

Northern Bank Limited t/a Danske Bank

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11 November 2022

Northern Bank Limited t/a Danske Bank's breaches of Part 2 of the Retail Banking Market Investigation Order 2017

I am writing to you on behalf of the Competition and Markets Authority (CMA) concerning forty-five breaches by Northern Bank Limited t/a Danske Bank (Danske) of Part 2 of the [Retail Banking Market Investigation Order 2017](#).

Part 2 of the Order requires the largest banks in Great Britain and Northern Ireland to ensure accurate, comprehensive and up to date product and service information is continuously available through Open Banking Application Programming Interfaces (APIs).

The breaches

Danske has breached Article 12.3 of the Order, relating to information required under Article 12.1.2(b) or 12.1.2(c) of the Order by failing to keep Business Current Account (BCA) product information made available through its Open Data APIs accurate and up to date.

- Danske failed to keep information on the charges and fees it levies to customers up-to-date on forty-two occasions, with the longest of these failures being between January 2018 and 26 July 2022.
- Danske failed to keep information on the features and benefits of its BCAs up-to-date on three occasions, with the longest of these failures being between October 2018 and 26 July 2022.

Danske notified the CMA of the breaches on 13 July 2022.

The CMA's concerns

The failure to make accurate, comprehensive and up to date product and service information continuously available through Open Banking APIs may result in consumers taking decisions that they would not have taken if they had access to the correct information. For example, a business expecting to be charged on a 'per transaction' basis for submitting Direct Debit files to BACS may have been surprised to find it had been charged on a monthly basis.

Danske has taken action to put things right

I note that these breaches were self-reported by Danske and that it has taken steps to end the breaches and to prevent a recurrence.

Danske has told the CMA that it is:

- making its Business Product Management Team responsible for ensuring business product information is kept up to date on the Open Banking APIs.
- providing training on the mechanics of updating Open Banking APIs across the Product Management Team.
- providing job instructions to support that training.
- appointing individual data owners for all Danske BCA data.
- creating and implementing a data management tool to capture all BCA information.
- amending its Product Governance Framework and Change Management procedures to incorporate the requirement for ongoing review of Open Banking API data provision as part of any changes which take place to their business products.
- subjecting all BCA product data uploaded to Open Banking APIs to four eye review.
- requiring the Business Product Management Team to have a quarterly checkpoint with Embedded Risk Management, using the new data management tool to ensure changes have been correctly recorded.

CMA assessment and next steps

Given the action that has been, and is being, taken by Danske, the CMA does not consider it appropriate to take further formal enforcement action in relation to these breaches at present. However, the CMA will consider such action in the event of any further breaches. The CMA will monitor Danske's future compliance closely.

The public version of this letter has been copied to the Financial Conduct Authority.

Yours sincerely

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