

# Consumer Data Right

## Data Standards Advisory Committee

### Minutes of the Meeting

*Date:* Wednesday 8 December 2021

*Location:* Held remotely via WebEx

*Time:* 10:00 to 12:00

*Meeting:* Committee Meeting # 38

## Attendees

### Committee Members

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Andrew Stevens, Data Standards Chair  
Luke Barlow, AEMO  
Jill Berry, Adatree  
Damir Cuca, Basiq  
Chris Ellis, Finder  
Peter Giles, CHOICE  
Melinda Green, Energy Australia  
Gareth Gumbley, Frollo

Joanna Gurry, NBN Co  
Jason Hair, Westpac  
Rob Hale, TrueLayer  
Richard Hough, ANZ  
Aakash Sembey, Origin Energy  
Lisa Schutz, Verifier  
Stuart Stoyan, Fintech Adviser & Investor  
Glenn Waterson, AGL

### Observers

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Barry Thomas, DSB  
James Bligh, DBS  
Ruth Boughen, DSB  
Rob Hanson, DSB  
Terri McLachlan, DSB  
Michael Palmyre, DSB

Mark Verstege, DSB  
Paul Franklin, ACCC  
Mark Staples, CSIRO's Data61  
Kate Edwards, OAIC  
Kate O'Rourke, Treasury

### Apologies

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Peter Giles, CHOICE

Chandni Gupta, CPRC

## Chair Introduction

The Data Standards Chair (**Chair**) opened the meeting and thanked all committee members and observers for attending meeting # 38.

The Chair would like to acknowledge the traditional owners of the land that each of us are on and he is pleased to acknowledge their elders past and present and those who are emerging.

The Chair would like to thank everyone for their vigorous participation and ongoing support of the Data Standards Body (DSB) and the Consumer Data Standards (CDR) realm.

The Chair would like to thank those members who have accepted his invitation to extend their membership for a further 12 months until 30 November 2022 and also to acknowledge retiring members John Harries (Westpac), Brenton Charnley (TrueLayer) and Lawrence Gibbs (Origin Energy) all of whom are handing over the baton to another person in their organisation.

The Chair would like to welcome Jason Hair, the Chief Digital Officer at Westpac as a new member to the committee.

The Chair noted that Data61's observer status beyond 30 November 2021 will not be renewed. He would like to personally thank Dr Mark Staples, who has participated most recently as an Observer, for his outstanding contributions to the CDR regime, including his time directing the DSB in an acting capacity late in 2019.

The Chair noted that the DSB have also welcomed a number of new additions to the team over the last month including Elizabeth Arnold as Business Analyst and Holly McKee as CX Designer. He noted that our team numbers have increased quite substantially recently from 13 to 22 with some further additions in the New Year.

The Chair noted that Chandni Gupta from Consumer Policy Research Centre (CPRC) and Peter Giles are apologies for this meeting.

## Minutes

### Minutes

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The Chair thanked the DSAC Members for their comments and feedback on the Minutes from the 10 November 2021 Advisory Committee meeting. The Minutes were formally accepted.

### Action Items

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The Chair noted that the majority of the Action Items were addressed or completed. In relation to the Action Item for an update on the Consumer Campaign, TSY will provide an update at an appropriate time in 2022.

## Working Group Update

A summary of progress since the last DSAC meeting on the Working Groups was provided in the DSAC Papers and was taken as read.

## Technical Working Group Update

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A further update was provided on the Technical Working Group by James Bligh and Mark Verstege as follows:

The DSB wanted to thank all participants that are represented here (and the ones that aren't) for all the effort that went into getting the Energy Standards to completion and to a "binding status" ready for implementation next year.

The DSB also wanted to highlight the collaboration with ACCC in getting the Register Standards transitioned and moved across. They noted that a great deal of change has been taken into the Maintenance Iteration phases with 35 different change requests addressed in this iteration across banking, energy, and the Register. This indicates that this stream of work is going to be more significant and is indicative of how much standards we have and are now maintaining. The maintenance process is scaling and working well and they will continue to improve in 2022.

