

Meeting Minutes

Meeting details

Meeting date: 25 July 2019

Meeting name

Implementation Entity Steering Group (IESG)

Meeting time

10.00 – 13.00

Meeting location

Etc. Venue, 8 Fenchurch Place, London

Scribe

Sally Chiwuzie

Classification

Public

Name		Role	Attendance
Candy Ma	CMa	OBIE – Office of Trustee	Yes
Caroline Ambrose	CA	Barclays Bank	Yes
Chris Michael	CM	OBIE – Head of Technology	Yes
Daniel Ehreich	DE	Bank of Ireland	Yes
Daniel Globerson	DG	Royal Bank of Scotland	Yes (Phone)
Ed Colley	EC	OBIE - Prog Director	Yes
Faith Reynolds	FR	Independent Consumer Representative	Yes
Gavin Littlejohn	GL	Fintech Representative	Yes
Hetal Papat	HP	HSBC	Yes
Ian Cox	IC	OBIE – Head of Monitoring	Yes
Imran Gulamhuseinwala	IG	OBIE – Trustee/Chair	Yes
Laura Mountford	LM	HM Treasury	Yes (Phone)
Mark Chidley	MCH	Independent SME Representative	Yes
Nilixa Devlukia	ND	OBIE – Head of Regulatory	Yes
Phillip Mind	PM	UK Finance	Yes
Rebecca Langford	RL	FCA	Yes (Phone)
Robert White	RW	Santander	Yes
Roy Hutton	RH	Allied Irish Bank	Yes (Phone)
Sally Chiwuzie	SC	OBIE IESG Secretariat	Yes

Simon McDougall	SM	Information Commissioners Office	Yes
Steve Smith	SW	Lloyds Banking Group	Yes
Thaer Sabri	TS	Electronic Money Association	Yes
Vicki Hassan	VH	Danske Bank	Yes (Phone)

Apologies

Name	Role	Delegate
Alan Ainsworth	AA	Head of Policy, OBIE
Bill Roberts	BR	CMA
Ian Major	IM	TPP Representative
Matt Cox	MC	Nationwide
Will Curley	WC	Tesco Bank
Paul Horlock	PH	Stakeholder Engagement, Standards and Strategy

No. Agenda item

1.a – 1.b HOUSEKEEPING: MINUTES AND ACTION LOG

1.1. **IG** welcomed IESG members in the room and on the phone. **IG** welcomed Simon McDougall (SM) of the Information Commissioners Office (ICO), stating that it was always OBIE's intention to request representation from ICO. **IG** added that SM would see how the implementation of the programme as regards the PSD2 regulations has been completed, including how IESG is now beginning to see some of the emerging issues of moving data around, some of which fall within the sphere of the ICO. **IG** stated that SM's guidance would be welcome.

1.2. **IG** invited IESG members to request AOB items.

1.3. [REDACTED]

1.4. **DG** referred to the letter sent from the Office of the Trustee regarding P2 and P8, requesting specific clarification on P8.

1.5. **IG** noted the requests regarding AOB items.

1.6. With regards to the minutes, **IG** stated that as the comments received had been incorporated, the document would now be approved.

APPROVAL – IESG_APR_LOG_046 - June IESG Minutes - Comments received and incorporated, IG approved the minutes from the June IESG.

1.7. **IG** moved on to discuss the open actions from the previous IESG, inviting people to walk through from page 23. (Note: action updates are documented on page 5, with additional comments captured below).

- 1.8. With regards to action #208 (*P2 and P8*), **IG** stated that the letter was sent on 24 July 2019, and on that basis, this action could be closed - additional actions arising out of this action would be opened as new actions; **IG** noted also that this topic was an AOB request by **DG**.
- 1.9. With regards to action #212 (*Implementation Concerns – Evidence Gathering*), **IG** commented that this is not included as an update in the pack, however, invited a verbal update from **ND**.
- 1.10. **IG** requested comments on other action items to be covered first.
- 1.11. **PM** questioned the provenance of action #211 (*Market Share*), stating that UK Finance does not collect data on current account market share, current account switch service collect that data and it is unclear as to whether this information would be made available. **PM** added that this type of information would be treated as commercially sensitive. **IG** reminded IESG members that this was an action from the previous IESG – a request made by **BR** (CMA) who unfortunately was not represented at this meeting. **IG** added that the intention was to work together on this, and if UK Finance cannot provide this information, perhaps a request to CASS could be looked into. **GL** asked if the information requested is on ASPSPs or on banks. **IG** clarified that the question is ‘what proportion of current accounts made available under PSD2 is using the Open Banking standard?’ **IG** added that a 2016 report was being used which quotes 95%, but this number needs to be validated given the growth in account numbers for some of the small players have joined the Open Banking standard.
- 1.12. **IG** moved the agenda along, requesting an update from **ND**.
- 1.13. **ND** stated that there are 2 aspects to the update on evidence gathering:
 - 1.13.1. To get substantive information around the impact of the introduction of SCA and what that would mean for the APIs and TPPs, including the move from using the customer facing access to APIs. On this point, **ND** stated that the team would not be considering the impact of SCA in the ecommerce and cards space as that has been driven separately by UK Finance, the industry and the FCA.
 - 1.13.2. A survey was conducted to understand the market position when obtaining eIDAS certificates.
- 1.14. With regards to the impact of the introduction of SCA and the 14 September 2019 deadline, **ND** commented that there were engagements with EMA, UK Finance and FDATA (and FCA consultation) to formulate 6 high level questions which were circulated to the CMA9, EMA, UK Finance and FDATA members. **ND** stated that the response to this was poor – 5 CMA9 firms, 3 non-CMA9 ASPSPs, a handful of TPPs and accounting software providers responded. **ND** added that some firms did not receive the request, subsequently, this was re-sent from OBIE directly to all firms that are in production within Open Banking (TPPs and ASPSPs), with a deadline extension to 31 July 2019. **ND** stated that after this, responses would be collated and an analysis conducted. **ND** added that it has been made clear to all recipients that the information will be shared with the FCA on an aggregated and anonymised basis.
- 1.15. **DG** asked if the questions being asked relate to just current account APIs. **ND** stated that the questions relate to SCA introduced for payment accounts – PSD2 accounts, adding that there is still an outstanding question for non-PSD2 accounts. **CA** asked if the questions could be shared with IESG.
- 1.16. For the benefit of IESG members who had not seen the email, **ND** repeated the questions for ASPSPs:
 - 1.16.1. Are you able to quantify how many accounts are accessed via screen scraping?
 - 1.16.2. Are you able to quantify how the number is split between business and personal customer accounts?
 - 1.16.3. Do you currently apply SCA for both mobile and browser, and does this impact how AISP access your accounts?
 - 1.16.4. Will you be changing or introducing SCA requirements in relation to your mobile and browser channels between now and 14 September 2019? If the answer is ‘yes’, when will you introduce these changes?
 - 1.16.5. What adjustment(s) would you need to make in order to support (maintain) existing screen scraping channels while complying with regulatory requirements under the SCA-RTS for a limited period after 14 September? Please explain what challenges, if any, you foresee.
- 1.17. **ND** explained that from the responses received, a lot of ASPSPs were not able to quantify access and where they could, they were unable to split between personal and business accounts. For most of the ASPSPs, SCA exists in their mobile channel, but not online browser channels which will be introduced in September. With regards to the impact of doing

something else, there was a variety of responses, ranging from *'there is no time to do something else'* to *'we could do something else, but it will take 6 -12 months'*. From the TPPs and accounting software providers, there was more information about the number and types of accounts being accessed. **ND** informed IESG members that the total customer base for the accountancy software providers appears to be around 675,000, while for TPPs, about 300,000. In response to **GL** stating that this was not in line with the figures he had provided, **ND** reiterated that this is an analysis of the information received. **IG** stated that this discussion should not be a debate about the right answers or the FCA's policy / interpretation of the information, adding that the FCA would be taking inputs through this mechanism and through direct conversations with many of the firms. **IG** reaffirmed that OBIE was asked to undertake this exercise, and **ND** has asked the various stakeholders represented at IESG is to respond to the questions. **IG** reminded IESG members that the deadline has been extended, and that it is in the best interest of the ecosystem for IESG members to respond.

