

# Consumer Data Right

## Data Standards Advisory Committee

### Minutes of the Meeting

*Date:* Wednesday 10 March 2021

*Location:* Held remotely via WebEx

*Time:* 10:00 to 12:00

*Meeting:* Committee Meeting No: 14

*Sector:* Energy

## Attendees

### Committee Members

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Andrew Stevens, Data Standards Chair  
Jill Berry, Adatree  
Lawrence Gibbs, Origin Energy  
Peter Giles, CHOICE  
Melinda Green, Energy Australia  
Joanna Gurry, NBN Co

Joe Locandro, AEMO  
Lisa Schutz, Verifier  
Aakash Sembey, Simply Energy  
Ed Shaw, Ausgrid  
Dayle Stevens, AGL

### Observers

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

Paul Franklin, ACCC  
Aaron Lester, ACCC  
Mark Staples, Data61  
Athena Jayaratnam, OAIC  
Kate O'Rourke, Treasury  
Jodi Ross, Treasury  
Fiona Walker, Treasury

### Apologies

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Louise Benjamin, ECA  
Frank Restuccia, Finder

Lauren Solomon, CPRC

## Chair Introduction

The Data Standards Chair opened the meeting and thanked all committee members and observers for attending meeting no 14 of the energy sector Advisory Committee.

The Chair noted that the Data Standards Body (DSB) has now transferred from CSIRO to the Consumer Data Right (CDR) Division at Treasury effective 1 March 2021.

The Chair noted that he will be attending the CDR Board meeting on 16 March and Barry Thomas attended the first CDR Operational Committee meeting for 2021 on 2 March 2021.

The Chair noted the great news that Adatree and the Commonwealth Bank of Australia (the first of the “Big 4” to seek accreditation) have been accredited as data recipients under the CDR regime.

The Chair wanted to note a concern that was raised by one of the Advisory Committee members of a potential and perceived conflict of interest which has been adequately resolved. Given the DSB’s strong commitment to doing everything in the open, whilst they haven’t mentioned the name of the Advisory Committee member, they have put a summary in the Addendum.

The Chair noted that there will be no presentations this month by the committee as no issues were raised for discussion. He looks forward to additional presentations from the committee at future meetings.

The Chair welcomed Ruth Boughen, the new Program Manager in the DSB team who joined on the 26 February 2021. He invited Ruth to introduce herself to the committee.

Ruth Boughen noted that she is really excited to be involved in this phenomenal program of work. She has had the pleasure of working with James Bligh at National Australia Bank (NAB) in delivering Open Banking a number of years ago and she brings that experience into this program in the energy sector. She has had over 20 years working across program delivery, strategy, across many different sectors including finance, Telcos and education and is very much looking forward to helping to shape this regime.

The Chair noted that Louise Benjamin (ECA), Lauren Solomon (CPR) and Frank Restuccia (Finder) are apologies for this meeting.

## Minutes

### Minutes

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The Chair thanked the Committee Members for their comments and feedback on the Minutes from the 10 February 2021 Advisory Committee meeting. The Minutes were taken as read and formally accepted.

### Action Items

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The Chair noted that the Action Items were either completed or would be covered off in scheduled discussions.

## Working Group Update

A summary of the Working Group's progress since the last committee meeting was provided in the Committee Papers and was taken as read.

### Technical Working Group Update

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

The DSB noted that they have responded to the first round of holistic consultation on the API and payloads standards for energy. These are draft standards, not binding yet, as there are no rules in place. They thanked everyone who contributed feedback, particularly Origin Energy, Energy Australia and the Australian Energy Market Operator (AEMO).

The DSB noted that a series of posts was put up in the last couple of days outlining the responses to the feedback, clarifications and where changes were being proposed and incorporated into the standards. They are in the process of technically publishing those updates in [version 1.7.0](#) of the standards which will go live today. No decision was put forward to the Advisory Committee for review or to the Chair for the draft standards as they are not binding, they are still in draft form.

