Privacy Notice with right to opt out of processing. Outcomes of processing is better informed decision making and better informed relationship with no harm resulting Rights and freedoms of data subject have been evaluated Can rely on legitimate interest

Reasonable Expectations

RNIB

See differently

- Anecdotally, we know donors expect us to have "done our homework", but what is reasonable?

- Find your evidence for what this audience would reasonably expect you to know about them, e.g. Richer Lives: Why Rich People Give, Dr Beth Breeze "How Donors Choose Charities", podcast on "What Donor's Want"

- If in doubt, ask them - and document your evidence

The Privacy Notice

RNIB

See differently

What to include in the Privacy Notice specific to Prospect Research

- Why you are doing the research
- Types of research you undertake
- Principal data sources you may use
- Use of third parties, e.g. due diligence, wealth screening, network mapping, senior volunteers, independent fundraising entity, e.g. friends of
- Legal basis for processing, e.g. your statement of Legitimate Interest
- Rights of the data subject to request changes or restrictions on use of personal information for prospect research purposes

Notify supporters of updated privacy notices before you start any new processing

Template: [Writing a GDPR-compliant privacy notice (template included) - GDPR.eu]

Source: RIF Handbook/Prospecting for Gold

What about the one month rule…?

RNIB

See differently

Article 14.3 sets out the timeframes for informing new data subjects about privacy

- Article 14.3 (a) within one month of obtaining the data
- Article 14.3 (b) when you first communicate with the data subject
- Article 14.3 (c) before you share the personal information with someone else

If this feels impossible, you might be able to use Article 14.5 (b), which provides an exception from your obligations under the right to be informed when receiving personal data from a source other than the individual, if providing this information:

- proves impossible or would involve disproportionate effort; or
- would likely render impossible or seriously impair the processing's objectives

This usually requires you to complete a DPIA

Data Privacy Impact Assessments (DPIA)

RNIB

See differently

They are a risk assessment of the ways an organisation will use personal data for specific activities. Such as high-risk activity, typically for large scale processing such as data cleaning, wealth screening, or if you are undertaking an activity for the first time.

You have to do it

- where processing is likely to result in a high risk to the rights and freedoms of individuals, or
- Processed on a large scale
- Matching or combining data sets
- Data concerning vulnerable data subjects
- Applying new technology, e.g. AI
- Preventing them from exercising their right

Suggest adopting a programme wide DPIA for major gifts which includes prospect research

Summary of DPIA

Source: RIF Hanbook

RNIB

See differently

Privacy Issue	Risks To Individuals, Compliance, Organisation	Solution	Result	Is it justified?
Research is conducted prior to first contact with the data subject, and outside the one-month time period	Individual can't object. Potential breach of 5 (a,b,e). Damage to organisation's reputation	LIA. Adopt a data miminisation approach. Explain in Privacy Notice. Inform of privacy notice and opt out instructions	Risk reduced	Proportionate: focusing on HNWI who expect research to be conducted
Holds historic personal information	As above	LIA Explain in privacy notice. Inform of privacy notice which includes opt-out instructions	Risk reduced	Proportionate: individuals have received privacy notice, are long standing supporters so might reasonable expect this
Excessive personal information collected and stored	Article 5c: adequate, relevant, limited to what is necessary	Data minimisation approach Clear data retention policy Privacy Notice	Risk reduced	Proportionate: you have minimised the data collecting/ retaining

There's a Prospect on your shoulder

RNIB

See differently

What would the prospect reasonably expect you to be doing with the information that is publicly available?

You might have to justify it if they ask to see it (Subject Access Request).

Data Minimisation in reality

RNIB

See differently

- Only collect and process the amount of personal data necessary to the purpose.
- Think ahead to what you really need, and what they would reasonably expect - develop a policy and templates to summarise what you typically need at each stage - anonymise where possible
- The prospect has a right to request a copy of that information at any time. Knowing this will help you implement processes where data minimisation is at the heart of it.
- Not pursuing a prospect you have researched - you may choose to delete information about them rather than informing them, and document that decision.
- Be clear how long you keep the data for, how often you update it and when the data needs to be reviewed - Data Retention Schedule
- Assess the robustness of publicly accessible sources of information for reliability and accuracy - fact check your facts
- If you have donors or supporters outside of the UK/EU, you will need to comply with any relevant laws in those territories as well.

