



HM Government

# Smart Data

Putting consumers in control of their data and enabling innovation

June 2019



**OGL**

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# Ministerial Foreword

Last year the Government set out its vision to modernise consumer markets. Harnessing the power of data is central to this pledge.

Technology offers solutions to many of the challenges that consumers face and which the Government and regulators are committed to addressing. As we have seen, the power of digital services to transform markets and disrupt incumbents is extraordinary and can be far more effective than introducing further regulatory requirements on incumbents.



We want to support our thriving tech sector to help them help the millions of consumers who need and deserve a better service. We need to be a forward-thinking economy that leads the world in its approach to innovation and technology, exploiting new data-driven technologies and services to improve consumer outcomes.

Smart Data is a crucial element of this strategy. In the 21<sup>st</sup> century it is no longer acceptable for consumers to have to wait to gain access to their data and then expend significant time and effort to interpret what this data means and work out if they can get better deals elsewhere. Data needs to be smart: easily and instantly accessible to consumers and be able to be safely and securely transferred to third party services who can use this data to provide innovative services for consumers. This is what we mean by Smart Data.

There is enormous, untapped potential in embracing the power of Smart Data. In regulated markets such as financial services, energy and communications, consumers currently face an unsatisfactory, and unnecessary, choice – pay hundreds of pounds more for their essential household services or spend many hours checking if better deals are available and switching. Smart Data will help us to rebalance these markets by reducing the effort consumers need to exert to find the best deals and by making it easier for carers or advice services to help those who are vulnerable.

In this way, Smart Data improves competition in regulated markets through encouraging new entrants into markets and putting pressure on incumbents to lower prices and raise quality of service. More competition, especially in regulated markets, can reduce the overall regulatory burden on businesses as fewer interventions are needed to deliver the best consumer outcomes.

As the Professor Jason Furman led Digital Competition Expert Panel has concluded, Smart Data can also help to strengthen competition between digital platforms, improving the experience of consumers and businesses that use them.

The UK is at the forefront of these efforts. We were the first economy to implement Open Banking, a Smart Data model which has been replicated internationally. We are also among the first economies to extend this approach to the energy and pensions markets. This document, which draws on conversations with industry, consumer groups and regulators, sets out our strategy for extending Smart Data to further markets to ensure that consumer markets

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in the UK are at the forefront of the data revolution, and that the UK leads the way in supporting innovative data-driven consumer services.

A handwritten signature in black ink that reads "Greg Clark". The signature is written in a cursive style with a large, sweeping "G" and "C".

Rt Hon Greg Clark MP

Secretary of State for Business, Energy and Industrial Strategy

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# General information

## Why we are consulting

Our 2018 Consumer Green Paper: 'modernising consumer markets', announced that we would launch a Smart Data Review to consider how we can accelerate the development and use of new data-driven technologies and services to improve consumer outcomes.

The review has concluded that there is considerable potential for Smart Data to support better consumer outcomes across consumer markets. We are now consulting on proposals to:

- enable data driven innovation in consumer markets
- use data and technology to help vulnerable consumers
- ensure consumers and their data are protected

## Consultation details

**Issued:** 11 June 2019

**Respond by:** 6 August 2019

**Enquiries to:**

Consumer and Competition Policy Directorate  
Department for Business, Energy and Industrial Strategy

1st Floor

1 Victoria Street

London

SW1H 0ET

Email: [smartdatareview@beis.gov.uk](mailto:smartdatareview@beis.gov.uk)

**Consultation reference:** Smart Data: Putting consumers in control of their data and enabling innovation

**Audiences:** The views of the following people and organisations would be particularly useful:

- Businesses operating in regulated markets
- Consumer organisations
- Organisations specialising in technology, innovation or data
- Charities working with those who may be vulnerable

- Academics and think tanks
- Members of the public

**Territorial extent:**

Consumer protection is devolved to Northern Ireland but reserved for Scotland and Wales. Consumer advice and advocacy were devolved to Scotland on 23 May 2016 by the Scotland Act. Competition policy is reserved for the whole of the United Kingdom.