The DSB noted in regard to the consultation, there was really good feedback on the presentation of the standards. They were trialling a new visual representation of the standards to see whether they could use a library called ReDoc which is gaining popularity in the industry. They got some good feedback around some idiosyncrasies of the format which was proving difficult for some participants. They have not incorporated that in the presentation for this round, but they are talking about it in the engineering team to figure out how they can deal with the identified issues. They will not use the new format for the main standards until they can resolve those issues.

The DSB noted that there were a number of items raised that need to go to Energy Made Easy, Victorian Energy Compare or the Treasury rules team and they are in the process of taking those questions and documenting and passing them along.

### Consumer Experience 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 since the last meeting, there has been a lot of work on the standards proposals, the first public workshop of 2021, and continued work with the rules team on CX changes following the making of the v.2.0 rules.

The DSB noted that the Consumer Policy Research Centre (CRPC) engagement is still moving along. They have completed their community engagement on vulnerability and are finalising the report. The report has some incredibly useful frameworks and recommendations that will be useful for consideration for CX artefacts for the community, especially where smaller players come into Consumer Data Right (CDR) who could benefit from guidance on treatment paths for identifying vulnerability.

The DSB noted in regard to standards and guidelines, there is a lot of work happening around CX artefacts based on version 2 rules. Authorisation, data holder dashboards and artefacts are nearing completion and they have also been progressing work on Joint Accounts (JAs).

The DSB noted that they held a Joint Account Workshop on Tuesday 2 March which was very successful. It was the biggest online interactive workshop they have had to date with a good range of representation from major and non-major data holders (DHs) from the energy and financial sectors, accredited data recipients (DRs) (prospective and existing) and consumer advocates. It's a complex topic and they held a lot of really productive discussions. The online artefact and outputs can be found [here](#).

The DSB noted that it also included consultation on CX standard proposals as outlined in [Noting Paper 157](#). They received very practical and useful feedback on items that are of immediate focus and some broader issues to consider.

The DSB noted that there is a revision to [Decision Proposal 144](#) which is currently being developed to aid the simplification of authorisation flows where consents are being amended. This revision takes into account the feedback from the community on obligation levels and proposed timing.

The DSB noted that [Noting Paper 157](#) concluded on Friday 12th February. This NP provided a list of anticipated CX Standard changes following the making of v2 of the rules. The community provided extensive feedback which the DSB will respond to and incorporate into subsequent decision proposals.

The DSB noted that they have a number of placeholders open in relation to CX Standards on non-individual consumers and related items for the energy sector ([Decision proposal 160](#)) and [Decision proposal 162](#) has been published as a placeholder for CX Standards relating to joint accounts.

The DSB noted that the decision relating to [Proposal 168](#) was published on GitHub noting a minor revision to an optional aspect of the withdrawal standard which will sit alongside the technical standards as HTML.

The Chair noted that not only have we managed our transition into the CDR Division at Treasury it has been a very busy period of consultation and in some cases draft decisions have been released pending making of the rules. He also wanted to reinforce the value of consultation feedback, which is essential to our process, which is at a high level and is well considered. That is where the standards are set, while he formally sets the standards, he never goes against the weight of consultation and input.

One member noted that they were not able to attend the Joint Account Workshop, but was the workshop focusing on a single or multiple signing authorities? They are starting to get questions from ADRs who are interested in receiving business account information and largely those are multiple signing authorities.

The DSB noted that the focus was on single signing authorities because that's what's required in the rules – multiple signing authorities is not required. They do have artefacts for those other flows and the artefacts are much more extensive than they covered in the workshop.

## Stakeholder Engagement

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

## Treasury Update

Kate O'Rourke from Treasury provided a general update as follows:

Treasury noted that they are delighted to welcome the DSB and the rules team from the Australian Competition & Consumer Commission (ACCC) into Treasury from 1 March 2020. They now have a wider range of responsibilities under the CDR but nonetheless, some responsibilities remain with the ACCC and the Office of the Australian Information Commissioner (OAIC).