Now, the fun part, finding good prospects!

RNIB

See differently

Before you start, key questions to ask yourself:

- Know what a good major gift prospect looks like for your organisation - capacity, affinity, engagement and propensity?
- What do you already know/have on file that you are able to access? - do you have alumni and family, members or ticket buyers, campaigners, shoppers, people signed up to receive communications, existing donors, event attendees, volunteers?
- What are your fundraising priorities? - this will further define the type of prospect you are looking for
- Scope out the prospecting project - key themes, geographic reach, target, type of funding (core costs, unrestricted, capital, etc), timing limitations - if you need it soon, forget new prospects!, capacity of the team to manage new relationships

Simple ways to identify new prospects

RNIB

See differently

From your existing supporter-base:

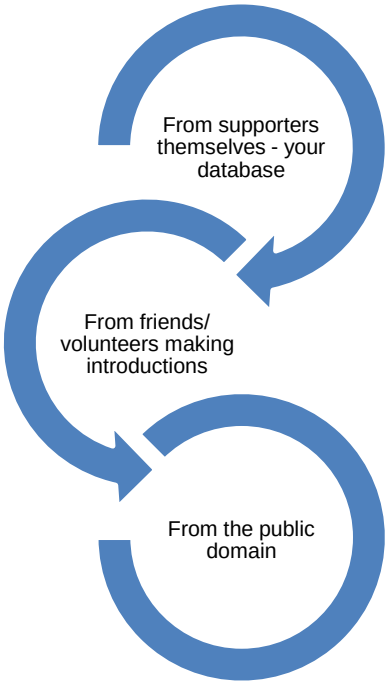
- Supporters who have given the most
- Supporters who have given consistently
- Supporters who have changed giving behaviour, e.g. year on year increases
- Supporters with indicators of wealth, e.g. senior job titles, high paid industries, titles, wealth postcode areas, regular giving via private bank/CAF

From introductions

- Network map your board/staff (with permission) and share (securely) lists of prospects you need introductions to
- Be where your prospects are - network

From the public domain

- Based on your brief, conduct targeted searches, look at annual or impact reports



Qualifying prospects

RNIB

See differently

Why? We do this to ensure we are using charitable resources effectively and not bothering people who have no interest in our cause.

How to qualify?

- Capacity and propensity to make a major gift to your organisation (immediate and ambitious) - based on wealth indicators, past giving, other criteria
- Interest or Affinity in your cause
- Connection to your organisation or Engagement - do you have a route/ability to contact; have they warmly responded

Template - see delegate pack

Measuring the success of your research activity

RNIB

See differently

- Track prospects identified by research/ where research has been completed - look at the cultivation outcomes and activity for these prospects - how many were assigned, engaged, asked, gave?
- Track how many prospects you are disqualifying through research or outreach
- Use the prospect rating grid to help segment the prospect pipeline into tiers, e.g. priority prospects - how accurate was the capacity rating?
- Conduct regular portfolio reviews to ensure there is movement throughout the pipeline and no prospect is stuck
- How many meetings, events, etc has research supported?
- Track how many prospects you identified risks for via due diligence searches and the outcomes

An example…inviting someone to an event

RNIB

See differently

Prospect N is a high-profile public figure, suggested by a Trustee, but is not on your database…

- Can you invite them to your event? - probably
- Can you send that invite by email/LinkedIn? - no
- Can you connect with them on LinkedIn? - depends on their profile settings and how you ask to connect
- Can you research them before you've sent the invite out? - yes, but keep it relevant to the purpose
- Can you share that information with other Trustees or Senior Volunteers - securely and with limits yes
- Can you produce event bios and add photographs? - yes and it's complicated

Supporters making introductions to their friends

RNIB

See differently

- Have they seen a privacy notice and have you pointed them to the prospect research/major gifts part?
- Have you asked permission to map their networks?
- Sphere of Influence
- How will you share the networks? Shared site with restricted access? Password protected and encrypted documents?
- Have they signed any terms of reference or have you shared data protection expectations of them and to them? Technically they are a third party.
- Have you also discussed the types of prospects you're looking for?
- What about the people who you have included in the network map? Plan to share the privacy notice with them?