## How to respond

**Respond online at:** <https://beisgovuk.citizenspace.com/consumer-competition-landscape/smart-data>

or

**Email to:** [smartdatareview@beis.gov.uk](mailto:smartdatareview@beis.gov.uk)

or

**Write to:**

Consumer and Competition Policy Directorate  
Department for Business, Energy and Industrial Strategy

1st Floor

1 Victoria Street

London

SW1H 0ET

A response form is available on the GOV.UK consultation page:

[www.gov.uk/government/consultations/smart-data-putting-consumers-in-control-of-their-data-and-enabling-innovation](http://www.gov.uk/government/consultations/smart-data-putting-consumers-in-control-of-their-data-and-enabling-innovation)

When responding, please state whether you are responding as an individual or representing the views of an organisation. Please also state if you would be happy for us to share your response with the Competition and Markets Authority, the Financial Conduct Authority, Ofcom, Ofgem, the Information Commissioner's Office and the Money and Pensions Service.

Your response will be most useful if it is framed in direct response to the questions posed, though further comments and evidence are also welcome.

## Confidentiality and data protection

Information you provide in response to this consultation, including personal information, may be disclosed in accordance with UK legislation (the Freedom of Information Act 2000, the Data Protection Act 2018 and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential please tell us, but be aware that we cannot guarantee confidentiality in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded by us as a confidentiality request.

We will process your personal data in accordance with all applicable data protection laws. See our [privacy policy](#).

We may summarise all responses and publish this summary on [GOV.UK](#). The summary may include a list of names or organisations that responded, but will not provide people's personal names, addresses or other contact details.

## Quality assurance

This consultation has been carried out in accordance with the government's [consultation principles](#).

If you have any complaints about the way this consultation has been conducted, please email: [beis.bru@beis.gov.uk](mailto:beis.bru@beis.gov.uk).



## Summary

Our vision is for an economy where consumers' data works for them and not against them. We want to see consumers able to use their data to make informed decisions about the best products and services and for the switching process to be seamless. If consumers choose to grant them permission, third party providers should be able to use consumer data to develop new innovative products and services that are tailored to consumers' individual needs and requirements. We also want to support charities, regulators and others to use data to support vulnerable consumers.

Data needs to be smart: easily and instantly accessible to consumers and be able to be safely and securely transferred to third party services who can use this data to provide innovative services for consumers. This is what we mean by Smart Data. Smart Data initiatives seek to improve data portability between consumers, incumbents and third party providers in a way that is responsible and secure.

Smart Data can promote stronger competition through encouraging new entrants into markets and putting pressure on incumbents to lower prices and raise quality of service. This can boost productivity and innovation. More competition, especially in regulated markets, can also reduce the overall regulatory burden on businesses as fewer interventions are needed to deliver the best consumer outcomes.

In spring 2018, we published our Consumer Green Paper: 'Modernising Consumer Markets'<sup>1</sup>. In this, we considered the role Smart Data might have in delivering our vision to enhance consumer outcomes in a range of regulated markets. We subsequently undertook our Smart Data Review, to identify what needs to be done to assist the development of these services.

The review formed part of Government's wider approach to making data and digital markets work for consumers and to foster innovation. We worked closely with other initiatives including Open Banking, midata, the pensions dashboard project, and the Competition and Market Authority's report on the loyalty penalty, to ensure a consistent and coordinated approach, in order to minimise business burdens. The conclusions of this review will also be considered in our forthcoming Competition Green Paper, in which we will respond to the recommendations of the Professor Jason Furman led Digital Competition Expert Panel which has also highlighted the wider benefits of data portability across digital platforms.

