



FASTSMS Guide

Mobile Marketing Guide: Regulations & Best Practice

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FASTSMS Mobile Marketing Guide

The following document has been composed by FASTSMS for its customers' use only. It contains information on and interpretations of the current EU regulations regarding SMS marketing as well as tips and advice on how to get the most out of mobile marketing campaigns whilst avoiding any legal issues.

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Please note this document offers general guidance only and NetSecrets accept no responsibility for the accuracy of the information contained within it.

For a full copy of the current guidelines please visit <http://www.ico.gov.uk/>

EU Regulations

The following content is taken directly from THE PRIVACY AND ELECTRONIC COMMUNICATIONS (EC DIRECTIVE) REGULATIONS 2003. There is no definitive law surrounding the use of SMS in marketing and this information is provided for illustrative purposes by FASTSMS. Our own interpretations of these suggestive regulations are provided later in this document.

This is what the law goes on to state:

Electronic mail

Electronic mail is emails, SMS (text), picture, video and answer-phone messages. Electronic mail marketing messages should not be sent to individuals without their permission unless all these following criteria are met:

1. The marketer has obtained your details through a sale or negotiations for a sale.
2. The messages are about similar products or services offered by the sender.
3. You were given an opportunity to refuse the marketing when your details were collected and, if you did not refuse, you were given a simple way to opt out in every future communication.

The regulations do not cover electronic mail marketing messages sent to businesses.

In other words, if you satisfy these criteria, you do not need prior consent to send marketing by electronic mail to individual subscribers. The information Commissioner interprets "through a sale or negotiations for a sale" as the following:

A sale does not have to be completed for this criterion to apply. It may be difficult to establish where negotiations may begin. However, where a person has actively expressed an interest in purchasing a company's products and services and not opted out of further marketing of that product or service or **similar products and services** at the time their details were collected, the company can continue to market them by electronic mail unless and until that person opts out of receiving such messages at a later date.

However, you must ensure that you identify yourself in any text/picture/text messages that you send and provide a valid address to which opt-out requests can be sent. If you are sending the message on a soft opt-in basis, you are obliged to provide simple means of refusing further messages which is free of charge except for the cost of transmitting the refusal. For the avoidance of doubt, if you only supply a premium rate or national rate number in these circumstances you would not satisfy this obligation.

Permissions

The following information is the FASTSMS interpretation of the previously stated regulations combined with our own guidelines for permissions during SMS marketing...

SMS is one of the most intrusive methods of marketing ever devised and as such has unrivalled penetration rates for short bursts of information. However, due to its direct nature you must be delicate in your approach.

Due to the Telephone Preference Service (TPS) having no control over text messages people can't just simultaneously unsubscribe from all SMS marketing – so broadcasters have to make it clear how to do this.

The previously highlighted directive and the UK Privacy and Electronic Communication Regulation (PECR) consider SMS to be the same as email. This means, in the UK SMS marketing can only be sent to those who are lawfully able to receive it – not to Individual Subscribers without prior consent.

Using the 'soft opt in' approach you can send messages to anyone who has given you their details freely in the course of an enquiry or negotiation over a sale, and you can then text them about things that are related to that particular product or service. It may not seem that clear, and a lot of the time it can only be agreed on a case by case basis.

We recommend you use a clear opt in process. Whilst it is acceptable to send either service messages or marketing messages to customers about a similar product who have given you their details (soft opt in), it is not always the best practice. When you take down details make it clear that you intend to send them marketing messages, or send them a text asking them to opt in – in the long run it will mean more happy customers. By making it their decision to receive messages, they are more likely to see it as a customer service rather than your new way of generating revenue.

It is important that you gain the recipient's trust. Make sure that you clearly identify your company, and provide a clear opt out route. This is a legal requirement, satisfied by including a STOP Shortcode in the text (txt STOP 87692).

After someone has opted in, set frequency expectations – alert your audience to how often they should expect a text message and give them the opportunity to opt out if this is too frequent, or they don't want to pay any possible charges (dependent on the nature of the campaign). Also, always make your recipients aware that 'standard rates may apply', this is easiest to put next to your campaign on other types of media like print, billboards and television.