- 1.18. **TS** wanted to understand the purpose of the questions and what the FCA would do with the information. **ND** stated that it is for the FCA to make the determination regarding what will be done with the information, the ask is to impact access given that there is a managed rollout for SCA in the cards space and whether there ought to be something similar for SCA in the non-cards space. **TS** commented that this is an open ended and late question. **ND** stated that the aim is to move this ask forward holistically. **IG** stated that this was a request made to IESG by the FCA which OBIE is trying to execute – it is not within IESG remit to make a decision on it.
- 1.19. **RL** stated that UK Finance and others, including Open Banking have been asked by TPPs to consider a managed rollout similar to cards and ecommerce and in order for the FCA to consider this request, there would have to be evidence that it is required. The law cannot be changed.
- 1.20. **GL** explained that there is a lot happening in the other channels at a European level, adding that this conversation is about orchestrating a rollout of PSD2 in the context of access to accounts for PISP and AISP business models. **IG** agreed that this is a valuable contribution and suggested that it should fall under the remit of a European update in AOB.
- 1.21. **TS** stated that he has not been privy to the format of the questions, however, if the context could be clarified, people would understand that it is a valuable opportunity to call out any issues. **IG** added that IESG members should approach **ND** directly so that the FCA will have the best available information, asking also that the deadline should be respected in light of the tight timescales.
- 1.22. **ND** made 2 points on eIDAS:
 - 1.22.1. A survey monkey was conducted to see who in the market has managed to obtain eIDAS certificates. 40 responses were received – 21 TPPs, 19 ASPSPs and a number of firms had not approached any QTSP. Of the 21 TPPs that responded, 6 had managed to obtain AISP and PISP production certificates. 1 ASPSP has obtained production certificate.
 - 1.22.2. This information will be shared with the FCA on an anonymised basis to aid consideration of what could be done to help the market in terms of the 14 September deadline, in respect of identification requirements and the difficulty in obtaining the relevant certificates from QTSPs.
- 1.23. **HP** stated that the wording used in describing the ASPSP point should be carefully chosen. This should be kept to TPPs, otherwise it will suggest that there is a problem with ASPSPs. **ND** stated that there are ASPSPs undertaking TPP activities.

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ACTIONS

Action Number	Date Raised	Owner	Description	Notes	Target Date	Status	Date Closed
IESG_2018_301_171	21/03/2019	FR / IC	<p>Customer Numbers: FR to arrange a meeting with IC re how customer numbers are collected, and update to be included in May IESG.</p>	<p>Update 25/07 - The intention is to work with the v3 numbers contained within this pack, but also incorporate the latest thinking on how customer numbers can be measured in the future to ensure consistency. This will be brought to the September IESG.</p> <p>Update 17/07 – OBIE working on defining this. C/F to the September IESG.</p> <p>Update 20/06 – This is work in progress with a more detailed understanding of the Customer Numbers, and would be an open discussion at the July IESG.</p> <p>Update 23/05 - IC taking comments from FR, IG and others on how to set this up for future proofing. This will return to the agenda in the July IESG.</p> <p>Update 01/05 - IC met with MCH and DJ (who updated FR) on 11/05. IC is concluding on a revised definition for PSU's to share with CMA9 and IESG. Once the revised definition is concluded, IC will collate PSU numbers using the revised definition and share with the IESG in July.</p> <p>Update 30/04 - IG advised at IESG that there is still some ambiguity on this which the team are working through. C/F to May IESG.</p> <p>Update 23/04 - Meeting held on 11/04 with DJ/IC/MCH. Propose to close</p>	<p>05/09/2019</p> <p>25/07/2019</p> <p>20/06/2019</p> <p>23/05/2019</p> <p>30/04/2019</p>	Open	

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Action Number	Date Raised	Owner	Description	Notes	Target Date	Status	Date Closed
IESG_2018_301_172	21/03/2019	CM	Resilience - CM to take recommendation to TDA to address the issue of resilience and subsequently report back to IESG.	<p>Update 25/07 – This can be closed.</p> <p>Update 22/07 - This is included as an agenda item in the July IESG pack. Propose to close.</p> <p>Update 20/06 – This has gone through TDA and will be presented at the July IESG.</p> <p>Update 23/05 – This will go to TDA first, and subsequently be presented at the June IESG.</p> <p>Update 30/04 - CM to discuss what levers are required to address the gaps at the next TDA. C/F to June IESG.</p> <p>Update 23/04 - CM advised that this is an on-going action. C/F until full update is available.</p>	<p>25/07/2019</p> <p>20/06/2019</p> <p>23/05/2019</p> <p>30/04/2019</p>	Closed	25/07/2019
IESG_2018_301_207	20/06/2019	AA	PISP Journey - AA to build a plan / discovery process around the CRM, COP and code in the PISP Journey.	<p>Update 25/07 – IG stated that the intent is for the OB team to take regulators through some of the journeys and bring back to the IESG in September.</p> <p>Update 22/07 - The OBIE team is currently developing the plan and aim to share with IESG at the September IESG.</p> <p>Update 17/07 - OBIE is currently defining a number of customer journeys for CRM, COP and the interaction between them. Once defined (COB this week ending 19/07), OBIE will undertake an analysis of the journeys to understand the true impact of CRM and COP on the consumer.</p>	<p>05/09/2019</p> <p>29/07/2019</p> <p>25/07/2019</p>	Open	
IESG_2018_301_208	20/06/2019	AA	P2, P8 a. IG to review recommendation letter	<p>Update 25/07 - The letter was circulated on 24/07. This item can now be closed.</p>	25/07/2019	Closed	25/07/2019

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			<p>from AA (for OBIE) for clarification with regards to the P2, P8, and P9 update call held on 17 June 2019. This letter should clarify requirements in terms of:</p> <p>P2 – Two way notice of revocation P8 – Trusted beneficiaries under SCA, including whether this is a mandatory or optional requirement. b. IG to respond by writing a letter covering the above to the CMA9</p>	<p>Update 22/07 - The P2, P8 letter from the Trustee is being written by the OBIE team, after which it will be shared with the CMA9 before the July IESG.</p> <p>Update 16/07 - This is being reviewed by IG / AA ahead of circulating to the CMA9.</p>			
IESG_2018_301_209	20/06/2019	EC	<p>Customer Redress Mechanism - Full update and future plans to be brought back to the July IESG as an agenda item.</p>	<p>Update 25/07 – This can now be closed.</p> <p>Update 17/07 - This is included as an agenda item in the July IESG pack. Propose to close.</p> <p>Update 11/07 - EC/AA to discuss content.</p> <p>Update 26/06 - EC has requested that the paper should be written by AA, with ND in consultation. Update to follow wc 01/07.</p>	25/07/2019	Closed	25/07/2019
IESG_2018_301_210	20/06/2019	IC	<p>Monitoring activities – IC to provide an Update on OBIE’s monitoring of ASPSP availability and performance. This will be provided at the July IESG.</p>	<p>Update 25/07 – This can now be closed</p> <p>Update 17/07 - This is included as an agenda item in the July IESG pack. Propose to close.</p> <p>Update 03/07 - This is on track for review for tranche 1. Expected 10/07.</p>	25/07/2019	Closed	25/07/2019
IESG_2018_301_211	20/06/2019	AA	<p>Market Share - OBIE to determine whether it has the data to represent the market share of UK ASPSPs for current accounts on a diagram e.g. on a pie chart.</p>	<p>Update 25/07 - There will be a comms going out from OBIE to UK Finance to assist with this analysis. C/F to the September IESG</p> <p>Update 17/07 - The OBIE team is currently determining</p>	05/09/2019 25/07/2019	Open	