The Smart Data Review further reflects the commitment that we made in our Industrial Strategy to develop a more agile approach to regulation that promotes innovation and market entry in the interests of consumers. Our White Paper on Regulation for the Fourth Industrial Revolution sets out more generally how we are transforming the UK's regulatory system to enable innovation and seize the opportunities from new data-driven technologies.

The review has concluded that there is considerable potential for Smart Data to support better consumer outcomes across markets. It can help innovators deliver new data-driven services across markets that have traditionally seen data siloed with limited interoperability. To support consumer friendly innovation, our review has explored the ways that we can build trust in the use of Smart Data, ensure that the barriers to innovation are lowered and the protection of consumers is at the heart of data-driven services.

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<sup>1</sup> [Consumer Green Paper: Modernising Consumer Markets](#)

The review's key proposals that will foster innovation to improve consumer outcomes are summarised below:

- Accelerating the development of innovative data-driven services in consumer markets:
  - The establishment of a new cross-sectoral Smart Data Function to oversee the delivery of smart data initiatives across multiple markets
  - Introducing an Open Communications initiative that will require communications businesses to provide consumers' data to third party providers at the consumer's request
  - Consulting later in the year, as part of a broader Competition Green Paper, on extending Smart Data to digital markets in our response to the recommendations of the Digital Competition Expert Panel
- Using data and technology to help vulnerable consumers:
  - Establishing a Vulnerable Consumer Challenge that will encourage data-driven innovation to improve outcomes for vulnerable consumers
  - Placing the needs of vulnerable consumers at the centre of Smart Data initiatives and the new Smart Data Function
  - Exploring ways regulators can utilise consumer data, subject to the right protections, to support vulnerable consumers
- Ensuring consumers and their data are protected:
  - Building trust in innovative data-driven services by introducing strong data protection requirements on Third Party Providers accessing consumer data
  - A cross-sectoral approach to the regulation of Third Party Providers to minimise burdens on providers that operate across multiple markets

We are now consulting on these proposals in this document. Where there is overlap between the conclusions of the Digital Competition Expert Panel and those of this Smart Data Review we will work to identify areas of coordination and jointly consult in our forthcoming Competition Green Paper.

## Introduction

1. We see huge potential for data-driven services to enter consumer markets and stimulate competition, innovation and new business models that lead to improved offerings for consumers. Digital services have disrupted many consumer markets from retail to travel, leading to lower prices for consumers, greater choice and improved service quality. In many of these markets, third party providers have been able to use data to build tools to help consumers find the best deals quickly and with minimal effort.
2. We want consumer markets in the UK to be at the forefront of the Artificial Intelligence (AI) and data revolution – one of our Industrial Strategy Grand Challenges – and are committed to developing a world-leading approach to data that improves consumer outcomes and supports the UK's thriving tech sector to develop new services and exert new forms of competitive pressure. To effectively accelerate the development of these services we need to ensure that consumers' data, for example on their current service, tariff and account activity, can be provided securely, instantaneously and in a common format. This is the approach that we are calling 'Smart Data'.

### What is Smart Data?

Smart Data enables consumers<sup>2</sup>, if they wish, to simply and securely share their data with third parties, to enable them to provide innovative services.

The UK's data protection laws already give consumers the right to request that businesses provide their data to Third Party Providers (TPPs) in a commonly used format - this is known as the right to data portability. 'Smart Data' represents an extension of this right and provides an enhanced framework for sharing consumer data that allows for further innovation. We consider key features of Smart Data initiatives to be:

- the immediate provision of data by the data holder to TPPs following a request from a consumer (rather than the 30 days permitted in the right to data portability)
- the use of Application Programming Interfaces (APIs) to share data securely, but only once the consumer has verified their identity and the TPP has received their express consent to do so
- where appropriate, an ongoing transfer of data between businesses and TPPs, rather than a one-off transfer
- adherence to common technical standards, data formats and definitions to ensure interoperability and to minimise barriers for TPPs
- provision of certain product and performance data, such as tariffs or geographical availability of services, in addition to consumer data, if necessary, to enable innovation

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<sup>2</sup> We expect that, in many markets, SMEs will also be able to benefit from Smart Data

By combining consumer data with appropriate product and performance data, and by providing a seamless and interoperable framework for data sharing, innovators will be empowered to develop new ways for consumers to benefit from their own data.

