STUDIO 2, 136 CAPEL STREET, DUBLIN 1
T. 01 8656956 M. 087 2174891 E. INFO@FUEL.IE W. FUEL.IE

# GDPR, cookies & tracking codes

Best practice advice for GDPR compliance on your website.

1. GDPR compliance for websites

2. Our advice

3. Things to consider before adding additional tracking codes to your website

4. Technical advice

5. Example privacy policy & cookies information text for your website

Please note that Fuel is a not a law firm and the information provided in this document does not constitute legal advice.

*Last updated 07 Sept 2021*

STUDIO 2, 136 CAPEL STREET, DUBLIN 1
T. 01 8656956 M. 087 2174891 E. INFO@FUEL.IE W. FUEL.IE

# 1. GDPR compliance for websites

The General Data Protection Regulation (GDPR) was ratified by the European Union in 2016 and became law in 2018. It is designed to give individuals better control over their personal data and establish one single set of data protection rules across Europe.

**EVERYONE HAS THE BASIC RIGHT TO FREELY BROWSE THE WEB WITHOUT BEING TRACKED IN A PERSONALLY IDENTIFIABLE WAY.**

In order to be completely GDPR compliant you need express permission from your visitors **before** you can run any tracking code/cookie that collects **personally identifiable information (PII)** such as name, address, email, or even computer IP address.

This means users have to **opt IN** to any cookies that collect PII and they must be prevented from running until/unless the user gives permission.

## TO COMPLY WITH GDPR:

- Where personal details are taken automatically (eg. via tracking cookies) user consent must be supplied before activation (eg. via a cookie consent pop-up).
- A link to view your privacy policy must be clearly displayed and easily found. Typically this is found in the footer on every page of the website.
- Your privacy policy must detail what personal information you're collecting from visitors; what you will do with that information; how it is stored and who it is shared with. This includes any details that may be submitted by users voluntarily (eg. via a contact form).

If you are not using tracking cookies, or if the only cookies being used on the website do not collect personally identifiable information (PII), then you do not need to display a cookie consent banner.

STUDIO 2, 136 CAPEL STREET, DUBLIN 1
T. 01 8656956 M. 087 2174891 E. INFO@FUEL.IE W. FUEL.IE

## 2. Our advice

The easiest way to comply with the GDPR is to **not install any tracking codes that collect personally identifiable information.** These include Facebook Pixel codes; tracking codes provided by Instagram, Twitter or other social media platforms; Google Adwords tracking via Tag Manager; or any other paid marketing services such as 'Lead Analytics'.

Aside from being GDPR compliant, this approach also has a number of added advantages:

- You do not have to display a pop-up cookie consent banner. These banners are annoying for website visitors and should be avoided.
- Your website will load faster and does not have to wait for any communication with another website.
- You do not have to create complex privacy policies that detail all of the information being collected, how it is stored and who it is being shared with.

We advise only running one simple analytics setup that has been specifically set to anonymous tracking, with any advertising features or third party intergrations disabled.

STUDIO 2, 136 CAPEL STREET, DUBLIN 1
T. 01 8656956 M. 087 2174891 E. INFO@FUEL.IE W. FUEL.IE

# 3. Things to consider before adding additional tracking codes to your website

Before adding any additional tracking code supplied by any social media platforms or digital marketing services such as 'Lead Analytics', please consider the following:

### 1. YOU MUST GET CONSENT

You must not run the tracking code until consent is given, typically this is done via a pop-up cookie consent banner. If you do not already have a system in place this will have to be added by your website developers, and it is likely that a third party system will be required that has a monthly or annual fee, such as https://cookie-script.com

### 2. YOU MUST UPDATE YOUR PRIVACY POLICY

You are required by law to detail all of the information that is being collected; how it is stored and who it is shared with. The providers of the code should also provide you with the information that needs to be displayed.

### 3. CAN IT BE LOADED ASYNCHRONOUSLY?

Every additional code script adds weight and loading time to a website, and any that do not load 'async' can prevent the rest of the website from loading completely until communication with another website has been achieved (so if that website fails to respond your website will not load). Tying your website visibility to another company like this is far from ideal.

### 4. PRIVACY

Everyone has the basic right to freely browse the web without being tracked in a personally identifiable way. These tracking codes can be very intrusive.

### 5. DO YOU REALLY NEED THIS INFORMATION?

Are you already utilising your existing analytics data?

### 6. WILL THIS INFORMATION BE ACCURATE?

Website visitors now have a variety of ways in which they can automatically block tracking cookies. Many web browsers already do this by default; browser extensions can be installed; private browsing can be used; and many will simply not provide consent. This means that the **results will likely not be accurate**.

STUDIO 2, 136 CAPEL STREET, DUBLIN 1
T. 01 8656956 M. 087 2174891 E. INFO@FUEL.IE W. FUEL.IE

# 4. Technical advice

We advise only running one simple analytics setup that has been specifically set to anonymous tracking with any advertising features or third party intergrations disabled.

Google Analytics can be set to anonymise the traffic data, which works by shortening IP addresses so that website visitors cannot be identified.

**ON OLDER 'UNIVERSAL ANALYTICS':**

On older 'Universal Analytics' this must be added manually to the tracking code eg.

```
gtag('config', '<GA_MEASUREMENT_ID>', { 'anonymize_ip': true })
```

**FOR NEWER GOOGLE ANALYTICS 4 (GA4):**

For newer Google Analytics 4 properties (GA4), IP anonymization is enabled by default, but a couple of other steps should be taken:

- **a. Disable Google 'Signals 'Advertising Features'**
  To disable Signals for an entire property go into the 'Admin' section of your GA4 Property and toggle off the "enable Google signals data collection" in your data settings.

- **b. Set Default Reporting to device only:**
  Set the Default Reporting Identity to 'By device only (not by User ID)'
  [The device is assigned a random integer]

STUDIO 2, 136 CAPEL STREET, DUBLIN 1
T. 01 8656956 M. 087 2174891 E. INFO@FUEL.IE W. FUEL.IE

# 5. Example website text

Sample privacy policy & cookies information text for your website:

### USE OF YOUR PERSONAL INFORMATION

We respect your right to privacy. Where personal details are submitted by users via contact form, email or telephone, this information is treated in strict confidence. This information will never be provided to any third parties for the purposes of selling or marketing to you. We have done our utmost to ensure that any data is stored securely and effectively, to prevent unauthorised access or disclosure of same.

If you have any queries or questions about privacy and/or security of your personal data please contact us on *[telephone number]* or *[email address]*.

### COOKIES

This website uses Google Analytics tracking **which has been set to anonymise traffic data, so we cannot identify users or access any personal data.** Advertising features have been disabled and reporting identity has been set to device only [assigned a random integer], not by User ID.

**There are no other cookies set for this website.**

Visits to this website are logged for statistical purposes only. No information is collected that could be used by us to identify website visitors and we will make no attempt to identify individual visitors, or to associate technical details with any individual.

Google Analytics with anonymised IP works by shortening Users' IP addresses within member states of the European Union or in other contracting states to the Agreement on the European Economic Area. This information is stored by Google Inc. and subject to their privacy policy, which can be viewed here: http://www.google.com/privacy

### Opt-out

Google have developed a Google Analytics opt-out browser extension to provide the ability to prevent any data from being collected for analytics.