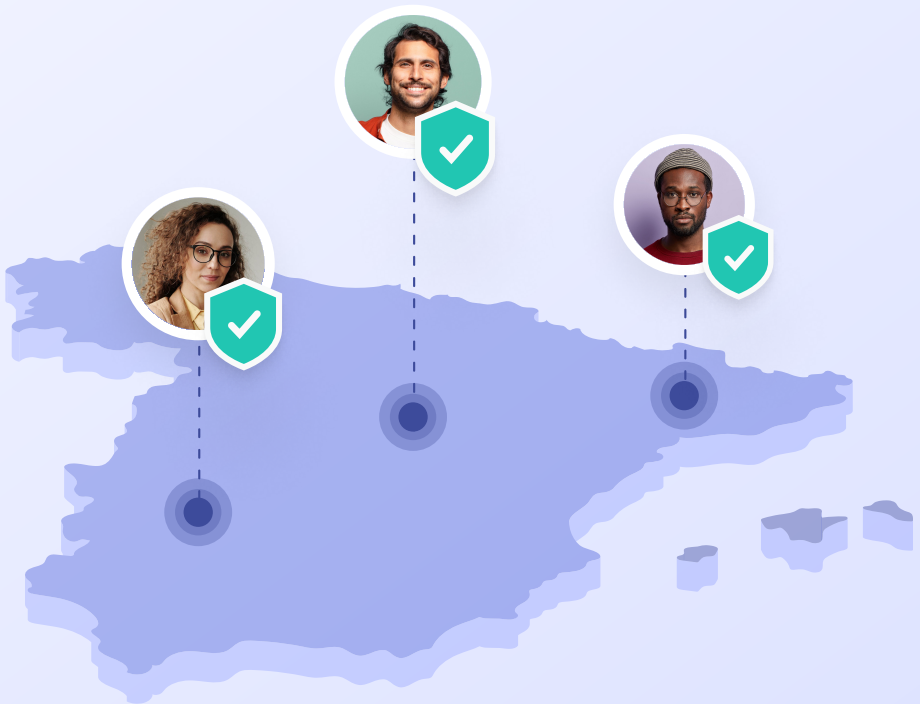


DIDOMI

DATA PRIVACY *Benchmark*

# Consent collection in Spain in 2024





*Spain has been an incredible market for Didomi. Since we started the company in 2017, we've been grateful to build meaningful relationships with organizations, brands, publishers, and organizations there and to grow as one of the main consent management platform providers on the Spanish market.*

***2024 has seen a lot of changes and updates in Spain due to the updated guidelines released by the AEPD, the country's data protection agency.***

*This isn't new to Didomi, and as always, our team was on the ground assisting customers, partners, and local organizations in getting up to speed with these new requirements. This is the start of a new era of data protection in Spain, and we're happy to introduce this guide to help you get a better grasp on the market and understand where your performance stands.*



**Raphaël Boukris,**

Chief Revenue Officer and co-founder at Didomi

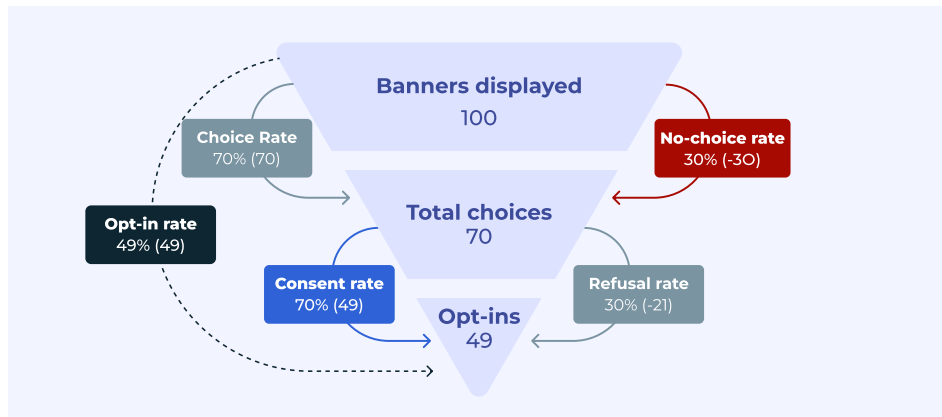
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# Glossary and key concepts

Didomi collects events through the SDKs deployed on web properties (websites, mobile apps, privacy Centers, etc.) and provides aggregated analytics in the Didomi Console.