3. While the benefits of Smart Data are clear, too often consumers' data is locked away in a manner that works against consumers and innovators. This is why we launched our Smart Data Review last year - to assess how we can put consumers in control of their data and enable them, if they wish, to simply and securely provide this data to new innovative services.<sup>3</sup>
4. We also want SMEs to benefit from Smart Data. Open Banking already allows business customers to share their banking data with TPPs which has enabled a range of innovative services. Our expectation is that, where appropriate, data relating to SMEs will be in scope of future Smart Data initiatives
5. Alongside this consultation we have published a White Paper on Regulation for the Fourth Industrial Revolution<sup>4</sup>. This White Paper sets out more generally how we are transforming the UK's regulatory system to enable innovation and seize the opportunities from new data-driven technologies.

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<sup>3</sup> [Smart Data Review – Terms of Reference](#)

<sup>4</sup> [Regulation for the Fourth Industrial Revolution](#)

## Enabling data driven innovation in consumer markets

6. We are committed to building on existing Smart Data initiatives such as Open Banking to help consumers benefit from new services and to make the UK a global centre for AI and data driven innovation. We propose to prioritise Smart Data initiatives in those markets where there is likely to be the greatest potential for innovation, enhanced competition, and improved consumer outcomes. This has directed our focus to regulated markets.<sup>5</sup> We do, however, consider the potential for Smart Data initiatives in the wider economy.

### Action in the regulated markets

7. The regulated markets are among the most important for consumers, accounting for 16% of household expenditure<sup>6</sup> and, as we highlight below, there is huge potential for innovation in these markets to transform the consumer experience.
8. For example, we know that consumers often struggle to stay on top of their essential service contracts and need to put in significant effort to understand if they are on the best deals and, if not, search for and switch to better tariffs. We expect consumers to actively engage in markets, but also recognise that there are limits to how hard they should be expected to work to get a fair deal.
9. Smart Data could make it far easier for consumers to manage their household bills, for example by enabling consumers to use a single app to monitor their household services across multiple markets, prompt them if better deals become available that match their preferences, and make it as easy to switch to a better deal than to stick with an existing deal, for example by enabling one click switching or automatic switching. Services such as this would significantly reduce the workload that engaged consumers experience and should help those consumers who want a better deal but are currently dissuaded by the hassle of switching or by the complexity of the offers available.

#### **What services could Smart Data enable in regulated markets?**

Smart Data has the potential to enhance the functionality of existing services and enable the creation of new intermediaries and new business models that can challenge incumbents and offer new services to consumers. Examples of this include:

- Utility management services that monitor a consumer's current household bills and usage and prompt them if better deals become available that match their preferences

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<sup>5</sup> For the purposes of this consultation we consider the regulated markets to be those for utilities, communications, rail and financial services

<sup>6</sup> Office for National Statistics, Family Spending 2018, <https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/expenditure/bulletins/familyspendingintheuk/financialyearending2018>

- Services that use Open Banking data in conjunction with data from other markets, for instance utilities, to help those on irregular incomes understand their likely outgoings and better plan for the future.
- Bill splitting services for multiple occupancy homes would make it easier to split utilities bills fairly between co-residents.
- Automatic switching services that enable consumers to set their preferences and let the service switch them automatically if a better deal appears
- Advanced comparison tools which allow consumers to find the best deal based on additional factors such as historical usage, location or service quality, and can compare prospective deals to the consumers' current deal
- Bundle Management services could help consumers understand what parts of the bundle they are using, whether they are paying for elements that they are not using and what appropriate alternative bundles are available.