The Chair noted as the 2021 draws to a close, and as the CDR moves explicitly beyond banking, we should start to retire Open Banking as a term and talk about the CDR as it is cross sector. It is important to operate and maintain, as reinforced by the Maintenance Iteration and not just about design and implement.

The DSB thanked everyone that has been part of the Advisory Committee and making the standards come to life. Through the Maintenance Iteration they've had a huge amount of change which has been drive by the community. Without the collaboration and communication they wouldn't be where they're at. 2022 is shaping up to be a big year and the effort and energy that is put in from everyone to create the standards is very much appreciated and they look forward to next year.

## Consumer Experience (CX) Working Group Update

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A further update was provided on the CX Working Group by Michael Palmyre as follows:

The DSB noted that there are a couple of things to highlight for this month. Decision Proposal 213 – CX Standards | Energy Data Language have been made. For Decision Profile 216 Profile Scope, this is being finalised for consideration by the Chair and will be circulated to the committee shortly.

The DSB noted that for Decision Profile 162 Joint Accounts, the CX Guidelines for Joint Accounts are being finalised for release in December.

The DSB noted that the first phase for Decision Profile 222 Disclosure Consents: Insights and Trusted Advisers closed on 30 November and an iteration of this decision is being published for consultation from December to January 2022. This is an extensive consultation period.

The DSB noted that a lot has been achieved this year including the transition from CSIRO to TSY and the transition of the CX Artefacts to a new platform. They have also expanded the team and are now doing more artefacts, CX research and pioneering the design papers approach which are all significant achievements for this year.

The DSB wanted to thank all the CDR participants, and especially the internal CDR agencies (TSY, ACCC, OAIC) as there has been a lot of internal consultation which great achievements.

## Stakeholder Engagement

A summary of stakeholder engagement including upcoming workshops, weekly meetings and the maintenance iteration cycle was provided in the DSAC Papers and was taken as read.

The Chair noted that on the CDR Portal we had an average of 3145 pages views per week in 2021 and the newsletter had an open rate of 30.8% with over 1200 subscribers. We are also continuing to publish documentation in video form via the DSB Video Channel to meet the needs of the consumers with the expansion of the CDR.

## Issues Raised by Members

### CX Flows and DH compliance

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Rob Hale from TrueLayer presented on intermediary' observations on three ecosystems pain points:

- 90+ brands now active on the register yet there is no visibility of up-front or ongoing compliance
- 205 days before Joint Accounts (JAs) are due to be shared by all Data Holders (DHs) Non-individual business accounts scheduled to be shared by Nov 22
- 55 days until new access arrangements commence for affiliates and trusted advisors

TrueLayer noted in terms of the ongoing assessment of DH conformance and compliance:

- Enforcement is a confidential process that has a public impact: Non-compliance hampers ADRs trying to build practical use cases and in turn impacts consumers and the CDR brand
- Our industry run rate is slipping with more deadlines to come: some DHs are yet to publish data and there are 40+ pages in the latest published rectification schedule
- What can we learn from overseas experience here? Sophisticated capabilities have been developed over time based on practical experience – e.g. API Metrics Dashboard

TrueLayer noted that for example, API metrics provides UK and EU with an Open Banking performance dashboard which is quite sophisticated. Information is available sorted by DHs and includes timeseries on DH performance, latency, days of the week/month and historically. It accommodates the impacts of various cloud providers and where your DR platform is based. They also have a public score which assesses DHs and also provides insights to the DH to help with their capability. Is there was an opportunity to do something similar in the Australian marketplace?

