Consent explained

Practical implementation for web and server-side tracking

Stape

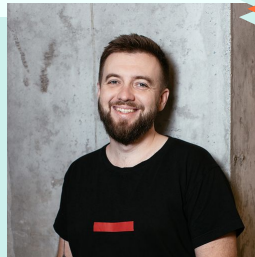# 🎙️ Speaker

Dan Murovtsev

Data Tracking / Measurement Lead at Stape

~ 1000 server-side tracking setups

Q&A session

Alex Held

Data Tracking Expert
at Stape

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Data Tracking Expert
at Stape

What you`ll get after the webinar:

🎥 **Webinar recording**

✍🏼 **Written guides** and links to the resources & presentation

3 best questions will win exclusive Stape T-shirts!

Session outline

🧦Consent fundamentals

- How consent works in principle
- Cookie banners vs. CMPs: understanding the distinction
- GDPR and ePrivacy Directive
- The Hanover court case about GTM and consent

🧦Consent in GTM

- Why server-side tracking does not bypass consent requirements
- Google Consent Mode v2 explained
- How to apply consent correctly in Google Tag Manager

🧦Live demo

🧦Q&A session

Stape is server-side tracking

Boost data quality and marketing ROI with all-in-one platform designed to simplify server-side tracking

Stape has turned 5!

200 000+
clients

500+
agency partners

&

Process more than 15 Bln requests daily

25 server locations

Ultimate security & privacy

ISO 27001:2022

SOC 2

HIPAA

DORA

GDPR

US Data Privacy

Stape is truly a one-stop-shop

infrastructure

Managed infrastructure
Set up hosting, and focus on data while we handle the rest

Power-ups
Customize your container with performance-boosting tools

GTM templates
Access the best from the largest GTM Template Gallery contributor

product

Enablement tools
Tracking Checker, Setup Assistant, Stape Analytics at your service

Platform integrations
Integrate server-side tracking with CMS and CRM platforms

Enterprise features
Tailored features for secure, scalable tracking. SSO and HIPAA included

support

24/7 human support
Dedicated implementation team and a Personal Manager

Partnership program
Enjoy benefits, commissions, and growth support

Knowledge sharing
Insights through blogs, community, webinars, and detailed documentation

Consent fundamentals

Basic principle

Consent is the user's explicit choice about what data you can collect and why.

It should be:

- informed
- specific
- freely given

And easy to change – meaning tracking behavior must adapt instantly based on what the user allows (or declines).

How consent works

While entering the website, the user is shown a consent banner where they can make a choice:

- **Accept:** They tell that all tags are welcome to track their data.

- **Reject:** They tell that no tags are allowed.

- **Customize:** They give a specific list of approved tags (e.g., "Analytics tags are okay, but Advertising tags are not").

This website uses cookies

We use cookies to personalise content and ads, to provide social media features and to analyse our traffic. We also share information about your use of our site with our social media, advertising and analytics partners who may combine it with other information that you've provided to them or that they've collected from your use of their services.

Accept all

Reject all

Manage preferences

Consent banner vs CMP

Consent banner (self-hosted):

The on-site notice/UI that informs users about cookies and lets them accept, reject, or manage preferences.

CMP (Consent Management Platform):

A system that collects, stores, and proves user consent, then sends consent signals that control which tags and vendors can run. CMPs can be certified under industry frameworks like IAB Europe's TCF.

CMPs are mandatory for advertising PUBLISHERS - those who show ads on their sites.

If you're a business that isn't an ad publisher, a consent banner is usually enough.*

* - you also need to store consent choices somewhere though (thanks GDPR)

GDPR & Consent banners

To comply with GDPR while collecting data, you should follow the rules:

- Use an **opt-in** cookie banner.

- Obtain user consent before using any cookies except for strictly necessary ones.

- Before the consent is received, provide precise and distinct information on the data you track and the purpose of such tracking.

- Document consent that you receive from users and **store it**.

- Make it possible for users to access your service without accepting non-essential cookies.

- Make withdrawing user consent as easy and transparent as giving consent.