10. **We therefore propose to introduce Smart Data initiatives across the regulated markets**, starting with those markets where Smart Data offers the greatest potential for innovation and improving consumer outcomes.
11. We have already made significant progress. Open Banking<sup>7</sup>, which covers current accounts, credit cards and other payments accounts, will be fully implemented by spring 2020 and, since we published our Modernising Consumer Markets Paper, the government has announced that we will introduce Smart Data initiatives in the energy and pensions markets. In the energy market, the Government and Ofgem have announced that energy suppliers will be required to provide third parties with a consumers' data (including their usage and tariff data), on a consumer's request.<sup>8</sup> In the pensions market, the Government is committed to legislating to require pension providers to make information about consumers' pensions available via 'pensions dashboards'<sup>9</sup> so an individual can view all of their pension pots in a single location.

### **Open Banking and the benefits to consumers**

Open Banking is world-leading initiative, underpinned by a market order by the Competition and Markets Authority (CMA) and the Second Payment Services Directive (PSD2), which shows how putting consumers and businesses in control of their data can enable the development of innovative services.

Open Banking requires the largest UK banks to use APIs to provide customer transaction data, in real time and in a common format, to regulated third parties (who have the customer's consent) in order to provide innovative services. It also enables consumers to initiate payments via regulated third party services. By requiring consumers to authenticate themselves with their bank before data is provided, Open Banking removes risks associated with requiring consumers to share their online banking log in details with third parties to enable 'screenscraping'. The specification of a common format makes it

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<sup>7</sup> <https://www.openbanking.org.uk/>

<sup>8</sup> [Ofgem – midata in energy project](#)

<sup>9</sup> [Pensions Dashboards: Government response to the consultation](#)

easier for TPPs to develop services that connect to multiple banks, encouraging innovation.

Open Banking is still at an early stage but has already led to the development of numerous innovative services for consumers and businesses. These include:

- aggregation services that allow consumers to view multiple current accounts and credit cards in a single app, move funds between accounts and make payments
- services that use transaction data to monitor a consumer's expenditure and regular payments (for example, mortgage repayments, TV subscriptions or utility bills) and find better deals
- "sweeping" services that move cash into and out of current accounts automatically to avoid bank overdraft charges and provide a higher rate of return on cash balances
- tools for businesses that can track business expenses and manage VAT and tax self-assessments
- the assessment of eligibility for mortgages or legal aid, without consumers having to provide physical bank statements
- tools for debt advisors that use a client's transaction data to populate financial statements. These can help advisors provide better support and do so more efficiently

12. **We want to go further and propose to legislate, when Parliamentary time allows, to introduce an 'Open Communications' initiative** with the objective to stimulate innovation and promote the development of new services that improve outcomes for consumers in the communications market.<sup>10</sup>
13. We think that Smart Data could be especially beneficial in the communications market given the scale of the loyalty penalty<sup>11</sup>, the need for consumers to be able to compare communications deals on non-price characteristics such as service quality and speed/coverage in their area, and the challenges involved in identifying the best deal<sup>12</sup>. We also expect that Open Communications would foster the development of new services tailored to the needs of different groups of consumers, including those in vulnerable circumstances. As the roll-out of faster and more reliable mobile and broadband services continues across the country, Smart Data could help support consumers engage in the market and enjoy the benefits of these new technologies.
14. Open Communications would require communications providers to share customer and product data, covering mobile, fixed phone, broadband and pay-tv services, including bundled services, to TPPs if requested by the consumer. It will build upon Ofcom's existing work to provide data on service quality, the availability of broadband products,

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<sup>10</sup> We could either introduce primary legislation or introduce secondary legislation under sections 89-91 of the Enterprise and Regulatory Reform Act 2013.

<sup>11</sup> The CMA identified that the loyalty penalty amounts to £1 billion annually in broadband and £0.3 billion annually in mobile for consumers remaining on existing deals. Ofcom are currently updating their assessment of price differentials in the broadband and mobile markets and will publish revised data later this year.