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				whether this is possible.			
			<p>Implementation Concerns – Evidence Gathering -</p> <p>a. A smaller group to be set up by UK Finance to understand the size of the problem better as the size will direct the solution</p> <p>b. OBIE (ND) to engage with the FCA to try and answer questions regarding uncertainties with the introduction of SCA, unavailability of eIDAS certificates and unintended consequences of Standards interpretation. The CMA9 to be engage in that process.</p>	<p>Update 25/07 - Verbal update provided by ND.</p> <p>Update 22/07 - Verbal update to be provided at the July IESG.</p> <p>Update 16/07 - The questionnaire has been sent to stakeholders, including UKF, FDATA, EMA, TPPs and the CMA9. A response is expected by Friday, 19/07.</p> <p>Update 12/07 -</p> <p>a. OBIE has engaged with UKF, FDATA and EMA to determine the question to be asked of firms. The request will be sent in the next few days.</p> <p>b. OBIE has agreed with UKF to undertake a scoping exercise and a Survey Monkey questionnaire has been circulated. The result will inform the discussions with FCA.</p>	<p>05/09/2019</p> <p>25/07/2019</p>	Open	

1.c PROGRAMME UPDATE

1.c.i OBIE STATUS REPORT

- 1.24. **IG** introduced the paper, requesting a quick overview of the OB status report, adding that the 2 items that stand out are P14 and the CoP / CRM work that needs to be done.
- 1.25. **EC** addressed the P14 point, stating that the evaluation is on-going. From a PCA comparison perspective, work has been done and shared at the Delivery Working Group (DWG). The summary is that there is no substantial case in capability for price comparison; this is partly due to demand. The acquisition channels from the banks - both traditional and challenges suggests that there is more work to be done to see if those acquisitions need to be created. This is on-going and the personal side will come back to IESG in September. **IG** added that the team had hoped to get some results for this month, but this was more complicated and required additional time. **EC** agreed, stating that this was especially true on the business side, adding that more consultation is required. **IG** stated that there would be no discussion on this at this meeting, but encouraged anyone who wanted more insight to approach the OB team.
- 1.26. **EC** addressed CRM and CoP, stating that both OB and Pay UK have had discussions with the PSR to drive a piece of work that focuses on understanding the CRM and CoP in the context of PISP journeys and any implications. **EC** added that following consultations with various working groups, a paper will be presented at the September IESG. **IG** flagged that in terms of Pay.UK, there was a conversation with the PSR, and there is not as much support as the PISP has not been considered within a CRM and CoP journey.
- 1.27. **HP** commented that the question – ‘*is there a role for PISP?*’ - should be asked as there has been different feedback coming back from UK Finance and Pay.UK around this and there is confusion within the industry. **IG** commented that it seems like CoP and CRM have been designed with no perspective on PISP and the question is how they interrelate, **HP** added the question – ‘*do they need to?*’
- 1.28. **FR** stated the challenge is actually about the risk that falls to the consumer if PIS and the merchant are not involved. CRM has been built on the basis that the consumer should take responsibility by ensuring the requisite level of care, but in the merchant journey where it is pre-populated, the payment is being initiated by a PISP when the consumer is not in a position to assess that merchant. **FR** raised the issue of who bears the liability – if it is not the AISP or merchant, it falls to the consumer. **FR** added that there is the potential of moving PISP out of CRM, but to look at it within the context of SIP and VRPs – why is the protection being looked at for VRPs not extended to SIP? **IG** agreed with the views expressed by **FR** and **HP** and noted the need to take a more comprehensive look at this, but reiterated that the intent is not to solve, but to allow this to go through consultation and come back to IESG in September. **EC** confirmed that this would go through the standard consultation mechanism – DWG. **IG** added that further engagement on this should be made through organisation representatives at DWG. **FR** asked what is being consulted on. **IG** stated that it would be the entire spectrum.
- 1.29. **RW** reminded IESG members that whilst discussing phase 2, it should be recognised that CoP phase 1 has liability models against each of the ASPSPs already in place and these transactions are going over the fast payment rails and cannot be decoupled just because it is a PISP. The customer’s best interest has to be considered. If there is no CoP in place, the sending institution becomes liable. **FR** argued that CoP is in place and the consumer cannot exert any kind of informed way of assessing the merchant, therefore the consumer carries the risk. **RW** asked whether the consultations will be about phase 2, **IG** stated that the conversations would be comprehensive, **EC** invited **RW** to have an offline conversation.
- 1.30. **IG** reminded IESG members that this is a programme update, an FYI on status and an opportunity to have input into consideration; there will be no decision made on this at the IESG forum. **IG** concluded by stating that at the moment, CoP and CRM do not take PISP into account, nothing will be agreed or mandated before the September IESG; this is therefore an opportunity to have a discussion around how PISP could work in a CoP and CRM environment. It is complicated and multifaceted, and it is clear that a round-table discussion involving interested stakeholders is required to talk through all the various aspects prior to any documents being put together before IESG in

September. **IG** stated that while there is a way of influencing the materials that get discussed at the next IESG (by attending DWG), that forum is the holistic way of discussing it.

ACTION - IESG_2019_301_214 - Programme Update - CRM / CoP - OBIE team to work out a plan around CRM / CoP for presentation at the next IESG (05 September) as an agenda item for discussion.

Due Date – 05 September 2019

1.c.ii. CMA9 RELEASE SUMMARY

- 1.31. **IG** started with comments to pre-empt questions on the red and amber RAG statuses. **IG** acknowledged the need to talk about R3.1.2, but started with R3.1. **IG** stated that there should be more green than amber. For the benefit of the IESG members who are not close to the CMA9, **IG** explained that the reason for this varies – some entities are under direction, others are yet to fully develop App-to-App, for some, the Customer Experience Guidelines (CEG) has not been complied with 100% and there are also others that have not fully passed the conformance tools. **IG** added that these issues are being scrutinised in the bilateral conversations with the aim of moving a lot of these to green before the next IESG. In terms of R3.1.2, **IG** stated that the policy is red until there is an agreed delivery date, adding that this is almost entirely due to the delivery of P2 and P8 (the letter was sent out 24 July 2019) and so over the course of the next bilaterals, these statuses should move to amber, if not green. **IG** invited comments.
- 1.32. **GL** raised a question around which ASPSP has delivered name of the account holder in the API Standard. The work in the specification has been agreed, but there is no visibility with regards to implementation. **IG** stated that there is a deadline and the transparency calendar should provide sufficient visibility. **EC** stated that with regards to account holder name, discussions were held at the bilaterals and subsequently, it was agreed and advised to the TPP community that this information would be placed on the transparency calendar. **GL** stated that while the transparency calendar is a good idea, the amount of information required in this area is not present for his members in that channel. **IG** commented that it would be ideal to take an action to review the transparency calendar for each of the CMA9, specifically for account holder name, to understand what degree it is populated. **IG** asked for information on what proportion has been populated as ‘no entry’ fields to be fed back to IESG during the action updates.

ACTION – IESG_2019_301_215 - IC to review the transparency calendar with regards to account holder name and send an email to GL. This should be fed back to the September IESG during action updates.

Due Date – 05 September 2019

- 1.33. **EC** stated for clarity that the account holder name is in production for at least 1 bank. **EC** added that it is not just about transparency, but also about communication – getting TPPs to consume the data given the demand out there.