Understanding how privacy impacts organizations across all digital activities is critical. Before taking a closer look at the data, let's ensure we understand the main privacy indicators at play.



## Consent rate

The consent rate provides the percentage of users who have given consent (opt-in) over all the users who have replied to the consent notice.

## Choice rate

The banner choice rate is the percentage of choices given (opt-in or opt-out) over the total number of banners.

## No-choice rate

The no-choice rate is the percentage of consent banners displayed that were not answered to.

## Opt-in rate

The opt-in rate is the number of opt-ins divided by the number of banners displayed. It gives the percentage of users who gave their consent

## Cookie wall

A cookie wall is a mechanism that allows you to block access to certain content or services in your website or app if the user has not consented to cookies.

## Consent rate vs Opt-in rate

We describe all the differences between the consent rate and the opt-in rate in this [dedicated article here](#).

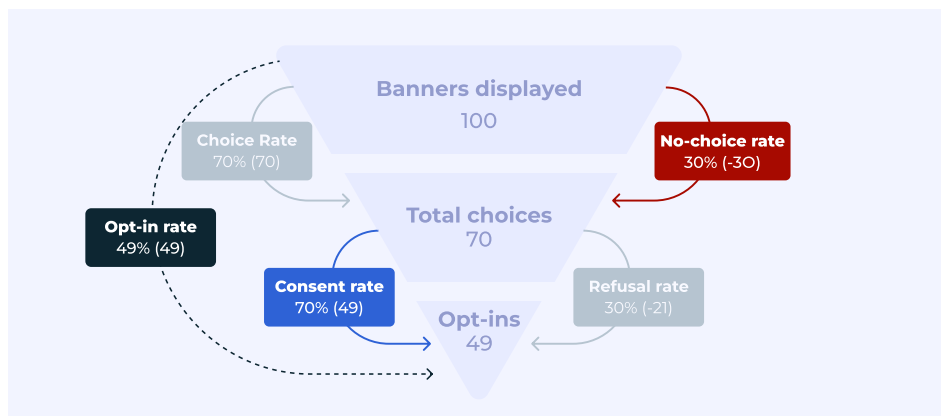
## Refusal rate

The refusal rate is the number of opt-outs divided by the number of banners displayed. It gives the percentage of users who replied negatively.

## Overview of the main metrics

- **Consent rate** provides the most consistent indicator regarding the ability of a banner to generate user opt-ins.
- **Opt-in rate**, on the other hand, has a higher variability because the indicator can be affected by traffic with a high bounce rate, such as a display campaign. Also, the opt-in rate can vary a lot according to the format of your banner. For example, a mix of pop-in and footer consent banners would make it more difficult to read and analyze performance across environments.

For the purpose of this whitepaper, we will focus on three key metrics: **consent rate**, **no-choice rate**, and **opt-in rate**.



# The context surrounding consent in Spain in 2024


The Spanish Data Protection Agency (AEPD) releasing updated guidelines regarding cookies has been the biggest data privacy news in Spain in 2024 so far.

These guidelines introduce several changes, two of which are particularly relevant to us:

- **Cookie walls are allowed in Spain for organizations that follow some requirements.**
- **Analytics cookies can be exempt from consent under certain conditions.**

These updates follow previous headlines when, in 2023, the AEPD also announced that organizations must include a "Reject" button in the first layer of their cookie banner.

Visit our comprehensive guide about data privacy in Spain to learn about the updated guidelines in detail and how organizations can comply.



## Read our Spain Data Privacy Guide

[Read now >](#)

## 2024 BENCHMARK

# Consent in Spain

Our Consent Management Platform (CMP) is recognized as the leading CMP by software review website G2 and is deployed on over 29k websites & apps. This allows us to gather, aggregate, and crunch many numbers to paint a picture as comprehensive as possible of the state of consent collection in 2024.

Our partners and customers in Spain include Globant, MakingScience, Lin3s, and Incubeta, among others. The data in this whitepaper was collected from December 2023 to March 2024.

Note: For a breakdown of the main consent metrics and what they mean, head to [the analytics section of our help center](#).