<sup>12</sup> For example, consumers may struggle to identify whether they could save from bundling their communications products together, or if they are on the best deal given their usage.

broadband speed, and mobile network coverage by location to TPPs via open data formats such as APIs.

15. Open Communications could also remove frictions in the switching process by enabling TPPs to complete switches on behalf of consumers rather than having to redirect them to their new provider as existing comparison tools must. This will also pave the way for other more radical approaches that could be explored such as automatic switching. This is already being seen in the energy market, where services are developing that search the market on consumers' behalf and move them to the best available tariff for them, according to parameters set by the consumer.
16. We propose that Ofcom, supported by new legislation, should lead the implementation of Open Communications. Ofcom, supported by the Open Data Institute, will initially work with the communications industry and TPPs to explore some of the key issues for Open Communications. The conclusions of this work will inform the Government's response to the consultation.

### Consultation questions

1. **Do you agree with the proposed objectives and expected benefits of Open Communications? Are there any other benefits or risks that we should consider?**
2. **What is the most effective approach to implementation to ensure the success of Open Communications?**

17. The CMA, in their report on the loyalty penalty, also noted that there could be potential benefits to consumers from Smart Data in other financial services markets such as savings, household insurance and mortgages. In response to this the Financial Conduct Authority (FCA) has committed in their business plan to looking at the opportunities that data-based solutions can offer to improve competition and consumer outcomes in financial services markets. This includes launching a call for input later in the year on the development of Open Finance and considering the feasibility of extending Open Banking to the savings market<sup>13</sup>.
18. In addition, the FCA is also conducting a market study in the home and motor insurance markets which has committed to considering all options in helping drive better consumer outcomes.
19. The Government supports the FCA's work in this area and will continue to work with the FCA to carefully consider the introduction of further Smart Data initiatives where appropriate.

### Consultation question

3. **Are there any further actions we should take to enable consumers to benefit from Smart Data in regulated markets?**

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<sup>13</sup> [FCA Business Plan 2019/20](#)



## Action in digital markets

20. Digital markets are often characterised by closed platforms, which can make it difficult for users and businesses to switch between digital services or to take advantage of innovative new services that require access to their data. Smart data has the potential to overcome these issues, giving consumers and businesses the ability to move their data more easily between service providers, and strengthen competition.
21. This challenge has been considered extensively in the report of the Digital Competition Expert Panel 'Unlocking Digital Competition'.<sup>14</sup> The panel concluded that introducing data mobility, open standards and data openness in digital markets may serve to promote competition in online platforms.

### Unlocking digital competition: report of the Digital Competition Expert Panel

In September 2018, the Digital Competition Expert Panel, led by Professor Jason Furman, was established to report to the Chancellor of the Exchequer and Secretary of State for Business, Energy and Industrial Strategy. The Panel's terms of reference asked it to consider the opportunities and challenges the emerging digital economy may pose for competition and pro-competition policy, and to make recommendations on any changes that may be needed.

Reporting back in March 2019, the Panel's final report – 'Unlocking Digital Competition' – made recommendations for changes to the UK's competition framework that are needed to face the economic challenges posed by digital markets, in the UK and internationally.

The Digital Competition Expert Panel recommended that we establish a Digital Markets Unit that would, among other responsibilities, implement data mobility and data openness initiatives in digital markets. We have carefully weighed up the evidence and **agree with the Digital Competition Expert Panel that there is a strong case for establishing a pro-competition Digital Markets Unit**, tasked with securing competition, innovation and beneficial outcomes for consumers and businesses in the digital economy.

We will respond with our analysis of the recommendations of the Digital Competition Expert Panel later this year as part of a broader Competition Green Paper. As part of this we will consult on the functions of the Digital Markets Unit, including proposals for it to use data mobility and data openness as tools to promote competition. We will also further explore the concept of strategic market status outlined in the review of the Digital Competition Expert Panel alongside the Government's broader work on regulation of digital platforms.