1.c.iii API PERFORMANCE

- 1.34. **IG** stated that the summary is on page 28 and the details are contained straight after that in the appendix.

APPENDIX

- 1.35. **IG** stated that in general, the statistics have been encouraging, noting continued growth with the KPIs. **IG** commented on the PIS number – circa 100k API calls, **IG** stated that the OBIE team approximate 3 calls per payment which equates to 30k PIS payments; as a test data set, this proves activity. **IG** added that availability and response times are underwhelming and asked if these could be picked up at the bilaterals to begin detailed understanding of what needs to change in order to get the metrics up.
- 1.36. With regards to API calls, **IG** commented that investigations suggest that some API calls come in down time and therefore are over-exaggerated, adding that this would be one of the items that will be addressed by the monitoring function when OBIE does that more centrally rather than the TPPs themselves. **IG** stated that on that basis, discussions would be concentrated on response times and availability as opposed to API failures.

- 1.37. **FR** asked if benchmark numbers on what is being worked towards would be provided, explaining that the Operational Guidelines states that (target) availability should be 99.5%. **FR** explained that every month, MI is produced without a sense of the ecosystem targets and whether these are being met – if they are not being met, how far off are they? **IG** responded by stating that setting no targets was intentional as the metrics are still being reviewed for trends:
- 1.37.1. To ensure that the data is comparable across all the banks, that the definitions are right; and
 - 1.37.2. To understand what is driving some of the data.
- IG** stated that until the above are understood, it would be foolhardy to set targets. **IG** stated that conceptually under PSD2, there is no target and that this has to do with parity. **IG** added that there have been conversations with Pay.UK about trying to formulate targets – this is a drawn out piece of work which is more subjective than objective.
- 1.38. **FR** asked in terms of parity, whether the data is split into detail of, for example, availability for online, mobile, etc. **IG** stated that this information is not yet available; **EC** added that as of 14 September 2019, the banks would publish this information. **DG** stated that this relates to PSD2 and so is mandatory. **IG** added that this would then be published on the website, adding that there is a need to ensure that the right elements of the MI are being compared.
- 1.39. **IG** commented on the funnel, stating that on page 47, there is information on the number of parties that are in the ecosystem. There are just under 300 3rd parties that have expressed an interest in applying for Open Banking. There are a good number of TPPs that are fully authorised, live and acquiring real customers – 31 for AISPs and 7 for PISPs. **IG** stated that in the last month, 31 was 21 (increased by 10), 7 was 5 (increased by 2), and the first CBPII (still in testing at the moment).
- 1.40. **IG** informed IESG members that non-CMA9 ASPSPs have also joined the ecosystem and are now outranked – 44 have served terms and conditions, 37 in the directory are live. **PM** asked if this number includes CoP, **EC** stated that these are all ASPSPs. **IG** added that there is no row for CoP at the moment because that sits within phase 2 remit. **FR** asked whether there are any reasons given for joining – to get a sense of the market. **IG** referred to banks that already had functioning APIs and could meet PSD2 requirements as is, stating that they determined that they want to use Open Banking because that is the standard for the UK market and customers who are getting access to other 3rd parties to also have access on their platform.

2.a MI V3 Roadmap

- 2.1. **IG** introduced the paper stating that for a period of a month, the OBIE team has been collecting data from the CMA9 – a different version, template, process and scope (albeit not material) from the prior version and this is yet to be shared or incorporated into the MI. **IG** stated that this paper gives an indication of the kind of MI that will be presented at the next IESG, adding that it will be July information because it has taken that long to work its way through the process to ensure that the system has been appropriately challenged and ensuring that the data is reliable. **IG** stated that this needs to dovetail with PSU usage to ensure that it remains consistent. **IG** added that this process has gone through PMG in a lot of detail.
- 2.2. **EC** confirmed that the process has been through PMG multiple times. **EC** stated that it was decided that none of the current MI will change and this will be additional. If this is accepted today by IESG and endorsed by **IG**, this data would be expected to be prepared out of the July returns and presented to IESG members at the September IESG. **IG** also added that for the purpose of this paper, all the numbers are fabricated.
- 2.3. **FR** referred to TPP volumes, asking whether ‘cumulative’ should include ‘net’ or the cumulative number includes a net position as when there are de-registrations, it would be helpful to have a clear number of what is left. **IG** confirmed that de-registration data is being collated as well.
- 2.4. In terms of PSU adoption, **FR** asked if there is a way of collecting data around products and services and the various PSUs that are trending – adoption in one type of market, such as credit profiling or adoption across a range of products and services. **EC** stated that this information does not come from banks and it would have to be an issue that is addressed with the TPP community and would have to be voluntary. **FR** asked about the possibility of the

banks providing information to the Trustee per brand. **CA** stated that this is collated; however **RW** reminded IESG that there was an agreement not to share this information because of competition.

- 2.5. **IG** stated the need to distinguish between regular MI, which clearly has a cost of gathering and one-off reviews of status which can be bespoke exercises that will aim to answer specific questions. **IG** added that the CMA would be asking the Trustee for an overall status review. **IG** did not think monthly moving data points are necessary, and TPPs would not want their market share to be published. **FR** suggested that this information would be valuable; **IG** stated that the system should not be overloaded.
- 2.6. On authentication efficacy, **FR** asked about re-authorisation vs. start-ups and whether information on these would be considered as reauthorisation is different from on-boarding. **CA** stated that this is a fair question; however, a lot of TPPs are not using re-authorisations.
- 2.7. **IG** stated that on the basis of the above, **EC** should progress with populating this for the next IESG in September. **IG** asked for the thinking on PSU to be woven in, adoption without derailing from this.
- 2.8. **FR** commented that it is good to see availability by endpoints and stated that one of the data minimisation principles is that TPPs should only call for the data required, and one of the questions is '*are they differentiating between these endpoints and do these endpoints make sense?*' and this information is only obtained if they are called with some discrimination, therefore this data would be helpful. **EC** stated that this is significantly affected by Article 10 – interpretation varies across the banks, if the customer is not present, and is not authenticating, then this information would not be seen on an on-going basis, therefore, this data might not be that helpful. **FR** stressed that there needs to be regular MI on whether the data minimisation principles are working.
- 2.9. **IG** agreed that all 3 points should be considered.

APPROVAL – IESG_APR_LOG_048 - MI V3 ROADMAP – IG approved for EC to progress with populating the new MI. This will be presented at the September IESG.

**ACTION - IESG_2019_301_216 – MI V3 Roadmap - Following approval to proceed at the July IESG, EC to populate MI and present to IESG in September.
Due Date – 05 September 2019**

- 2.10. **RW** asked about an update on the additional rationale point regarding TPPs calling to test the services. **IG** stated that this is the next agenda item.

2.b OBIE MONITORING TOOL

- 2.11. **IG** introduced a paper about the OBIE developing a monitoring tool. **IG** stated that there have been a number of challenges.
 - 2.11.1. OBIE was dependent on the banks to provide MI but there is a delay in receiving on time and in a consistent format, therefore it has not been an effective MI stream.
 - 2.11.2. Some TPPs within the ecosystem have taken it upon themselves to undertake their own monitoring, creating inconsistent views.
- 2.12. **IG** stated that the request from the Trustee to the OBIE team was to create a service that the OBIE can control, if not in real time, then in a more frequent manner. **IG** stated that IC's team has been working through some proposals with some 3rd party providers and this has been narrowed down to a provider, with terms and conditions being agreed. **IG** added that this would be executed by the end of August, after which, the intent is to issue a communication to all the TPPs to discourage them from completing their own. **EC** added that this will also be included in the TPP Guidelines.
- 2.13. **GL** stated that there appears to be 2 different pathways:
 - 2.13.1. To get a broad understanding on where we are with the quality of the delivery; and

2.13.2. To create a kind of emergency system that raises a flag when something goes wrong, which will open up communication with the customers.