Negative impact of consent

User experience & fatigue

Consent banners add friction and interrupt users, leading to "banner fatigue" where people click "Accept" just to continue. They can also function like consent walls, pressuring users to agree to access content which can hurt trust and brand perception.
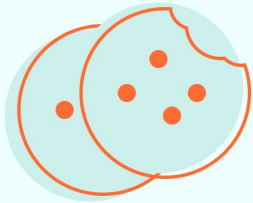
Signals accuracy

A high rate of users rejecting cookies results in lower-quality analytics data and reduced tracking capabilities for personalized marketing i.e. campaign optimization.

Some data

Consent acceptance

CISCO 2024 Consumer privacy survey
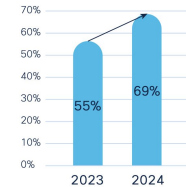
Average consent rate is

31%

Cookie consent rate ranged from 4% to 85%, based on implementation and user base

Consumers prioritize privacy when making purchasing decisions

75% | I will not purchase from organizations I don't trust with my data
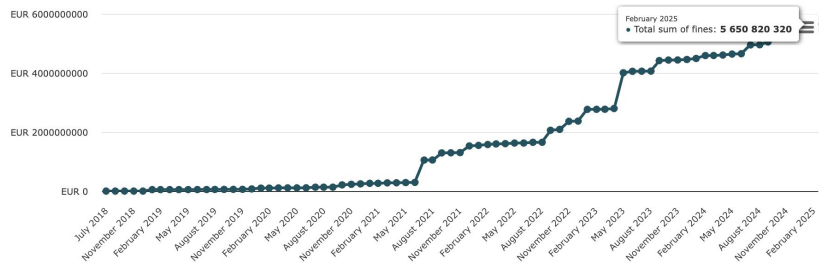
70%
60%
50%
40%
30%
20%
10%
0%

55% — 2023
69% — 2024

Manage cookie preferences and don't automatically accept all

GDPR violation fines

CMS: GDPR Enforcement Tracker Report 2025

Total sum of fines

February 2025
● Total sum of fines: **5 650 820 320**

Total number of fines
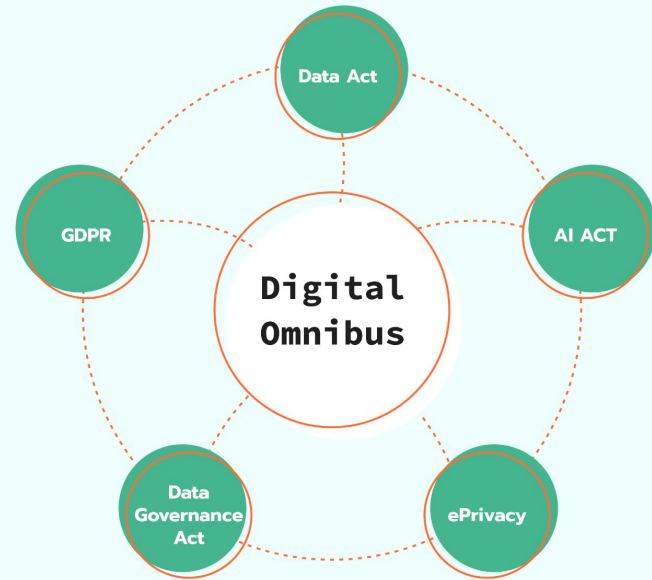
February 2025
● Total Number of Fines: **2 394**
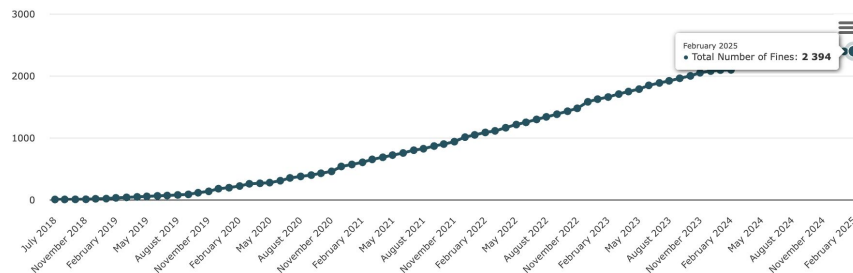
Digital Omnibus Regulation Proposal

- The Digital Omnibus is an EU proposal aimed at amending and consolidating major data regulations to simplify compliance.