TrueLayer queried realistic timeline expectations in terms of JAs under v3 rules and what can be done to incentivise DHs to own the problem and not just view such matters as a compliance issue. They noted that incentivisation is tricky when DHs aren't ADRs and they are not directly impacted by DH publication issues themselves. Is there some support for DHs, particularly for the mid-tier or smaller institutions, to check in on their confidence levels for hitting July? Perhaps intermediaries and ADRs who are building solutions can then talk to their customers and tell them their expectations and what use cases will be impacted by that?

TrueLayer noted in terms of not anticipating the role of intermediaries in the CDR (See [GitHub](#) post) that originally, we thought that the "Consumers" would talk to "ADRs" who would talk to "DHs", get

the data, and give it back to the consumer to deliver a service. The rules were built around that model. It is obvious now that intermediaries have a much more fundamental role to play in CDR yet the rules were not designed with that in mind from the start.

TrueLayer noted that we need guidance on the consumer consent impact. They note that the consumer is dealing with a rep or affiliate to receive the service. They don't understand (or need to understand) who the intermediary is. We need to determine whether we should change any of the standards or add metadata to the messaging as there's ambiguity around how these things should be implemented.

TrueLayer noted that the DSB's CX team have done some great work to explain and provide guidance for these sorts of flows and that's really needed at the moment. Representative arrangements are real and the sponsor-affiliate model commences from 1 February 2022. If people are trying to build solutions now without full knowledge of how things need to flow for the consumer, they could be wasting their time or doing things incorrectly.

TrueLayer suggested the next steps:

- Open up design discussion on participant performance
- Agree on and publish strategic direction for monitoring
- Incentivise DHs to deliver exceptional services
- Proactively engage on Joint Account publication now
- Monitor target dates for Joint Accounts and complex business ownership structures
- Develop and publish participation pipeline
- Continue industry engagement on intermediaries
- Provide technical and UX guidance on intermediary consent flows

The DSB noted that it is definitely a complicated space, especially because the access models are flexible and allow more complex accreditation and participation. Finding potentially a consolidated path for a design approach to supporting those different intermediary models requires a fair bit of cross referencing and mapping rules etc.

The DSB noted that for CX Guidelines, they are developing more guidance around the consent step that will be published next week.

The DSB noted that the other side of this problem is the DH side which is due in part to some ambiguity around the various brands versus software products in the register and what DHs actually should refer to whether they refer to the legal entity, the brand, the software product etc. A consultation is on the cards to understand how we can address the inability for other DHs to refer to the actual consumer-facing CDR participant, whether it's a CDR rep or affiliate, when they're going to manage their authorisations on a DH dashboard so they're not just seeing 100 consents related to TrueLayer, for example.

One member noted that in [Issue # 427](#) they were surprised to see a letter that ACCC sent to the DHs. They feel that this was important and that, as an active ADR, they should have received the letter as well. They also noted that in terms of the DSB's comments about the "inability for other DHs to refer to the actual consumer facing CDR participant" this directly contravenes the rules (rule 1.10 AA).

The ACCC noted that they are happy to take any feedback on the letter that has been sent and consider any new information.

The Chair noted that this appears to be a rules compliance question, not a standards question but there may be some standards guidance that can be provided.

The DSB noted that they have been working collaboratively with the ACCC teams to put together some guidance similar to what they did with the white labelling issue, because there are standards issues for example how you use the SSA metadata, the DR record and issues around the potential aggregators or sponsor ADRs about their business models and the choices they make. These are technical implications and they are working through the issues. They have a draft which is being reviewed by the teams which will be circulated shortly. They did note that the focus of the paper is an interim focus, February is not a timeframe where we can make changes to the standards and expect the RAAP or ADRs to amend their products.

One member noted that they did not receive the letter that was sent to the DHs and wondered whether if it was sent to the energy DHs. If not, can they be wrapped into these things from now on?

ACCC noted they will need to take this on notice as it depends on what the nature of the letter was and if there was anything of relevance to future DHs, and in which case, they would be happy to share it. They do have a plan for starting a more detailed engagement with energy DH's and noted that they should be included in any correspondence that's relevant to future obligations.