GL stated that this addresses why the TPP may rely on this if it becomes the agreed system and are consistently produced. The monitoring tool had also enabled an alert to be pinged to the tech team in the TPP to alert if a bank is down for example so that customers are aware.

2.14. **EC** stated that the tool itself will be alerting OBIE if there is any downtime – it will come into the ticketing system and be communicated to TPPs. **IG** asked about turnaround time for downtime, to which **EC** responded that downtime is measured over a 10 minute period so the OBIE team will know quite quickly.

2.15. **DG** sought clarification that this will be applied beyond the CMA9 to all ASPSPs. **DG** also wanted to know what account will be applied for testing purposes.

2.16. In response to **DG**'s question, **IC** stated that the 3rd party vendor has their own accounts, and the vendors will be rendering an end to end service. In terms of extending beyond the CMA9, **IC** referred to page 57 which listed the initial starting point, with bullet number 4 starting with the CMA9. **IC** affirmed that the plan is to go beyond the CMA9.

2.17. **IG** stated that there is a requirement to ask permission of the non CMA9. **EC** added that the actual service does not fall within the PSD2 perimeter, which means that it is not a regulated activity; for this reason, whilst through the Trustee, communication with the CMA9 can be established to create a service, with the non CMA9, there would need to be a mechanism to establish a contract between the OBIE and the individual firm to enable the service.

2.18. **DG** stated that if a regulated 3rd party is opening accounts with every bank and testing their accounts by AISP and PISP calls in a regulated fashion, they do not need any contract. **EC** disagreed, the activity which has been agreed with the FCA is a non-regulated activity driven from OBIE certificates and the view is that the access to accounts for the validation of availability is not a regulated activity. **IG** stated that this boils down to the definition of what AIS is and this does not include testing or MI on end points. Therefore, this is not a regulated activity with regards to the non CMA9. For the CMA9, under the Order, it is a mechanism for data capture.

2.19. **IG** stated that there is no reason why the non CMA9 ASPSPs will not be happy to participate in this activity, but recognised that there must be a process step whereby permission is sought from those entities. **IG** added that there is no reason why the terms and conditions should not be updated in the future so that it is a standard part of conducting business.

2.20. **CA** raised a concern around the legal position that states that 'account access' is not a regulated activity, explaining that there are a lot of 3rd parties who would like to access accounts and not class it as a regulated activity, but the FCA has been clear on the position with this. **CA** suggested an offline conversation to close the loop on this.

2.21. **IG** agreed that this conversation should be offline and invited any further clarification points to be directed to **IC** offline, adding that **IC** is leading this and currently finalising the terms and conditions with the provider, meaning that there is an opportunity to influence this.

2.22. **DE** stated that whilst he is supportive of the idea, from an ASPSP point of view, the opportunity to review the solution before it is finalised to ensure that all the consequences are understood would be appreciated.

2.23. **IG** suggested that a memo should be written describing what the solution is, what the legal considerations are and how these are being addressed. To **DG**'s question on cost, **IG** stated that funding is not within the remit of the IESG group to consider. **IG** added that the economics of this has been reviewed and it is a small line item – the Trustee can mandate this if it is believed to be required to fulfil the Order. **IG** reiterated that there is a requirement to have good MI within the ecosystem, MI that is supported during bilaterals and is consistent across the CMA9. **IG** stated that clarity around legal permutations will be issued within the memo and feedback will be collated.

- 2.24. **CA** asked if the vendor selection and procurement process could be described within this memo. **IG** agreed that a high level view of the OBIE procurement process which it went through can be given but would not authorise an audit of the OBIE procurement process.
- 2.25. **DG** suggested looking at an operating model whereby the CMA9 are invited to sign up with the chosen 3rd party and use their own certificates. **IG** was not sure if this had been considered, but either way, the memo would refer to that.
- 2.26. **RW** asked for clarity within the memo on how calling incessantly is justified. There are institutions calling the APIs too often, and this needs to be quantified by stating that OBIE can do it, but not others. **HP** stated that under contract with terms and conditions, the CMA9 can accept OBIE doing this and block other parties who the FCA believes should not have the legal rights to do this.

ACTION - IESG_2019_301_217 – OBIE team to issue a memo describing what the solution is, the legal considerations and a high level view of the procurement process undertaken.
Due Date – 30 August 2019

2.c API RESILIENCE: ISSUES, IMPACT, ACTIONS AND STATUS

- 2.27. **IG** introduced this paper, stating that it started off as a tight question about the resilience of the ecosystem because of dependencies of OBIE and in particular on the directory. **IG** explained that CM and the technical team took this to the Technical Design Authority (TDA) to explore further, but a quick response on the ecosystem resilience expanded out to a larger collation of issues relating to resilience which was broader than just the APIs.
- 2.28. **CM** explained that the general ecosystem resilience and its dependencies is a logged issue. These have come through a number of forums, but the team used TDA to tie all issues to a central location.
- 2.29. **CM** explained further that 3 material issues have been flagged.
- 2.29.1. Lack of availability. This is flagged as a concern by a PISP looking to enter into the market to want something close enough to 100% as opposed to 97%.
- 2.29.2. Friction in the SCA journey, particularly for PISPs. There has been a lot of progress with App-to-App, AIS and PIS, but looking at initial reports from PISPs live in the market indicates a failure rate of 50% with ranges between 20 and 80%.
- 2.29.3. 90 day re-authentication friction.
- 2.30. **IG** was reluctant to discuss resolution to the issues, but pointed out that this exercise was comprehensively undertaken to identify all the concerns to the ecosystem, stating that the recommendation is that this becomes a live Issues Log hosted by OBIE and reported on a monthly basis. **IG** stated that the question is: *'Is that a valuable exercise to undertake or is this exercise of creating the long list actually the completion of this exercise and now that there is a list, it can be reviewed at a point in time in the future'*.
- 2.31. **CM** stated that the issues are a moving feast and the proposal is to make the Issue Log public for transparency; there is no intention to create additional requirements. **CM** added that this is a good way to track issues with IESG members.
- 2.32. **IG** stated that this is a valuable exercise and invited comments from IESG members.
- 2.33. **HP** commented that this needs to be more balanced as it seems to be written from a point of view of driving traffic for the TPPs, there is no consumer commentary.
- 2.34. **FR** asked how this would ensure the consumer lens is being used at the moment; there is nothing in the paper that covers consent management for consumers. **FR** reiterated that something around the journey for consumers, including impact is required; and in making an allowance for adoption, the consumer point of view has to be considered.