Planning for a major appeal

RNIB

See differently

- Horizon scanning for likely prospects to assess feasibility of fundraising target - you will need DPIA
- Sector research reports - macro data no personal data
- Data mining of your database for donors and other types of supporters
- Development Board prospecting, onboarding and management - terms of reference? Third party.
- Using new technologies to help identify new prospects or other third parties

Wealth screening

RNIB

See differently

- Whilst it is not and never has been illegal, according to the ICO, it usually requires consent, but can be conducted under legitimate interest
- You will need to have a DPIA as it is considered high risk activity
- Plan who to include - active, current, lapsed, had access to privacy notice
- Plan what you are going to do with the results
- Third party - data processing agreements in place
- Privacy Notice - is it in there? Be transparent
- Low rates of opt out where there is transparency
- Review results manually - no automated decisions

Experian's win against the ICO in Upper Tribunal | Stephenson Harwood - Data protection

Using AI New technologies

RNIB

See differently

- Use AI with genuine caution
- Is it in your Privacy Notice?
- Automated processes and decision making - high risk activity - human oversight required
- Some AI tools generate incorrect, misleading or inappropriate content
- Do not feed information into the AI training systems not already in public domain
- How are others you work with using it? Or the resources you use?
- Do you have an organisational policy on use for AI or which AI tool they prefer you to use?
- Fairness, bias and discrimination risks
- Guidance on AI and data protection | ICO
- Guidance for using artificial intelligence in fundraising | Fundraising Regulator

Pitfalls to avoid

RNIB

See differently

- Sharing research without adequate protection/security measures - restrict access where you can
- Making assumptions - base research on verifiable fact
- Not having an engagement plan for new prospects - research dates quickly and technically you only have one month!
- Falling down the research rabbit hole and finding everything - what do you/the fundraiser need to know at that point?
- Keeping the information for too long "just in case" or not updating it
- Spreadsheets of spreadsheets - if it's not in the database it didn't happen!
- Assume someone else has data protection covered - it's everyone's responsibility!
- ICO publish some common mistakes and how to avoid/fix them - Common data protection mistakes (and how to fix them) | ICO

Key Takeaways

RNIB

See differently

- Know what's in your **Privacy Notice** and how it's shared with prospects - work with your Information governance team to fill in any gaps
- Document your **Legitimate Interest** to use data for prospect research and regularly review your processes - RoPA, DPIA, LIAs
- Undertake a **Data Privacy Impact Assessment** for high risk activity
- Adopt a **Privacy by Design** Approach - When undertaking or requesting research, are you clear on the purpose and what you really need to know?
- Have a **Data Retention Schedule** for how long data is legitimately held for and ensure data is held securely
- Develop a **Framework** to identify the level of research you need at each stage
- Assess your **Resources** for reliability and accuracy - Double/triple check sources to verify information is accurate and relevant
- **Regularly review** any notes/ comments that fundraisers make as part of their records to ensure they are accurate, up to date, relevant and not excessive
- It is **everyone's responsibility** to get it right - you owe it to the prospect.
- **Just because you can, doesn’t always mean you should** - imagine the prospect is looking over your shoulder

RNIB

See differently

"Profiling individuals for a fundraising campaign itself is not against the law, but failing to clearly tell people that you're going to do it, is"

– Elizabeth Denham, Information Commissioner, 17th November 2017

Any Questions?

RNIB

See differently

- Resources: see delegate pack

RNIB

See differently

Thank you!

Major Donor Prospecting – smash your GDPR fears to unlock new prospects

Sacha Tremain

Senior Manager Prospect Research

RNIB

sacha.tremain@rnib.org.uk

Sacha Tremain | LinkedIn