By following the simple process of gaining permission, identifying yourself and giving clear opt out routes you will cover yourself against any possible disgruntled recipients or legal issues.

Mobile Marketing: Getting Started

If you are new to the world of mobile marketing you may have been overwhelmed with the various options available – SMS, MMS, WAP, mobsites, iphone apps, Bluetooth etc. Our advice is to start simple. To begin with, success will hinge on launching a campaign that is simple to manage as well as simple for your audience.

SMS (text message) marketing is a simple, low cost point of entry for the majority of businesses and marketers. SMS, used as short term, short acting informational campaigns can be used effectively to offer real added value to a product or service. SMS is more affordable than any other option and used together with more traditional forms can have a massive impact on the way your customers behave. SMS offers distinct advantages over these more traditional forms – it is received in real time with read rates of 95% and higher. SMS is therefore ideally suited for time sensitive relevant information and alerts that provoke a response in the form of a strong call to action.

You can use SMS in conjunction with your other campaigns to enhance them all, don't always think of it as a standalone campaign, and support it with other marketing tools in your arsenal. Get the SMS call to action in all your media – P.O.P. signage, newspapers, magazines, TV, website, direct mail, email campaigns, billboards and your social media. Invite customers and prospects to opt in, but be patient as this may take time.

Organisations, associations and venues use SMS to communicate special events, schedule changes and last minute alerts to their audience – delivering often time critical information directly into the hands of the customer. Political candidates have also been using SMS to connect with their volunteers and supporters – President Obama used texting throughout his campaign with resounding success. But businesses more than anyone are using SMS to send alerts about special offers, sales and upcoming promotions – this gives them a real time personal connection with their customers that is invaluable in the communication strategy.

FASTSMS provide everything needed for any type of SMS campaign along with the expertise to advise and interpret at every step of the way.

Mobile Marketing: Strategy

Target Audience / Database

Identifying and understanding the target market is an essential practice in SMS marketing. No campaign should begin without first understanding who they are, where they live and why would this interest them – remember: you can never have too much information. The better you target your audience, the greater your results will be – a restaurant chain for example will have the best results promoting a specific restaurant nearest the recipient.

Bear in mind that you will be delivering a personal message to the most personal of electronic devices – in order for it to be effective and non-intrusive it must be relevant. This means understanding as much as you can about the person reading it, remember whatever they are doing it is likely you will be interrupting it, and make sure it is worthwhile.

When you are putting your database together, don't simply add all the mobile numbers you have laying about – get permission first. You can do this either with a keyword opt in (txt HUT to 87692) or as part of a web form (for example during an order process). In either case a double opt in (a confirmation) where there is another step before being added to the database can be beneficial – this can require them to respond “YES” to confirm their subscription. Having a double opt in such as this ensures a distribution list that yields few to no complaints.

Timing

Use SMS when you are looking for an immediate and high response rate. Email may be of lower cost, however only 25% are opened compared to 95% of text messages – response times to SMS are also quicker, usually within 1 hour.

As SMS is so immediate in nature, the time of day is crucial to the success of a campaign – evidence suggests that mobile phones are used most between noon and 6pm. Although it depends on the product or service you are offering, and the general nature of the message, the best time to send a broadcast is mid-late afternoon.

Timing is something that goes hand in hand with being relevant, if the timing is off then any relevance the message holds is off, and this is different across different mediums. Although you can send email months in advance as a travel agent advertising a holiday, this would lose all relevance if the same message was sent via text; instead, information about cheap flights and last minute deals sent by text is much more likely to yield a response than if it were sent by email. Similarly if a shop is having a sale they would text potential consumers minutes before the doors opened, not weeks - you have to pick the right medium for your message.

In SMS marketing, timing is a careful balance – get it right and you’ll see the results, get it wrong and you’ll waste your money. Which brings us back to the importance of understanding your audience and their habits – you have to know when they make their arrangements and decisions regarding your product or service. Deliver your message just as they are making that decision for maximum effect – advertising a restaurant is best done at 5pm, just as people are deciding what to do for their evening meal.