- 2.35. **IG** agreed with all points, but stated that the origin of the question was around resilience risks in the ecosystem, but **IG** suggested that rather than critique this piece of work, the question is whether there is value in:
- 2.35.1. Publishing this on the website; and
 - 2.35.2. Updating on a regular basis.
- 2.36. **RH** was concerned about putting in issues that do not affect all TPPs, and wondered if it is quantifiable.
- 2.37. **CM** stated that this was raised and discussed widely at various forums (Testing Workshops, API Working Group, API Forums) with TDA being the final filter. In terms of prioritisation, **CM** advised that this was based on issues that are most widely reported. While the process of raising and prioritising issues needs to be strengthened, **CM** stated that it is based on volume of reports that have come from the biggest TPPs in the market.
- 2.38. **MCH** stated that the title is 'API Resilience', however, the focus has not been solely on resilience, and therefore, the prioritisation does not seem to have picked up on resilience issues.
- 2.39. **RW** commented - it follows a theme, the idea being to publish the full list of issues in the appendix and the suggestion is that this has been validated by TDA. **RW** referred to the 1st issue on the log, stating that it does not expand upon the reasons or explanations – it is slanted towards the TPPs interpretation with no other measure inside it. **CM** stated that this is not the exhaustive list, and there is a list to the full OBIE ecosystem issue log which contains more detail, pointing to where the statistics are.
- 2.40. **RW** stated that in terms of presentation, it needs to be balanced in terms of what is trying to get across as well as quantify the extent of the problem. **CM** explained that this is a moving feast with new issues emerging with actions against these issues, some of which will be closed off by September 2019.
- 2.41. **GL** stated that at the beginning of this process, various issues were raised and this is a record of that. Therefore, it might be worth ensuring that this is visible. **GL** added that it is good to have a location for reference and updates.
- 2.42. **SS** stated that this is quite pejorative as even though there are a lot of issues on the list, it starts from a premise that there has not been as much PIS as expected, and asked – given the limited product range, what is the demand? **SS** added that having tested these journeys, the drops off rates are not just about the back end; this involves the front end and the UX could be fixed from the TPP end.
- 2.43. **CA** agreed with all the points made and stated that this started as a piece around technology resilience and has turned into a list of things that can be done to improve the ecosystem. The resilience list should be separate from the customer adoption list. Additionally, **CA** stated that there would need to be data-driven assessments to back up the views expressed.
- 2.44. **FR** stated that it would be helpful to publish for transparency, but added that a risk log is required for visibility and to monitor progress of mitigating actions.
- 2.45. **IG** concluded by stating that the exam question at the outset was: what are the resilience issues in the central infrastructure, particularly the directory. **IG** added that this was answered satisfactorily by the technical team who identified that there were no significant risks at the centre. The initial analysis of the directory is the source of truth, however, the banks cache the information and so there is sufficient resilience there. **IG** agreed that the longer list was created without a clear terms of reference or guidelines. **IG** did not agree that this should be updated on a monthly basis, neither was he certain that things would be moving that significantly from month to month that it merits that amount of work. **IG** stated that the list is nonetheless incredibly valuable and informed IESG members that whilst it is not published and projected through the website, it is available to all members of IESG, PMG, TDA, DWG, and TWG via confluence. **IG** informed **GL** that many of his constituents have the ability to view the list. In terms of seeking agreement to publish this on the website or update periodically, from the Trustee's perspective, **IG** stated that there is not much value in progressing with this. **IG** added that it may be worth doing a proper exercise on this in future when we do a deep dive into input on consumers and segregate from the technical.

- 2.46. **FR** stated that she would like to see a risks and issues log coming through to IESG once every quarter or periodically. **IG** stated that this should be treated as a separate request.

2.d P7 – REVERSE PAYMENTS

- 2.47. **IG** introduced this paper stating that the team has embarked on a consultation process which has been well attended and supported so far, with 2 observations to note:
- 2.47.1. There is a new proposal on how P7 (Reverse Payments) should be done which is more complex and sophisticated and therefore has downsides in terms of time to market and cost of implementation.
- 2.47.2. A lot more input is needed from end users – i.e. merchants to ensure that this is something of value.
- 2.48. **IG** summarised, stating that progress has been made, further questions have been asked, new stakeholders need to be consulted, and that this paper is therefore stating the intent to carry on with further consultations ahead of presenting an actual recommendation to IESG in September 2019.
- 2.49. **CM** agreed with **IG**'s summary, adding that the further work required is a combination of proposition and design – these come hand in hand in order to answer questions regarding what the implementation requirement entails. **CM** added that the doability and cost of this depends on the design, which in turn enables the proposition. A holistic view is being considered, which includes the different solutions within the market and what they would enable.
- 2.50. **IG** pre-empted the question – as consultation progresses, how will IESG members continue to participate and influence the consultation? **CM** stated that this is being run through the API forum happening today (25 July 2019) – there are specialist sections in the on-going workshop involving PISPs and merchants; DWG and TDA are also involved and all IESG members should be able to feedback to any of these forums as they are populated with ecosystem representatives.
- 2.51. **FR** stated her support for a seamless and swift process for consumers to get refunds, but also expressed regulatory concerns. In all circumstances, PISPs are required to ask the consumers consent to store the sort code and account number and this is under the Payment Systems Regulations (PSR); GDPR allows a legitimate interest assessment to be made, but unfortunately, to store this information, consent is required. **FR** stated that Option C solves this problem, while A and B do not. **FR** referred to the consumer experience – there are examples where refunds are lumped in with future payments, but consumers are not in a position to make a good decision at the point of purchase about whether they consent to their details being stored for future refunds. **FR** preferred for that question not to be posed to consumers because of the potential implication that lack of consent means no refund. **IG** reminded IESG that this paper does not intend to solve or make a decision at this meeting; this is merely feedback on the consultative process.
- 2.52. **HP** requested that the PISP community should be fully engaged and expressed a preference for Option C as it addresses genuine customer issues; however, **HP** stated that it looks expensive and from a competition point of view, it facilitates processes which work well for large issuers and payment acquirers - the CMA9 and other large institutions - but not for smaller firms who are trying to offer services to bespoke parts of the market. **HP** stated that Option A seemed attractive initially because it is cheap and quick (to get to the market) for all participants to offer and therefore does not require an active ecosystem to develop.
- 2.53. **IG** stated that the consultation has to address consumer flows, fully informed consents and cost of implementation, as well as time to market. **CM** agreed and assured IESG members that the consultation process would be open to feedback.
- 2.54. **DN** asked if there has been a discussion about the mechanisms for which refunds will be made as executed payments are irrevocable. **CM** responded – all the solutions are based on the assumption that this will be a new payment that needs to be made to issue a full or partial refund as opposed to the actual original payment.
- 2.55. **TS** asked that the EMA be added to the list of organisations being engaged.

ACTION - IESG_2019_301_218 - P7 Reverse Payments - CM to add the EMA to the list of organisations being engaged.

Due Date – 05 September 2019

- 2.56. **IG** concluded by stating that awareness has been raised, consultation is on-going and many of the factors discussed will be taken into account. **IG** invited IESG members to approach **CM** if they are yet to be approached.

APPROVAL – IESG_APR_LOG_049 - P7 (Reverse Payments) – IG approved this paper.

OBIE will be working together with the industry, engaging with organisations such as the Emerging Payments Association, Vendorcom and British Retail Consortium, organising workshops with merchants and PISPs during July & August 2019. Following this, OBIE will be updating the proposition paper on all available options based on the findings of the aforementioned engagements. The paper will be submitted for formal consultation in September and presented to IESG in October 2019.