### Average consent rate in Spain

Although Spain generally boasts relatively high consent rates compared to the rest of Europe (see our [2024 benchmark](#) for the full breakdown per country), we observed a significant drop in Jan. 2024 following the AEPD update.

Period	Consent rate	No-choice rate	Opt-in rate
Mar. 2024	84.1%	28.0%	60.5%
Feb. 2024	84.0%	27.8%	60.5%
Jan. 2024	84.8%	26.9%	62.0%
Dec. 2023	89.8%	25.7%	66.8%
Range	84.0% to 89.8%	25.7% to 28.0%	60.5% to 66.8%

## Consent rate per device in Spain

Devices used have also been shown to influence consent performance, with relatively low consent and opt-in rates on smartphones specifically.

Device Type	Consent rate	No-choice rate	Opt-in rate
Desktop	90.3%	28.5%	64.6%
Smartphone	86.3%	34.4%	56.3%
Tablet	84.0%	27.2%	61.4%
Television	83.7%	26.8%	61.3%
Phablet	83.6%	27.3%	60.7%
Range	83.6% to 90.3%	27.2% to 34.4%	56.3% to 64.6%

## Consent rate per industry in Spain

The data per industry yields interesting results, with major discrepancies from one industry to the other, up to almost 20% between the Beauty/Cosmetics industry and the Public Sector and Education field.

Beauty & Cosmetics	92%	Home equipments	77.5%
Entertainment & Leisure	83.6%	Healthcare & Pharma.	77.4%
Travel & Transport	81.7%	Real estate	76.3%
Fashion & Jewelry	81.1%	Services	75.9%
Food & Beverages & Consumer staples	80.8%	Finance & Insurance	74.3%
Automotive	80.2%	Energy & Utilities	73.2%
Gaming & Sports	78.5%	High tech & Telecom	72.8%
Media & Publishers	77.9%	Public Sector & Charity	72.6%

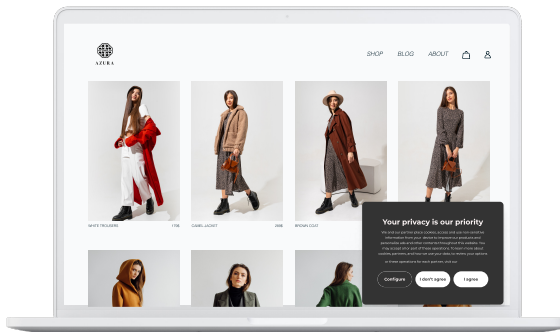
Note: the figures on this page have been collected after the AEPD update.



## What is the best consent banner format in Spain?

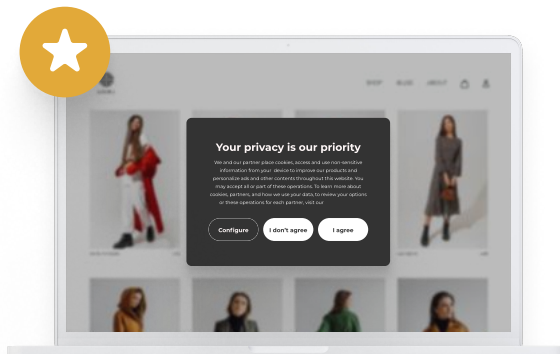
Like in the rest of Europe, a consent banner with a fixed pop-up interrupting navigation appears to be the most effective consent banner format in Spain.

Consent is **Optional** to navigate  
**No-choice rate between 40% and 70%**



**No-choice rate  
decreases between  
-17 points and -38 points**

Consent is **Required** to navigate  
**No-choice rate between 23% and 32%**



## 2024 BENCHMARK

# Impact of the latest AEPD guidelines in Spain so far

As of April 2024, we've seen significant impact from the new AEPD guidelines on consent banners, particularly the requirement to include a "reject" button in the first layer of the banner.



*"Our team at Didomi has seen the profound change driven by the latest guidelines from the AEPD on the Spanish market firsthand. Regulatory changes have the potential to have an impact almost overnight on organizations' and publishers' business models"*



**Sergio Gomez**

Country Manager Iberia/LATAM at Didomi

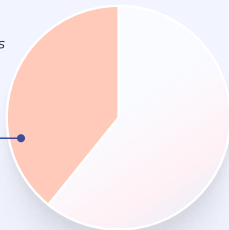
The numbers reflect this. Comparing the percentage of websites offering no negative action in their consent banner before and after the latest updates reveals a dramatic shift, from 39% in December 2023 to 10% in March 2024.