Treasury noted that they are taking an overall leadership, strategic and coordination role of the program and are currently setting up a Program Management Office (PMO). This will not only have oversight of the program as a whole, but to make sure all the component parts are working well together, to identify opportunities for consultation to occur in a more coordinated way and to make sure the rollout and implementation of CDR goes well.

Treasury noted that one of the first tasks the PMO team will do is to identify the success measures.

Treasury noted that they are working through the [Inquiry into Future Directions for the CDR](#) Report and have been doing some targeted consultations on the proposals. They are keen for the government to identify which parts of the report are a priority.

Treasury noted there is a high level of interest in the issues that weren't resolved in version 2.0 of the rules which include accreditation requirements, tiering, trusted advisors and disclosure of insights derived from CDR data, which Treasury is referring to collectively as 'access arrangements' for the CDR regime. They are working through the policy issues in light of the feedback received and will seek a decision from the Minister on the issues that will be addressed in the next version of the rules.

Treasury noted in regard to the energy rules, they are reviewing the feedback they have received from the consultation process, which was initially started by the ACCC. For the rules review, they are thinking systemically about the balance between simplicity, principles-based versus prescriptive regulation and universality and will seek to ensure that those principles advice on the rules for energy reflects those values. This has raised some interesting questions about design which they're working through, for example Joint Accounts (JA) and how they work in energy which is an important priority.

Treasury noted that in regard to taking on a wider range of responsibilities, and with the Minister's new role, they are looking at the governance of the regime, the role of CDR Board and other inputs into good decision making. They are also looking at engagement and what forums exist for people to give input into CDR for not just the standards, but also policy and rules, to inform advice to the Minister.

Treasury noted that in regard to the weekly DSB & ACCC Implementation Calls, they have a high level of queries that are outstanding from the rules side and they're thinking about how best to manage those so that implementation proceeds smoothly.

One member noted in the last committee meeting, a discussion was held on different types of consultation that are more inclusive but in a less formal way. Have they considered a more informal approach, somewhere between the normal consultation process and for example Slack?

Treasury noted that there are a lot of existing avenues for people to engage in the CDR, from this forum, the weekly Implementation Call, the Implementation Advisory Committee and ad hoc

discussions on policy issues and consultations etc. They are trying to get the right level of regularity taking into account the intense time demands that people have. In regard to the degree of formality, they want to make sure that they have sufficient structure around it so they are hearing people's considered views on issues and similarly queries on implementation from an organisation's perspective.

The Chair noted that in all the fora mentioned, potential data recipients (DRs) are invited to one, the Thursday Implementation call. For DRs there is a delta between the ability to provide input formally or informally, in contrast with the big 4 data holders (DHs).

Treasury noted that the other question is the degree to which they use some coordinated efforts. For example, they have a workshop with FinTech Australia tomorrow on the Farrell Review. They noted the member's observation on more inclusive and less formal approaches is a fair one and they may reach out to the member for a further discussion.

The Chair asked the member how confident are they that industry associations would represent the granularity of issues that they and others face?

The member noted that they contribute to FinTech Australia views, but they don't think that FinTech Australia represent the diversity of views and rationale behind it. One example is that the member does not like screen scraping but a lot of other FinTech members do.

Another member noted that more design-based thinking is required during the public development process. Over the last 3 years, their overarching observation is that DHs were heavily represented in consultation processes, whereas potential DRs and how they engage with the existing consultation tools were somewhat under-represented. They would like to see some informal 'unfiltered' sessions with DRs; when trying to design a process. It is a different way of operating, but it's an important distinction - it's policy versus practice.

The DSB noted that over the last 3 years it's actually been a point of real frustration for both the rules team and the DSB that it's been difficult to get DRs involved. This is partly because start-ups have got a million things to do. They have actively tried a number of informal mechanisms and been unsuccessful in getting significant continuous engagement, with the exception of the weekly Implementation Call. They have a strong desire to tap into the community because they have had a number of situations where they have had to represent the ADRs' view without specific feedback, which is actually puts them in a very difficult situation.