ACCC noted that it is not entirely possible to predict in advance what the status of compliance will be at a particular date. For an example, they worked very hard with a lot of the smaller banks to get them live by the 1 November, with many going live only in the last two weeks leading up to the 1 November.

### [ADRs recent experiences with Data Holder performance](#)

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The Chair asked members whether there was any recent updates on ADR experiences on system performance, particularly towards DHs.

One member asked whether anyone had seen any improvements/corrections from DHs following last month's meeting.

ACCC noted that they will not provide an update in relation to any particular compliance issue. They are continuing to follow up with participants on a large number of issues which include participants who are not yet sharing data, participants who are sharing data but where there are defects or problems with the solution and performance issues etc. They noted that when issues are reported, they take action privately with each of the participants and they don't comment publicly on the progress until they reach a decision usually made by the Commissioners. For cases where they comment publicly, this is usually limited to the commencement of legal proceedings.

One member noted that in regard to challenges connecting to data holders, they are still unable to receive data from one particular DH, the consent dashboard is inconsistent and the new consent sharing status hasn't been updated from active to archived which is not correct. They noted that they are not releasing any of their clients using their software if there are particular connection problems.

One member noted that they are respectful of ACCCs role and the confidentiality of some of the ACCC's regulatory activities, but at some point, there's the overall integrity of the ecosystem that needs to be protected. They wondered what the solution is on how to communicate that something is pending, improving, or just potentially taking something offline?

Another member noted that there seems to be something that's not fit for purpose. In energy with the Australian Energy Market Operator (AEMO), they have a lot of retail operations and they have an awareness and people get together to discuss and work out what's happening. For instance, you may not realize why something it's not compliant or there may be an interpretation difference etc.

One member noted that there is an operational layer with enforcement at one end and the rules at the other end and in the middle is what's actually happening on the ground. It feels like we need an operational set of protocols or committee to have a non-legalistic response to this.

ACCC noted that they do have an operational role and they actively engage with participants on operational issues but they will not use a public forum to comment on issues about compliance with specific participants.

One member noted that in their opinion investigations take too long, and at what point do we start looking at the quality of being an active DH instead of the quantity?

## Treasury Update

Kate O'Rourke, First Assistant Secretary CDR Division, Treasury (TSY) provided an update as follows:

TSY noted that they are currently conducting a consultation on the draft Telecommunication Designation Instrument along with an Explanatory Statement. TSY noted that they have also published a sectoral assessment report which is the first standalone process and report for a sector in the CDR regime. For both banking and energy, they used the Productivity Commission Report as the equivalent for this process. They would welcome feedback from the committee on this report.

TSY noted that they held a CDR Framework Design and Strategy Forum in November which Minister Hume attended and spoke to the CDR community. They noted that it was great to hear from the Minister and her reflections from the year.

## ACCC Update

Paul Franklin, Executive General Manager ACCC CDR Division provided an update as follows:

The ACCC is preparing to publish a dashboard on DH performance which will be done following completion of the penetration testing of the dashboard and approval by the ACCC CDR Committee. The dashboard will be published on [www.cdr.gov.edu](http://www.cdr.gov.edu) within the next two weeks.

ACCC noted that there are some DHs for whom they don't yet have data through the GetMetrics API. In those cases, the lack of data will be noted on the dashboard and it will be very transparent who's not providing that data.

ACCC noted that the initial dashboard is a good starting point and they are continuing to work on extending that reporting in future to provide full visibility of performance and take up. They do expect transparency to drive improved performance and reporting.

ACCC are continuing to follow up a wide range of issues with participants at both an operational level and for compliance and enforcement purposes. This includes the participants who are not yet sharing data of whom there are now 10 who don't have exemptions, and those who are connected to the register but have operational issues or a range of potential compliance issues.

