
K-Notes: Privacy Policy

from **Expensify**

General language vs. specific

When it comes to privacy policies, drafting more general language, but also providing specific examples, is the best to ensure consumer clarity. But, check with your jurisdiction to know your context.



“[It’s] gotten a lot stricter on what you put in the document...giving consumers the correct information with very specific details of how and when you’re using their information.”

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KEY TAKEAWAYS

- **Include notices**

Including notices of the EU’s GDPR and California’s CCPA in your privacy policy, along with other specifically needed jurisdictions.

- **Check on emails**

You need to confirm that the company’s emails follow the jurisdictional law and rules. In the US, the FTC guidelines are relatively clear-cut and should be useful.

- **Remember that California is different**

While the EU has the GDPR, California has the CCPA to protect consumers’ data privacy, and the language between the two differs. California talks about the allowable commercial use of data, while the EU focuses on the legal basis for data usage.

- **Transactional or Marketing: make it clear**

Draft a privacy policy that makes it clear to the reader what a transactional email is and what a marketing email is, and which one is allowed to use their data.

“The FTC takes marketing promotional information very broadly. Where they do get angry is where a company tries to pass off marketing or promotional emails as a transactional email.”