2.e P15 – EVALUATION OF EFFICACY OF CONSENT DASHBOARDS

- 2.57. **IG** introduced the paper, stating that there was limited support from both ASPSPs and TPPs to try and build a bridge for PSUs at the revocation part of the journey. **CM** agreed with this view, adding that a reverse redirect model is technically possible but it is potentially a big build and the second point – requirement for removing access via an SCA or authentication – had limited support to implement it with only 1 TPP proposing it.
- 2.58. **IG** commented that the TPPs cannot be mandated and participation / support is optional; the recommendation therefore is not to proceed with any of these proposals for P15, other than to review periodically in the future. **CM** stated that there are changes to the specification and Customer Experience Guidelines (CEG) to address some of the concerns. **CM** added that these are clarification to definitions of removing access as opposed to additional requirements.
- 2.59. **DG** stated that the last year has been spent talking about not putting warnings into the dashboard and now there will be potential prescription for warnings. **CM** clarified – warnings if access will be removed and implications as it affects the ability for customers to execute consent through the TPP. **DG** explained that based on P2, a TPP should have the ability to fully communicate with their customers, questioning why this is a consideration when P2 is in place. **CM** reiterated that it is a minor language change as opposed to a technical solution.
- 2.60. **FR** stated that with regards to the consent dashboard, the ‘opportunity to revoke’ built in means that there are no additional steps required to revoke. **DG** agreed, stating that a confirmation step would be helpful.
- 2.61. **IG** stated that this discussion should be limited to the revocation piece.
- 2.62. **GL** expressed concern about consultation, asking whether feedback from TPPs was obtained through the standards piece. **CM** explained that this went out to consultation to the usual list of several hundred participants, with a lot of feedback from ASPSPs and TPPs – this paper is the summary of the feedback. **GL** stated that views he has received from TPPs are inconsistent with the findings of this consultation but would take this offline.
- 2.63. **MCH** asked for clarification on a P2 point on page 68 of the pack – ‘...implementation of P2 (two-way notification of revocation) ought to be the preferred route for notifying TPPs of revocation.’ – was the comment included before the letter on P2? **MCH** added that the two principles are inconsistent and therefore wanted to understand the context of the comment as against the P2 letter. **CM** confirmed that the consultation was before the P2 letter and this consultation was a summary of all the feedback which is publically available.
- 2.64. **FR** reiterated a point around the ASPSP dashboard linking to TPPs in the context of the P15 proposition and confirming a revocation, but being able to re-authorise an ASPSP dashboard or facilitate the re-authentication of TPPs when there is a customer switch; **FR** added that none of the use cases were considered in this context. **FR**

stated that the consumer should not fix what has been built; therefore there is a disconnection between the consent and the authentication.

- 2.65. **IG** concluded by suggesting as follows:
The OBIE team will follow the format used for the other P numbers by writing a specific letter on P15. The letter will be from the Trustee to IESG members taking the feedback from IESG into consideration. **IG** added that it is not the role of IESG members to undermine a consultation process and there is no reason to believe that the process was not carried out in a fair and proper way. **IG** stated that there is no technical solution to this problem and modifying some of the CEG is the right approach; the aforementioned letter would be specific on this. With regards to the suggestion that this should be reviewed again, **IG** agreed that this is appropriate; however, it should not be turned into a big build.

ACTION – IESG_2019_301_219 – P15 – Access and consent management – Letter from the Trustee to be issued to IESG members taking into recommendations made at the July IESG.

Due Date – 16 August 2019

- 2.66. **IG** suggested that if any participants would like to make a recommendation before the letter goes out, to write to the OBIE team.
- 2.67. **FR** added a point on P15 – the process is transparent and due process is followed, but unlike Evaluation Working Groups that took place in the past where stakeholders were engaging face to face and over the phone as well as email, emails get lost. **FR** suggested a once-a-week brief communication for example. Additionally, **FR** asked for some of the consultations scheduled for August to hold in September instead due to summer holidays. **IG** asked for **CM** to ensure the right level of engagement is attained per meeting. **IG** also reiterated the importance of IESG members checking emails regularly as one of the reasons for discontinuing the Evaluation Working Group is that the feedback was that it took too much time, therefore, where consultations are set up, reminders can be sent out, and the onus of participation is on the invitee. **CM** confirmed that there are various forums with representation from all IESG members – there are fortnightly workshops open to all, TDA is weekly, DWG is monthly.

2.f TPP CUSTOMER EXPERIENCE AND OPERATIONAL GUIDELINES

- 2.68. **IG** introduced this paper, stating that intent was always to create Customer Experience and Operational Guidelines for TPPs, adding that this was presented at DWG with a view to publication in September 2019. **IG** stated that this paper is to take input from IESG before it goes into publication. **IG** added that the key thing to bear in mind with regards to guidelines is that they are not enforceable by any regulatory authority. **IG** invited comments, and asked more specifically if there are any reasons why this should not be published.
- 2.69. **SM** stated that the Behavioural Insights Team (BIT) wrote reports the week before (15 July 2019) that cover some of the points around how consumers interact without notice and what makes a difference, adding that this is in line with some of the points made in this paper. **IG** found this helpful stating that **MCh** leads on this and would pick this up. **MCh** stated that OBIE is working closely with BIT and there are similarities; the plan being to include the published plan as part of the guidelines and provide the link to the report itself. **SM** stated that work is about to start and invited engagement. **TS** asked if there was a plan for PIS, bearing in mind that this plan focuses on AIS services. **MCh** stated that this is work in progress; with what the shape of consent would look like currently in review. This is being reviewed for PIS and CBPII as they are not the same for AIS. **MCh** stated that the work being reviewed is the learning from BIT and the work being done in Australia under the Consumer Data Act and how some of the things that have been done there could be translated into context here. **MCh** added that a proposal should be ready at the end of August ahead of consultation in September. **IG** asked whether the intent is to share the consultation proposal for the PIS in September. **MCh** stated that the PIS forms part of the codification of consent piece in October and there will be room for the consultation in-between. To **TS**'s point, **IG** stated that PIS is purposefully lagging AIS and there will be time to contribute to that.

ACTION – IESG_2019_301_220 - TPP Customer Experience and Operational Guidelines – MCh to engage with ICO to review reports written by the Behavioural Insight Team (BIT) to gather relevant information towards the publication of the guidelines.

Due Date – 09 August 2019

ACTION – IESG_2019_301_221 – MCh to bring the content for Wave ‘A’ to the September IESG.

Due Date – 05 September 2019

2.g CUSTOMER REDRESS MECHANISM

- 2.70. **IG** introduced this paper reminding IESG members that there was a request to address whether the objective of the Order - to build a Customer Redress Mechanism (CRM) - was sufficiently met by the Dispute Management System (DMS) and whether there were any gaps between the two. **IG** stated that the team analysed this and no gaps were identified other than educating TPPs on how the DMS operates and ensuring that the ecosystem builds this tool into their overall processes. **IG** stated on this basis, that updating the guidelines and communicating with the ecosystem would be sufficient.
- 2.71. **EC** stated that while all actors in the ecosystem know their regulatory obligations in the context of CRM as opposed to the DMS solution, the idea is to pull an easily digestible format together in an agreed central location, codified into the guidelines, and ensuring that these are available for TPPs and onwards for consumers. **EC** added that there are a lot of bits of information – in regulation and documents provided by IESG, however, there is little that pulls the entire CRM together. **EC** added that after this step, the next would be to establish a mechanism for socialising and marketing.
- 2.72. **IG** stated in summary that this will be a ‘*how to*’ guide for TPPs and ‘*how do I complain?*’ document for consumers after which he asked if the team concluded correctly - do the items referred to by **EC** mean that we have a comprehensive CRM? **IG** stated that these are open ended questions and if there are any missing parts, these could be picked up offline.
- 2.73. **FR** stated that it would be helpful to clarify some concerns that fall outside the PSD2 perimeter. **FR** referred to a situation whereby the consumer has tried to get help from a TPP and FOS and been unsuccessful, what the next step would be.
- 2.74. **SM** stated that there is a dedicated team that work through detailed points on Open Banking and stated that while there is no particular focus on redress, this could be incorporated into the next meeting in September 2019 where the definition of redress generically within GDPR could be walked through. In terms of individual redress, **SM** stated that GDPR is weaker than the standard expectations that the financial services have because it focuses more on information as opposed to complaints; it focuses on correctional and deletion of information. With regards to questions on how complaints go through FOS and then to ICO, **SM** suggested that someone could be brought in to explain how that works.
- 2.75. **IG** commented that this is probably on the right path because when writing consumer communiqué (FAQs on how to complain) it will become clear if anything has been missed. In terms of actionable points, **IG** asked **EC** for timelines.
- 2.76. **EC** stated that the guidelines and mechanisms will go through normal consultation, but the guidelines will be built alongside the TPP Customer Experience and Operational Guidelines. **IG** enquired about the consumer communications aspect, to which **EC** stated that this will form part of the communications aspect of the guidelines, adding that ASPSPs and TPPs are the interaction point with the end consumer. **IG** stated that the action is to elevate that as if it remains a sub-topic within the TPP Operational Guidelines, it may not get the scrutiny and emphasis it requires. **IG** stated that if the next meeting with the ICO is not till September, then this might be later than an October production. **EC** advised that there are 3 iterations of guideline delivery, the first of which is in September and another in November.