- The first public discussions are expected in 2026.

- A key proposal is modernizing cookie rules by moving consent to browser ISO site level.

ePrivacy directive

Article 5(3) ePrivacy Directive 2002/58/EC

"Member States shall ensure that the storing of information, or the gaining of access to information already stored, in the terminal equipment of a subscriber or user is only allowed on condition that the subscriber or user concerned has given his or her consent..."

ePrivacy directive

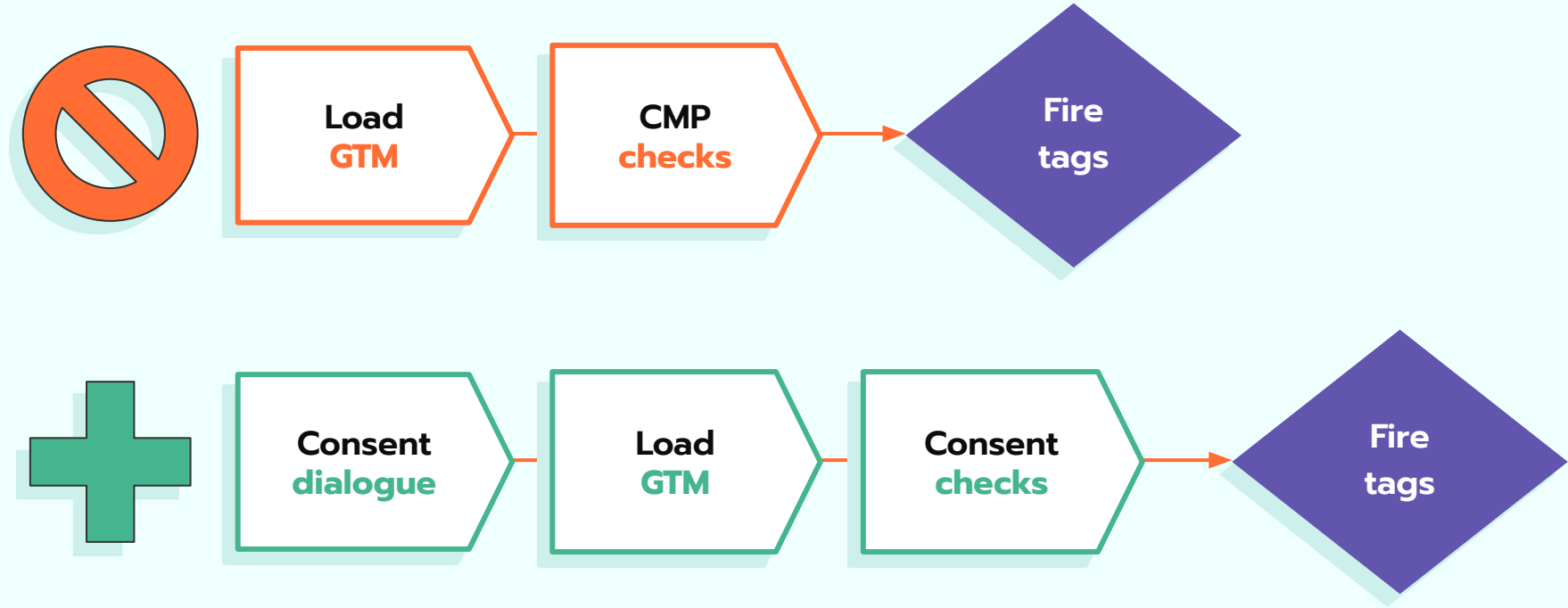**EDPB Guidelines 2/2023**

Technical Scope of Article 5(3)

- Information = any data (personal or not)

- Terminal equipment = broadly defined

- Access = even read-only operations

- Storage = even temporary

Hanover court case

Consent in GTM

Server-side doesn't waive consent requirements!

Just trust me

Google Consent Mode v2

- Google Consent Mode V2 allows websites to communicate users' cookie consent choices to Google tags more effectively.

- Essentially is an abstraction layer in between consent banner and GTM.