**DEC 2023**

*Before AEPD updates*

**39%**

No negative action

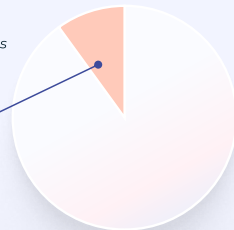


**MAR 2024**

*After AEPD updates*

**10%**

No negative action



Negative action	Dec. 1, 2023	Jan. 1, 2024	Feb. 1, 2024	Mar. 1, 2024
Button only	27%	43%	66%	66%
Link only	33%	35%	25%	27%
No negative action	39%	22%	12%	10%

#### BUTTON ONLY

About your Privacy

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### LINK ONLY

About your Privacy [Continue without agreeing](#)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### NO NEGATIVE ACTION

About your Privacy

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

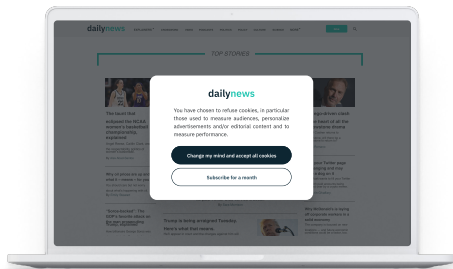
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## 2024 BENCHMARK

# Performance of paywalls in Spain

Like in the rest of Europe, paywalls in Spain perform better when interrupting navigation. Footer paywalls merely appear at the bottom of the screen, attracting fewer opt-ins

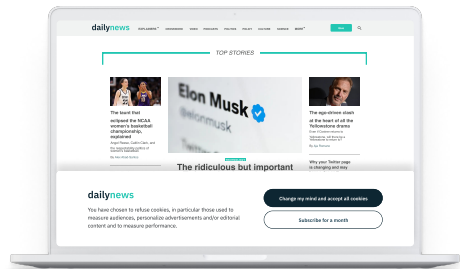
### Layer 2 of the banner - Pop-up



Consent rate uplift

**+34%**

### Layer 2 of the banner - Footer



Consent rate uplift

**+5%**

Unfortunately, we cannot confidently compare the performance of paywalls implemented through specialized paywall providers and those created in-house with DIY solutions.

There would be a multitude of data points and influencing parameters to consider, and since we cannot control how organizations set up their paywall (whether through a provider or in-house), it would be very difficult to group and explain the data, exposing our interpretation to potential (unknown) bias.

To learn how to integrate a paywall solution in your Didomi Console, [head to our documentation on the topic.](#)

# Conclusion: What is the state of consent in Spain in 2024?

Since 2018 and the advent of the GDPR, we've seen new data privacy regulations appear all over the world, making user consent collection a key priority for global organizations.

**This trend is not likely to slow down.**

Our Chief Privacy Officer, Thomas Adhumeau, notes that consent is increasingly appearing in wide-ranging regulations that are not purely related to data privacy in nature, such as the Digital Markets Act (DMA) and the Digital Services Act (DSA):



*Consent, once the exclusive domain of privacy laws, has now become the linchpin in a broader regulatory context, including consumer protection and competition law. With the DMA and DSA, we're seeing a shift towards greater user empowerment—where consent is integral not only for data privacy but also for transparency in advertising and fair data practices among gatekeepers.*

*As we embrace this shift, consent is set to play a pivotal role in shaping the future of AI regulation, ensuring users have a decisive voice in this burgeoning field.*



**Thomas Adhumeau**  
Chief Privacy Officer at Didomi

From the DMA and the DSA to the end of third-party cookies, we believe 2024 will confirm that consent is the cornerstone of any comprehensive digital strategy. Organizations must prepare for and adjust to these major changes.

In Spain, this will mean partnering with cutting-edge solutions providers like Didomi, who can share their expertise and guide companies in embracing data privacy as a business opportunity.

To learn more, visit our website at [didomi.io](https://didomi.io).

*To discuss your consent collection, privacy, and compliance challenges, reach out to our team for a quick chat with one of our experts!*



**Book a call now**

**DIDOMI**