

CBA response to April 2020 CX Consultation Draft 5 – Joint Accounts

Document Reference	Proposal	Feedback
Pg 2	<p>These preferences apply at the account level, but a data holder may also provide functionality that permits joint account holders to allow multi-party authorisation of individual data sharing arrangements. This is optional for the current version of the rules. However, data holders are expected to work towards implementing multi-party authorisation as it is intended to become a requirement in the future.</p>	<p>CBA agrees that multi-party approval is the preferred approach i.e. ‘2 to authorise’. However as per the current version of the rules, CBA will build the mandatory option of ‘1 to authorise’ for the initial release (timing TBC pending ACCC revision of timelines), and additionally deliver the optional ‘2 to authorise’ in future releases. Our delivery approach is due to the complexity of build associated with having two approval models (1 vs 2 to authorise). CBA will prioritise the additional delivery of ‘2 to authorise’ against other mandatory obligations in the CDR roadmap.</p>
Pg 2	<p>The ACCC is considering whether to amend the rules to accommodate joint account elections being offered in the authorisation flow. This would be optional and not affect current implementation in accordance with the existing rules. The ACCC is mindful that the November timeframe for joint accounts is fast approaching and any implementation decision should not create additional requirements that would impact build timelines.</p>	<p>CBA recognises the benefits of this approach. CBA has conducted user testing where joint account election was included during authorisation, and it was well understood. CBA has had past learnings with other digital adoption features which indicate contextual set-up is the most effective at driving opt in. For example, PayID roll out.</p>
Pg 5	<p>Joint accounts are currently defined in the CDR Rules as a joint account with a data holder for which there are 2 joint account holders, each of which is an individual who, so far as the data holder is aware, is acting in their own capacity and not on behalf of another person.</p>	<p>CBA assumes that CX standards for joint accounts apply to retail customers only, and <i>not</i> business accounts. CBA will raise this for confirmation with the ACCC.</p>

Accounts are separate to consents. In the context of joint accounts, this means:

1. There are no 'partial' consents as JAH2's approval of any joint account election would occur separate to the authorisation flow.
2. If JAH2 were to decline the election request, or if they were to later on remove their joint account election, it would only stop data being shared from that joint account. That is, removing a joint account election would not 'revoke' or withdraw the consent itself. Only JAH1 can withdraw consent.
3. JAH1 can, in theory, 'authorise' a consent without having selected any accounts to share data from.

CBA acknowledges this clarification that accounts are separate to consents. We refer also to

<https://github.com/ConsumerDataStandardsAustralia/standards-maintenance/issues/131> and

<https://github.com/ConsumerDataStandardsAustralia/standards-maintenance/issues/117>. In particular we agree with the below assumption:

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In our early user testing, customers have assumed that revoking the election means that no additional data will be disclosed for that joint account, including where existing consents are in place/active.

The experience described above i.e. when joint account holders remove their joint account election, it would stop data being shared from that joint account is misaligned with the current version of the Rules which states revocation should not impact existing authorisations on the joint account. The ACCC gave the below advice on 12 Nov 2019:

Existing authorisations are not terminated. This will be clarified in the rules/ES, including in light of any further CX research.

Under the first version of the Rules and standards, revocation of an election under rule 4.2 does not result in deemed withdrawal of all existing authorisation given by each joint account holder. Each joint account holder could decide to withdraw the authorisations that they had granted, if they wish.

CBA recommends the Rules be amended so that when a revocation of an election occurs, data sharing for that joint account ceases. We acknowledge there are limitations here around data deletion that would need to be considered, as deletion/de-identification choice sits with the requestor (JAH1), and while an 'overall consent' is still in

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		place, data would not be deleted/de-identified. This is a broader limitation of the current consent model.
Pg 7, 8	Proposal 1 – In-flow Notification vs. Proposal 2 – In-flow Election	CBA supports in in-flow election.
Pg 8	<p>Proposal 2 – In-flow Election</p> <p>Proposed commencement date: Optional for November 2020 subject to rules change</p> <p>Data holders MUST allow consumers to elect a joint account during the authorisation flow. This step MUST allow JAH1 to choose ‘1 to authorise’ or ‘2 to authorise’, as well as decline the election. If elected, data holders MUST provide instructions (as in-line help) for how to change joint account preferences in the joint account management service, and this MUST also state what the current election preference is.</p> <p>Data holders MUST provide information to JAH1 and JAH2 during the account election process. This SHOULD:</p> <ol style="list-style-type: none"> 1. State that JAH2 will be required to approve the election 2. State that ‘1 to authorise’ will allow both account holders to share data independently, without the approval of the other account holder 3. State that ‘2 to authorise’ will require both account holders to approve the sharing of data from that joint account every time it occurs 4. Provide instructions for where and how to change these preferences <p>The request sent to JAH2 MUST also allow them to choose ‘1 to authorise’ or ‘2 to authorise’.</p> <p>A ‘2 to authorise’ preference by either account holder MUST always supercede a ‘1 to authorise’ preference.</p>	<p>CBA is supportive of an amended version of this proposal: Data holders <i>MAY</i> allow consumers to elect a joint account during the authorisation flow. This step <i>MAY</i> allow JAH1 to choose ‘1 to authorise’ or ‘2 to authorise’. Data holders MUST allow consumers to decline the election.</p> <p>CBA notes the ACCC is considering amendments to the Rules to enable joint account election within the authorisation flow. The ACCC have previously advised that in-flow authorisation would be optional and would not affect current implementation in accordance with the existing rules, nor create additional requirements that would impact build timelines.</p> <p>CBA will deliver the mandatory option of ‘1 to authorise’ and will additionally deliver the optional ‘2 to authorise’ in subsequent releases. In this case, CBA recommends that if JAH1 chooses '2 to authorise' JAH2 should not be provided with any options, since '2 to authorise' always supercedes '1 to authorise' (otherwise messaging will be confusing to JAH2).</p>

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Round 1 and 2 CX Research Report Pg 31	<p>Recommendation</p> <p>Conduct research with consumers who may have had less positive experiences with joint accounts, including vulnerable consumers.</p> <p>Consider how a consumer might 'flag' that they are vulnerable to the DH so the DH can act accordingly.</p>	<p>CBA agrees that testing with vulnerable consumers is important for the joint account management experience.</p> <p>CBA recommends further testing to understand the offline interventions that may assist vulnerable customers. System flags generally do not exist for all vulnerable customer types due to privacy concerns (for example domestic violence), therefore it would be helpful to understand the offline interventions which vulnerable customers may find valuable.</p>
N/A	N/A	<p>CBA also advocates for both account holders (JAH1 and JAH2) to receive a notification every time their joint account is added to an authorisation. This ensures account holders are aware of any sharing activity on their accounts, especially where the option is '1 to authorise'.</p>
N/A	N/A	<p>CBA recommends that Data61 consider joint accounts when developing standards and guidelines for concurrent consent and re-authorisation. It will be important to consider which party / parties are required to action this.</p>