A timely response is also essential - people have short memories when it comes to mobile marketing, once someone has opted into a campaign respond quickly. An auto response is vital and follow up messages should go out within a few days.

Special Offer

Anyone in marketing will tell you how important a special offer is, however due to the immediacy held by SMS it becomes all the more important in mobile marketing. Whilst a gentle reminder that you are still there may increase sales or interest a small amount, attaching a special offer is likely to not only generate more interest, but also increase the amount of customers who make a purchase. However, once more relevance is key – make the offer enticing, make it something your audience would want, whilst not everyone would become giddy over 5% they may become interested in a relevant free gift when a certain amount is spent.

If you have a physical presence in the form of a shop, asking customers to present the message at the point of purchase for a percentage off or a traditional buy one get one free offer not only limits the offer to those recipients (who would generally be people who would otherwise not have made a purchase) but it also gives you a means to measure the success of the campaign. If your sales are done online or over the phone – simply include a promotional code to be quoted at point of purchase and you get the same result.

Shortcodes

Although a normal 11 digit Virtual Mobile Number (VMN) is fine for most purposes, when running SMS marketing it is important to use a 5 digit Shortcode. Using a Shortcode in advertising campaigns has been shown to increase response rates by 10%. The purpose of a VMN is to create the illusion that you are texting a real number, great for customer service and other general use. However apply that same illusion to a marketing campaign, and the image of someone sitting texting thousands of people suddenly seems unprofessional – this is why Shortcodes are great, they add a professional, commercial image to a campaign.

A Shortcode is more affordable than you might think – by sharing a Shortcode with other companies separated by a keyword you get all the benefits of a Shortcode at a fraction of the cost. However if you are a larger company it is recommended that you use your own dedicated Shortcode to keep your brand intact, allowing your audience to recognise the Shortcode when you advertise or send out a broadcast.

Make your campaigns viral – every now and then send your audience opt in instructions for a friend if they like your service, txt REGISTER to 87692. Remember SMS marketing works best in conjunction with other forms of campaign – you might send an email about a special offer a week before, and then send an SMS the day it expires to instil a sense of urgency.

Mobile Marketing: The Message

In truth the message itself is dependent upon the intended audience; however there are a few proven strategies that are sure to maximise the effect. Remember that you only have 160 chars per credit so you need to be concise but clear – don't try to cram in too many points, just say what is important to the reader.

Making a campaign personal is a great way to increase response rates, and there are two ways you can go about this. Capture your subscribers' first name; you can then use this in your distribution list in NetMessenger, by writing the message as "Hi #name#, great news..." the recipient's name will automatically be imported to each message, forming a connection and building a stronger relationship with your audience. Another way is with your special offer, rather than advertising a general offer that is happening with or without the recipient, give them a redeemable voucher to use within a certain time period.

It may seem an obvious point, but when sending a broadcast make sure you let them know who you are, do this before they even open the message using the text label feature in NetMessenger. As well as this use some highlighted words at the beginning at the start of the text as an attention grabber. A word or two in capitals, such as NEWS or ATTENTION stimulates the reader's curiosity and compels them to read on.

The issue of 'text speak' is one that is still very much open for debate, whilst there is no doubt that it is here to stay there are still many questions surrounding when it is acceptable to use it. Due to the character limit on SMS abbreviations and substitutions are often necessary in order to fit a message in. However for many this can make the message confusing and seem unprofessional. It is probably best to define how much abbreviation you include dependent on the audience, which again is why knowing your audience is so important. If you are sending to a predominantly young audience then you may be able to 'get away with' more text speak than with more mature recipients.

In any case, standard message components such as opt out instructions displayed as 'txt STOP 87692' are usually acceptable. In the end it is one left down to personal judgement that you just need to be aware of.

A strong and simple call to action is essential within the message, don't just list your phone number - ask them to call you, or visit. Evidence shows that the simplest calls to action have the highest response rates such as 'call' or 'reply' – the less you ask them to do the more likely they are to do it.

Most importantly – be relevant, remember that when you send your message you are sure to interrupt whatever it is they're doing, so make it worthwhile.