- 2.77. **SM** stated that if the ICO contribution sits on the critical path, then even though the next meeting is in September, a meeting should be set up in August. **IG** thought this was helpful, even if just to lay out a framework to leverage what needs to be done.

ACTION - IESG_2019_301_222 - Customer Redress Mechanism - EC to arrange an OBIE / ICO input meeting facilitated by SM to map out the framework and leverage what needs to be done.

Due Date – 30 August 2019

- 2.78. **GL** stated that the next stage would be to get firms to engage, so that scenarios are pushed through the process end to end to identify any issues. **GL** said it would be good idea to rehearse this before go-live within the community – dummy complaints. **IG** stated that it would be good to get the 'how to' manual and then after that, the next stage can be discussed. **EC** stated that part of the training mechanism would cover dummy complaints; this would be put into place as adoption of the tool within the CRM. The mobilisation and communication will mention CRM as a whole, with DMS promoted within that as one part of the solution.

2.h PREMIUM APIS

- 2.79. **IG** introduced the paper stating that essentially, the Premium APIs have been separated into those that are market driven and those that are recommended functionalities and created a broad governance frame work (50 + voting members in the constituency) to figure out what the PSD2 related APIs should be focussed on. This is wave 1. **IG** explained that 5 were put up for voting and consultation, of that 5, the response was good, with 2 getting the most responses. 1 of these is non-PSD2 accounts while the other is the improvement to the 90 day re-authorisation process.
- 2.80. **IG** opened the process up for comments by IESG members; adding that he has had discussions with the heads of retail around market driven APIs and is seeking to obtain CMA9 support on this. **IG** stated that this wave does not include elements of payments that are not covered in PSD2 such as elements of attribute validation or identity. **IG** stated that there has been a lukewarm response to the market driven APIs and so the work presented in this paper is not pertaining to the market driven APIs. **IG** opened the floor to comments.
- 2.81. With regards to the 90 day re-authorisation, **DG** asked if there is anything in the current specification that prevents an ASPSP from allowing the consent other than for 90 days as the API specification should allow that to happen, in which case, this is a commercial conversation that can occur between a bank and a TPP without the specification changing. **IG** agreed with the comment, but stated that the team are referring to the re-authorisation process as opposed to deciding on a number greater or less than 90 on the outset. **CM** stated that this process is seeking to find a way that this could be driven from a TPP side, thereby reducing the friction in the process, but still be consistent with a 90 day re-authorisation. **IG** added that given the customer has consented to 90 days, the re-authorisation is around the 90 days. **DG** asked if there can be a different journey for re-authorisation, adding that App-to-App is in existence for this.
- 2.82. **GL** stated that at a regulatory level, there are a lot of discussions around what could be done in relation to re-authorisation and suggested that options on technology solutions should be provided without waiting for the regulator provide a solution. **GL** added that in the RTS, the term, 'payment provider' is used as opposed to being more specific about whether this is an ASPSP or TPP. **GL** added that one of the proposed ideas was that the TPP would have the ability to push a notification to the customer and through the API, update each ASPSP that the consent had been maintained as a method of reducing friction, rather than sending the customer out to each individual ASPSP to maintain the connection.
- 2.83. **IG** stated that the recommended functionality that came out of the API Evaluation Working Group was about reducing friction in the re-authorisation process and this step is highlighting the most popular based on the voting mechanism. **IG** added that the work step that is being progressed here is that the team should try and come up with alternative methods of reducing friction in re-authorisation. **IG** explained that this would not be mandated, and given that it has been through that overall process and there is a European demand for this, should there be any

reason why a process to try and identify ways of creating friction-less re-authorisation process should not be engaged?

- 2.84. **CA** agreed with the approach, adding that that data-driven analysis on customers who are not going through the re-authorisation process is required to understand the rationale for why. If this is down to the journey, this can be fixed; if this is down to the use cases, this would also be useful to drive the solution forward. **IG** saw no reason why the scope of what the team are doing should not incorporate a view on this. **IG** added that 50 + (including the CMA9 and other ASPSPs) voting numbers is driving the confidence that this research should be taken forward; however, a solution should not be built where there is no requirement. **FR** stated that the point of the 90 day re-authorisation is to stop consumers from sharing data continuously, and the question of how to stop this should be asked from a policy point of view.
- 2.85. With regards to the non-PSD2 accounts, **IG** stated that the rationale is that there is a cliff in September for SCA being applied across the board which will mean that non-payment accounts will not be accessible via screen scraping; a lot of the work has been done already because some savings and mortgage accounts have payment functionalities. **IG** stated that there are therefore some quick wins by tidying up the standards so that they can be applied to a small number of non-PSD2 accounts.
- 2.86. **TS** stated that there is a focus on savings accounts, but not on loan accounts. **IG** explained that the practical element around this is that the standards that were created already cover payment accounts because they have payment functionality.
- 2.87. **TS** raised a concern about process, stating that with regards to wave 2, there was a selection of properties that were consulted on, but not voted on - retaining the name, IBAN, balance, currency – as during the consultation, these were not highlighted as being desirable. **TS** was not sure whether the people who responded understood the request because the reaction during the consultation was that those properties were desired. **TS** added that there are 3 or 4 of the recommendations that ensure that the transaction is successful and go a long way to avoiding fraud; so not looking at these perhaps is a failure in the process. **IG** disagreed, stating it is not a failure in the process, but a decision taken by the Trustee reluctantly, which sits outside of the Order, but the question was whether the CMA9 would be supportive of providing the budget to build the standards. **IG** added that according to discussions with the CMA9 so far, the view is that they are not supportive, therefore, there was no point putting it through a process for voting because it is outside the scope of the Order and the CMA9 cannot be mandated to do this. **IG** stated that a meeting with the Heads of Retail has been requested in September to bring everyone together to walk through the rationale for doing this. **TS** asked if the CMA9 could take what the other institutions are doing and take that into consideration because if others implement these properties and not Open Banking, Open Banking would become less attractive and effective. **IG** agreed that the arguments were good, but should be taken offline as there is no conclusion on what should be taken forward just yet.
- 2.88. **IG** stated that this is a fair reflection of the current position unless there were disagreements. **HP** agreed adding that this is about working out an Institutional Roadmap with a market led approach, rather than use the process that has been put in place for the CMA Order. There is nothing stopping firms or groups stating that extending the Standard is desirable and therefore requesting an impact assessment as if there is a market demand with use cases that would generate value, then this should be an option. **IG** stated that the intent of this paper is not to solve this now and actively encouraged participants around this group to discuss offline with each other in order to determine how this will work as this would be great for the ecosystem, harmonisation, easier for the regulators and allows the ASPSPs to make some return on the investment made and hands the baton over from a regulatory push to create innovation and competition to a commercial endeavour.
- 2.89. **IG** agreed that based upon the voting and sentiment of the market, OBIE to proceed with the development work on:
- 2.89.1. Non-PSD2 Accounts;
 - 2.89.2. 90 Day Re-Authentication

APPROVAL – IESG_LOG_050 – OBIE team to proceed with the following 2 initiatives:
- **Non-PSD2 Accounts**

[Redacted]

3.8 [Redacted]

3.9 [Redacted]

3.10 [Redacted]

3.11 [Redacted]

3.12 [Redacted]

3.13 [Redacted]

3.14 IG thanked everyone for attending. IG closed the meeting.