Soft Opt-In Decision Making Framework

February 2026

What is the Soft Opt In?

The soft opt-in allows charitable organisations to send electronic marketing (such as emails or text messages) without first obtaining explicit consent, provided specific conditions are met.

As of February 2026 charities can contact individuals who have expressed interest in their work or offered support, as long as communications further the charity's purposes and an easy opt-out is provided at the point of data collection and in every message thereafter.
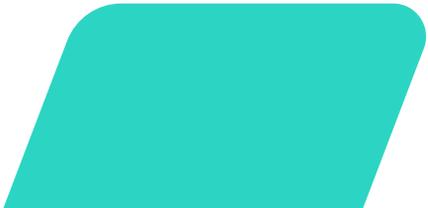
Purpose and scope of the framework

Framework Purpose

Guides charities in evaluating adoption of DUAA soft opt-in regulation for fundraising communications.

Key Considerations

Focuses on legal compliance, supporter trust, operational readiness and strategic benefits.

Target Audience

Intended for leadership, fundraising, retention and data teams within charities.

Structured Approach

Step-by-step process covering legal eligibility, readiness, audience fit and ethical decisions.

Assessing Viability

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STEP 1
Volume

Do you have enough data to make implementation time and cost worth the benefits?

A good benchmark is 3,000 – 5,000 contacts before considering this.

For Legacy and similar communications, you may wish to proceed with fewer.

STEP 2
Forecasting

Use your email and SMS open and conversion rates to help forecast potential donations.

Ensure you have built in some buffer for the fact that soft opt ins are likely to respond less than hard opt ins.

STEP 3
Audience

The highest respondents to emails and SMS communications are generally in younger age brackets.

Does this align with your target audience and/or current donor base?

Implementation

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STEP 1
Technical Capability

Does your CRM management system (or spreadsheet!) allow you to track your soft opt ins separately to hard opt ins?

Will your email/SMS system allow you to report on open and response rates separately so you can measure success?

STEP 2
Internal Capacity

Do you have the capacity to update privacy policies, email/SMS journeys and content for the soft opt in segment?

STEP 3
Your Donors

Will you need to update your supporter promise? Will you need to communicate this? Would you anticipate negative response from your supporter base? Would this align with your organisational values? What governance will you have in place to avoid the erosion of trust?

Testing

Test & Learn Before Implementation

1. Identify a small audience to test with that will minimise reputational risk if testing is not received well

2. Ensure benchmarking and measurement are in place

3. Decide what response levels will be considered successful

4. Set live & monitor

5. Assess supporter sentiment

6. Report back to decision making group

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processes, people and technology

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