The member suggested that we collect their targeted feedback via for e.g. Google Forms. For many aspiring ADRs, they have questions or concerns and a lot of them keep screen scraping or bombarding the ACCC with complaints.

One member noted that there is no criticism of the efforts in trying to get DRs' engagement. The reality is that they are much smaller and not well funded, and it's very expensive to engage. The voices that you do get, may not be many, and may not engage in the same way. They also have competition - which is screen scraping and which they will continue to use.

The DSB noted in regard to the design challenge, they think the problem is potentially a user design challenge to determine and improve the model for engaging ADRs for consultation and feedback on the rules and standards. They've got mechanisms that clearly work for some user cohorts, but not others. Occasionally, the Advisory Committee has Action Items for a subcommittee and this might be a good piece of work for such committee.

**ACTION:** DSB to set up a Standards Design Challenge subcommittee and invite members.

One member noted that it is always good to get feedback with minimum viable products, but they think we're getting too quickly into the solutioning stage. If we step back and think about what we're trying to achieve with respect to the standards, the flows and where the benefit lies, there's a danger of going too deep into solutions and how it will work as far as the user experience. The CX group are doing some fantastic work and it's a good forum to understand the end user. If you have too many areas of input, you may fragment and dilute the issue. They suggest the CX group test, expand and funnel input which will provide a cohesive approach.

The Chair noted that in reality the CX research should be conducted before the rules framework is finalised and earlier in our collective processes.

Treasury noted that policy formulation occurs before the rules are made and ultimately it's up to the Minister to set the policy. If there's a policy call that ends up having significant design consequences, we need to keep in mind that we collectively don't have the authority to change direction. That is a Ministerial call at a policy level. All of the forums and means by which we're gathering inputs, for some issues at least, ultimately need to be brought to the Minister's decision-making process.

The Chair noted that on that point, the Minister doesn't do design solutioning and if we're really focusing and rushing to solutioning, we may actually be running the risk of compromising the policy intent without some of the policy intent being informed by the user experience and our wider objectives. So, in the advice that goes to the Minister in the policy setting context, we may need some earlier involvement in CX research, so that we know what's actually going on and what the user experience might be and what the outcomes for policy could be.

One member asked if the rules team is largely the same group of people from the ACCC or has there had to be a lot of handover going on to bring the new people up to speed?

Treasury noted that the Rules team transferred over under Jodi Ross' leadership. Jodi is the new Assistant Secretary within Treasury for the CDR Regulatory Frameworks Branch. There has been no handover required but nonetheless a lot of learning is going on for everyone in Treasury who are doing the policy work. They have also been staffing up the sectoral assessment team.

One member noted that in regard to the design thinking piece, in terms of the hierarchy and what might support Treasury in the work in advising the Minister, it is design thinking related to policy and what is the user journey people are going on. This sits above CX and it's the overall story around it and meeting the policy goal and then working down from that.

## ACCC Update

Paul Franklin from the ACCC provided a general update as follows:

ACCC noted with the move of the rules team to Treasury, they wanted to clarify what stays with the ACCC. They will continue to be responsible for the accreditation of DRs, for registration and onboarding of DHs and DRs, for compliance and enforcement together with the OAIC, for designing, developing and running the register and accreditation platform that supports the secure sharing of data between participants and for the conformance test suite (CTS) with participants. They are also working with the DSB to align the processes for setting register standards.

ACCC noted that Adatree Limited and CBA were both accredited 2 weeks ago and the pipeline for prospective DRs remains solid. They are looking forward to announcing more accreditations in the coming weeks.

ACCC have recently updated the [CDR guidance for applicants seeking exemption under section 56GD](#) for data holders who wish to seek exemptions from their obligations, which was included in their recent newsletter.

