

Data Standards Body

Consumer Experience Working Group

Decision [222](#): Insight and TA Disclosure Consents

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Context

This decision relates to Consumer Experience (CX) Standards for insight and trusted adviser (TA) disclosure consents, which were consulted on in two rounds from 16 November 2021 to 21 January 2022.

V1 and v2 of decision proposal 222 (DP222) and the associated feedback can be found in the [DP222 consultation page](#), which also includes the details of 2 rounds of consumer experience research conducted in November that tested the proposed DP222 options. Further background and details on DP222 can be found [online](#).

DP222 identified a range of options for CX standards to support intuitive, informed, and trustworthy data sharing experiences relating to insight and trusted adviser disclosures. These options cover:

- [Insight descriptions](#)
- [Disclosure notifications](#)

The CX research strongly validated the hypotheses that underpinned the DP222 options. The initial DP222 feedback broadly supported the proposed options with minor suggestions. The second round of DP222 consultation continued to show strong support for most options and only suggested that certain options needed to be revised.

This proposed decision has been informed by consultation and research conducted in 2020 and 2021, including the following:

1. [2x rounds of DP222 consultation](#)
2. 2x rounds of CX Research in Q4 2021 (see [Miro](#) | [PDF](#))
3. [Noting Paper 207 consultation](#)
4. [Draft v2 Rules consultation](#) (see concepts [5.1: TA disclosures](#) and [5.2: Insight disclosures](#))
5. [Draft v3 Rules consultation](#)
6. CX research, Q4 2020 (see [research brief](#), [summary of preliminary research](#) on draft v2 rules)
7. Consumer Policy Research Centre (CPRC) report: [Vulnerability, capability, opportunity](#)
8. The Data Standards Body's [principles](#)

Decision to be Made

1. Decide requirements to make clear what an insight would reveal or describe
2. Decide notification requirements when disclosing data from the CDR environment to non-accredited persons

Decision for Approval

Insight Descriptions

This section outlines the proposed insight description standards.

The following standards will be added to a new 'Disclosure Consent: Insight Descriptions' section:

Disclosure Consent: Insight Descriptions

The standards in this section outline insight description requirements that apply where an insight disclosure consent is being sought and may also feature in CDR Receipts and Dashboards. These standards do not alter any existing rules obligations for CDR receipts or dashboards.

Note: The use of the term 'data recipients' to refer to accredited data recipients is consistent with the data standards nomenclature. Where these standards refer to 'data recipient', this should not be taken to mean a non-accredited person or trusted adviser.

Area	CX Standard
Insight disclosure: Insight comprehension	Data recipients MUST use plain and concise language to describe what an insight would reveal or describe. Where possible and practical, the actual insight SHOULD be displayed to the consumer prior to the insight being disclosed. Where it is not possible to display the actual insight, accredited data recipients SHOULD include an example of the insight that demonstrates what the insight may reveal or describe. Accredited data recipients SHOULD make clear that any such examples are hypothetical.
Insight disclosure: Insight timing	Data recipients MUST specify the period the insight will refer to and MAY note when the insight will be or is expected to be generated.
Insight disclosure: Purpose of insight	Data recipients SHOULD explain the purpose of generating the insight.

Insight disclosure: Insight generation	Data recipients MAY explain how the insight will be generated using plain and concise language, which MAY include: <ul style="list-style-type: none"> • what method(s) would be used to generate the insight(s); • who would be involved in generating the insight(s), such as the specific actor(s); and • what information sources would be used to generate the insight, such as the specific dataset(s)

Disclosure Notifications

This section outlines the proposed disclosure notification standards.

The following standards will be added to a new ‘Disclosure Consent: Non-Accredited Person Disclosure Notification’ section:

Disclosure Consent: Non-Accredited Person Disclosure Notification	
<p>The standards in this section outline requirements that apply when a disclosure consent is being sought to disclose data to a non-accredited person, which includes insight disclosure consents and trusted adviser disclosure consents.</p> <p>These standards will feature where such a disclosure consent is being sought and may, as stated in any accompanying notes, also feature in CDR Receipts and Dashboards.</p> <p>Note: The use of the term ‘data recipients’ to refer to accredited data recipients is consistent with the data standards nomenclature. Where these standards refer to ‘data recipient’, this should not be taken to mean a non-accredited person or trusted adviser.</p>	
Area	CX Standard
Disclosure consent: CDR protections	<p>Data recipients MUST state that data disclosed to a non-accredited person will not be regulated as part of the Consumer Data Right.</p> <p>Data recipients MAY include a plain and concise explanation of what this means, which MAY include information on the Consumer Data Right, and MAY include a link to the Office of the Australian Information Commissioner guidance on the Consumer Data Right.</p>
Disclosure consent: Review	Data recipients MUST advise the consumer to review how the non-accredited person will handle their data.

Disclosure consent: Data handling	If available, data recipients MAY include a link to any relevant data handling policies of the non-accredited person, such as their Privacy Policy.
Disclosure consent: Complaints	Data recipients MUST provide plain and concise information on dispute resolution and making a complaint. This SHOULD reflect the process and information contained in the data recipient’s CDR policy related to complaints. This MAY also include a link to the accredited data recipient’s CDR policy.
Disclosure consent: Insight records	When seeking an insight disclosure consent, data recipients MUST provide instructions for how the consumer can access further records, including the actual insights (as per Rules 1.14 and 9.5).
Disclosure consent: Notification record	<p>Data recipients MUST provide the information contained in the disclosure notification otherwise than in the consent flow. This SHOULD be contained in the consumer’s CDR Receipt. This SHOULD also be accessible in the consumer dashboard as part of the data sharing arrangement details.</p> <p>Note 1: The information to be included is limited to the following standards: CDR Protections; Review; Data Handling; Complaints; and Insight Records. The scope of information to include will depend on the accredited person’s specific implementation.</p> <p>Note 2: This standard does not alter any existing rules obligations for CDR receipts or dashboards.</p>

Implementation Considerations

As insight and trusted adviser disclosure consents are not currently permitted in the rules, no existing implementations will be impacted. CDR participants implementing insight and TA disclosure consents will also need to ensure that they comply with the [existing CX standards](#).

As per Rule 7.5A, insight and trusted adviser disclosure consents are not permitted until the earlier of 1 February 2022 or the day the Data Standards Chair makes the standards referred to in 8.11(1A) and 8.11(1)(c)(iv). If made, the standards can take effect immediately and, as such, insight and trusted adviser disclosure consents will then be permitted.