- Implementing Google Consent Mode V2 has been mandatory for all websites using Google Ads since March 2024 in EEA.

Consent Mode v2: Basic (vs) Advanced

Basic

If a user consents to cookies, the website behaves normally, firing all tags and collecting full data.

If a user doesn't, no corresponding tags fire in the first place.

Good example of basic would also be per-platform consent where no categories are used.
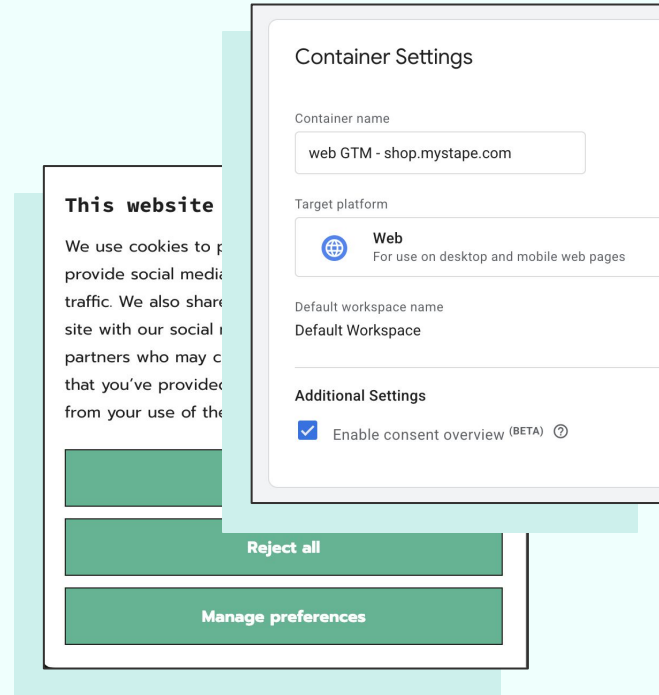
Advanced

It offers a more nuanced approach. Even when users do not consent to cookies, it allows anonymous, cookieless pings to be sent to Google for modeling purposes.

This enables websites to "recover" (compensate for) some level of data for Google Ads and GA4, even without user consent.

Consent mode implementation in GTM

- Google Tag Manager for the web includes a built-in Consent Mode, which you can find in the web container settings. This feature enables tags to adjust their behavior according to the user's consent status.

- Native Google tags will do built-in consent checks; however, you will need to manually specify when non-Google tags fire.

- You'll also need a Cookie Banner with Consent Mode support.

Container Settings

Container name
web GTM - shop.mystape.com

Target platform

🌐 Web
For use on desktop and mobile web pages

Default workspace name
Default Workspace

Additional Settings
☑ Enable consent overview (BETA) ⑦

This website
We use cookies to p
provide social media
traffic. We also share
site with our social m
partners who may c
that you've provided
from your use of the

Reject all

Manage preferences

Live demo

Script to prevent GTM loading without consent

```html
<script type="text/plain" id="custom-loader">

    //put loader here

</script>

<script>!function(){"use strict";for(var
t={window:window,gtmVariable:"dataLayer",onConsentGranted:function(){var
t,e,n;t="custom-loader",(t=document.getElementById(t))&&"text/plain"===t.type&&(t.type="text/
javascript",n=t.cloneNode(!0),null!=(e=t.parentNode))&&e.replaceChild(n,t)}},e=t.window,n=t.gtm
Variable,a=t.onConsentGranted,r=((t=e)[n]||(t[n]=[]),!1),o=t[n],d=function(){r||(r=!0,a())},i=function(t){
return!(!t||"consent"!==t[0]||-1===["default","update"].indexOf(t[1])||!(t=t[2])||"object"!=typeof
t||"granted"!==t.ad_storage&&"granted"!==t.analytics_storage)},u=o.push,l=(o.push=function(){for(
var t=[],e=0;e<arguments.length;e++)t[e]=arguments[e];var n=u.apply(o,t);return
i(t[0])&&d(),n},t[n]),c=l.length-1;0<=c;c--){var p=l[c];if(i(p))return d()}}();</script>
```

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Thanks! Any questions?