ACCC noted that they are about to perform their first transfer of a DH brand from one DH to another. This follows 86400 Limited's surrender of its ADI license which takes effect today. The 86400 brand will be transferred from 86400 Limited to National Australia Bank and the 86400 Limited DH will be removed from the register. There are now 94 active brands.

ACCC noted that they are hearing very positive signs about an increasing number of customer value propositions expected to be launched which they think is a promising sign of greater take up in the very near future.

One member asked ACCC for an update on trends on transaction levels and usage generally in banking.

ACCC noted that customer take up is increasingly rapidly from a relatively low base.

The member noted that the pattern of the ramp up is important for planning for energy and also telco and future sectors. From their conversations with different teams, there is a bit of concern about when it lands, is it going to be a massive flood and how do they prepare efficiently to gear up for all of the technology, process, and compliance support around the scheme. It's good to hear that it's more of a gentle ramp up as awareness grows.

ACCC noted that in banking they had quite a lot of feedback from prospective DRs that they wanted to see the full suite of banking products available from all of the banks before it was worth putting a value proposition into the market. A lot of FinTech's wanted to wait until banking was fully rolled out. From that perspective, 1 February 2022 is the date by which banks will finish rolling out all of their products and 1 July 2022 the joint account new arrangements will come into effect. At that point, you will effectively have access to all banking data, and consistent with that they're seeing quite a lot of participants working on new value propositions and building new things.

ACCC noted that also don't know the extent to which the existing ecosystem around banking might accelerate the take up as we get to the second sector and third sectors. They expect and hope it will be faster than banking.

ACCC noted that the DHs who are active at the moment represent more than 95% of banking customers which is based on share of household deposits.

One member noted that they would not underestimate for energy and telco the insurmountable task ahead if you have multiple legacy products that you might have grandfathered in multiple systems. From an DH perspective, it's not just where they've got products housed, it's the grandfathered products and the ability to be able to release that data which is complex.

The Chair noted that putting aside architecture, just the storage implications of different data relating to different generations of products and service, just the storage alone is complex little alone the architecture of accessing it.

One member asked ACCC how do they determine coverage as a calculation of 95% and is there a source that they can tap into consistently to report on that?

ACCC noted that it is literally a share of household deposits held by the active banks. When Australian Prudential Regulation Authority (APRA) report on assets and liabilities of banks, they include a measure of household deposits, which is effectively savings and transaction accounts held by households and not by government business and not for profit organisations. The ACCC uses that as a good approximation to the phase one product set. It's a rough but reasonably effective proxy for market share.

## Meeting Schedule

The Chair advised that the next meeting will be held remotely on Wednesday 16 February 2022 from 10am to 12pm.

The Chair noted that our May and October 2022 meetings will be held face-to-face and if anybody is willing to host these meeting to reach out to the DSB.

**ACTION:** Members to reach out to the DSB if willing to host the 2022 F2F meetings

One member asked if the DSB was thinking of doing something larger than just a meeting like having a lunch, or a broader demonstration from the team, or if they just wanted to leverage this group?

The Chair noted that is a good idea, and he we consider how we can make the most out of the day.

**ACTION:** DSB to consider the extended agenda for the May & October 2022 F2F meetings

## Other Business

The Chair congratulated Verifier on their accreditation.

The Chair wanted to thank the entire DSB team as it's been quite a year. He appreciates the role and the inputs and understanding and flexibility of the DSB team which has been astounding and they've made his role very easy in the process.

The Chair also thanked our colleagues at TSY, ACCC and OAIC and their teams and also noted that it has been a privilege to work with the members of the DSAC. The energy levels, commitment, and vigour to confront the hard stuff is really a credit to you all and it underwrites the value of a CDR in Australia and in the world as well as the policy framework and the impact that were involved in implementing on behalf of the nation.

The Chair wanted to wish everyone the best for the season and looks forward to seeing you all in the New year.

## Closing and Next Steps

The Chair thanked the DSAC Members and Observers for attending the meeting.

Meeting closed at 11:30