ACCC noted that the Participant Portal user guide has been updated and a new release of the Register and Accreditation Application (RAAP) on the 19 February to introduce a number of enhancements to make it easier to use for participants. They have also launched version 2 of the CTS. Whilst the CTS is targeted at the banking industry, they are committed to making sure that they have a mature CTS available to all participants who need it which will include energy in the future.

The Chair noted in regard to the pipeline of DRs who are seeking accreditation, how many of those have completed their application and how many are they expecting to be accredited between now and 30 June?

ACCC noted that it is fair to say that they are continuing to work with prospective DRs who are working on their applications and they're seeing a small number come through fairly regularly. It's difficult to say when these organisations will finish and submit their application. This is largely driven by the timing of when they intend to launch their value proposition into the market. A few have gained accreditation but are testing out the system first before they launch a full service and in some cases participants are waiting on the outstanding issues from version 2 of the rules to be resolved. The flow through of DRs appears to be still gathering momentum.

The Chair asked how many does the ACCC reasonably expect to be accredited by 30 June because he has heard stories that the process, once the ACCC advises that the accreditation inputs are complete, is taking nearly 90 days to process.

The ACCC noted that the number is quite misleading and this may have come from guidance they issued. They encourage participants to allow 90 days for the accreditation process and once they have a complete application, it's only taking a couple of weeks to assess the application and a decision made by the CDR committee. They are also happy to offer feedback on draft applications.

One member noted that in their experience, the period of time that it took them to prepare and submit their application was 38 days compared to being accredited which took from 18 December 2020 to 25 February 2021. They note that Christmas was during this period but they assumed it would take a much shorter time. The ACCC noted that they are unable to comment on individual applications but prospective data recipients should get their application in as quickly as possible and the ACCC will make a decision on the application as quickly as they can.

Ms Ross noted, as the person who had been responsible for the accreditation team until recently, that it is appropriate for the ACCC, as the Data Recipient Accreditor, to fully assess completed applications. The fact that they go through a full "Fit and Proper Person" check is fundamental to trust in the regime. They also check the insurance documents, the IT security documents and seek clarifications on materials provided to them where necessary, and those clarifications may in some cases be of benefit to the applicant. There are benefits in allowing the ACCC to perform its statutory function and ensuring that it's fully satisfied in granting accreditation, and, at this early stage, allowing the supporting processes to continue to develop.



ACCC noted that with a reasonably high confidence they would expect another 5 DRs to be accredited by 30 June and the rate of applications to start to increase.

ACCC noted, in regard to the Action item on whether guidance on the co-existence of CDR and screen scraping has been published, that the guidance has not been published as yet but they expect to publish a knowledge article about the co-existence of screen scraping.

The Chair noted that when the knowledge article is published, the DSB will provide a link to all committee members.

**ACTION:** DSB to provide a link to the committee on ACCC knowledge article on the co-existence of screen scraping.

One member noted that in regard to allowing 90 days for the accreditation process, is there a timeframe for the applicant to go from accredited to active?

ACCC noted that the guidance provided was the period they suggested applicants should allow to get their accreditation. They will not mark a participant as active until they've completed the testing and demonstrate that they can operate in the system reliably. There is no requirement in terms of how long that is.

The member asked if this was something ACCC could look at as some companies are looking to be accredited for PR purposes only and with no intention of actually using the data.

ACCC noted that there are a couple of reasons why there are no time limits in place. Some of the participants have indicated that they want to validate the genuine data they received by having limited launches with family and friends or that they are working towards building out their value proposition. Accreditation is only one of the steps you need to achieve. They are reluctant to be too prescriptive, they want to encourage everyone to get in and participate.

A member noted from a DR's point of view, it is too early to set time limits. Getting the data is one thing but being confident in the results and knowing exactly what it is is quite another.

## Meeting Schedule

The Chair advised that the next meeting will be held remotely on Wednesday 14 April 2021 from 10am to 12:00pm.

The Chair noted the proposed dates up until the end of the calendar year. Calendar invites will be sent to members shortly.

## Other Business

No other business raised.

## Closing and Next Steps

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

Meeting closed at 11:10