

**DISCLAIMER: This a recap of some of the steps or conversations that led to the adoption of Mailchimp to manage a distribution list/newsletter.**

**Why a distribution list?**

Publishing a newsletter is among the best communications practices for digital government organizations, like 18F and GDS.

Our hypothesis: that public servants are more likely to follow CDS by subscribing to the newsletter, and tech community more likely to follow CDS on Twitter.

CDS is one of few digital government organizations that have legal requirements to publish information in two languages at the same time.

CDS has two separate distribution lists:

1. to simplify the sign up process: users register to a newsletter based on the language of the website interface they use (interface in French, subscribing to French newsletter). For the user, this is easier than having to go back to a profile and choose a language.
2. to target audiences with one unilingual newsletter, instead of a lengthy, clunky looking bilingual newsletter.

**Why Mailchimp**

1. Good reputation for user experience
2. Good accessibility principles and editing tools for content
3. Flexibility to be embedded into any kind of website, including static websites like ours
4. Robust security features

Traditionally, departments manage distribution lists in Outlook. Updating these kinds of lists can be labour intensive, and leave room for human error (for example, CC’ing instead of BCC’ing hundreds of subscribers). Using Outlook in this way is a potential information security risk.

In Mailchimp, the distribution list manages itself. Users subscribe or unsubscribe by themselves, and the distribution list is automatically updated accordingly. There is no manual labour involved in sending each newsletter, and less risk of human error.

If a department wants to transfer an Outlook distribution list to an automated Mailchimp list, we generally wouldn’t recommend importing an existing list.

Our recommendation in that case is for the department to send an email (through their existing process) saying, for example, “We will now be using Mailchimp. Please follow link X to subscribe to English messages, and follow link Y to subscribe to French messages.”

This provides a clear opt-in consent for subscribers to be part of the new mailing list. It also allows them to choose their preferred official language for messages.

Mailchimp’s [security features](https://mailchimp.com/about/security/) include multi-factor authentication, TLS, a vulnerability disclosure process, and annual SOC II audits. We’re using multi-factor authentication to protect our account, and we recommend it for anyone using Mailchimp.

**Policy**

The main concern for using Mailchimp is privacy and personal data protection.

We consulted with TBS legal and privacy colleagues, who recommended minimizing the information collected as much as possible. We removed the “first name” and “last name” fields from the default Mailchimp signup form as a result. As such, we only collect the subscriber’s email address (and, implicitly, their preferred language, based on the language of the signup form or webpage that they used to subscribe).

The guidance we were provided indicated that an email address by itself, as a single identifier, did not constitute personally-identifying information. In other contexts (for example, a mailing list on a more sensitive topic such as medical benefits, or of participants in a vulnerable community) this might not be the case.

Although Mailchimp stores data on servers outside of Canadian borders, this is not a problem since the [data residency policy requirement](https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12755) only applies to “Protected B” information and above.

We worked with TBS Legal Services to draft a privacy notice that accompanies the subscription process, which used the following text:

*Our newsletter feature uses* [*Mailchimp*](https://mailchimp.com/)*, a third-party application. Sign-up is voluntary and subject to the* [*Terms of Use*](https://mailchimp.com/legal/terms/) *for the Mailchimp platform. When you sign up, your email address and language preference (English or French) is collected. No other personal information is collected.*

*The collection and use of your personal information is authorized by the Financial Administration Act. Collection and use of your personal information for this site is in accordance with the federal Privacy Act. Your personal information may be used to respond to your inquiries, if applicable, and to help evaluate the effectiveness of Treasury Board of Canada Secretariat (TBS) programs in responding to client needs. In exceptional circumstances (e.g., individuals who make inappropriate remarks or threats, etc.), personal information may be disclosed without your consent pursuant to subsection 8(2) of the Privacy Act.*

*Any personal information that may be collected is described in the Standard Personal Information Bank entitled* [*Outreach Activities, PSU 938*](http://www.infosource.gc.ca/emp/emp03-eng.asp#psu938)*, which can be found in the Treasury Board of Canada Secretariat (TBS) webpage* [*Information about programs and information holdings*](https://www.canada.ca/en/treasury-board-secretariat/services/access-information-privacy/access-information/information-about-programs-information-holdings.html)*.*

*Any questions, comments, concerns or complaints you may have regarding this Statement, your privacy rights and the Privacy Act may be directed to the Treasury Board of Canada Secretariat (TBS)’s Access to Information and Privacy Coordinator by email at ATIP.AIPRP@TBS-SCT.gc.ca or by telephone at 1-866-312-1511. You may also wish to contact the Office of the Privacy Commissioner of Canada by email at info@priv.gc.ca or by telephone at 1-800-282-1376. You have the right to complain to the Office of the Privacy Commissioner of Canada about the handling of your personal information by TBS.*

Other policy considerations:

1. Federal Identity Program: Newsletter should display the Canada wordmark and/or Government of Canada signature
2. Official Languages: Footer offers the option to subscribe in the other official language
3. Privacy and consent: Footer offers the option to unsubscribe from the mailing list

**Costs**

The decision was made to pay (not use the free version of Mailchimp) from the beginning, to remove the Mailchimp advertisement included in the footer of the free version.

The monthly fee is based on subscription numbers, and is paid via departmental acquisition card. The cost increases incrementally as the subscription list grows: at the beginning it was $10/month, and as of July 24, 2018, it was $33/month.