22. We agree that introducing Smart Data for digital markets, potentially in combination with wider requirements to ensure interoperability and data openness, could improve the consumer experience and increase competition. For example, this could allow consumers to take their social media history to a new platform, allow traders to port reviews across platforms, and support the interconnection between services so users can interact with multiple platforms simultaneously.

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<sup>14</sup> [Unlocking Digital Competition, Report of the Digital Competition Expert Panel](#)

23. We will respond to the recommendations of the Digital Competition Expert Panel later this year, and as part of this **we will consult on proposals to introduce Smart Data and interoperability initiatives to digital markets.**

## Action in other markets

24. The Government will continue to consider whether Smart Data initiatives should be introduced in markets beyond the regulated and digital platform markets discussed above and we encourage the CMA and regulators, in future work, to consider whether extending Smart Data to further markets would benefit consumers.
25. To enable this, **we propose to legislate, when Parliamentary time allows, to enable the Government to introduce Smart Data initiatives in additional markets**, via secondary legislation, including beyond the core regulated markets. Any decision to introduce a Smart Data initiative would only be taken following a public consultation and a comprehensive assessment of both the potential for innovation and improved consumer outcomes as well as the risks of intervention. While we propose to seek legislative powers, we also support voluntary efforts by businesses to make consumer data available via Smart Data infrastructure.
26. The National Data Strategy provides an opportunity to draw together the many data-related actions and workstreams across government and ensure that our wider economy and public services are maximising the potential which can be brought through the effective and appropriate use of data.

### National Data Strategy

The National Data Strategy was announced by the Secretary of State for Digital, Culture, Media and Sport during London Tech Week in 2018. The aim of the National Data Strategy is to 'unlock the power of data in the UK economy and government, while building public confidence in its use.' The Strategy is an initiative that aims to provide overarching coherence and drive to the wide range of data-led work across government.

The National Data Strategy will undertake a two-phase consultation to ensure that we build a robust evidence base as well as consult on the parameters of the strategy. The first phase will be launched through a Call for Evidence. We will also publish key existing evidence to frame the debate and emphasise the need for robust evidence to underpin this important work. To ensure the strategy supports both business and society, this phase will include a series of roundtables and events with SME's, industry leaders, the broader public sector, universities and the voluntary sector including consumer organisations.

We expect that Smart Data will provide examples of improved outcomes from data use in a number of specific sectors - both to inform and, in due course, be informed by the National Data Strategy

**Consultation question**

- 4. In which other markets, outside of the regulated and digital markets, would there be the greatest benefits from Smart Data initiatives? Please explain your reasoning.**

## Coordinated delivery of Smart Data initiatives

27. We have set out an ambitious programme of work to enable the development of new data-driven services. We see Government's role, in this relatively new area, as establishing the frameworks and structures for Smart Data to develop and prosper, including working with incumbents who hold data and developers who want to access it to develop new products and services to improve outcomes.

**Consultation question**

- 5. What other roles might industry find it useful for Government to perform in addition to it acting as a facilitator for Smart Data?**

28. This work will require significant technical, consumer protection and implementation expertise. We also expect that as the use of Smart Data becomes more widespread, and as services are created that access data from across markets, there will need to be clear governance and coordination between initiatives to ensure that we do not create unnecessary frictions for consumers or TPPs across markets, and avoid wasteful duplication and over-regulation.
29. **We propose establishing a cross-sector Smart Data Function** to facilitate innovation and improved consumer outcomes. This Smart Data Function would oversee the delivery of Smart Data initiatives, develop and share expertise, and ensure initiatives work in the interest of consumers, especially those in vulnerable circumstances. It could be delivered in a variety of ways including within an existing government department or regulator or another arm's length body, or independent statutory body, or a new body.
30. Separate government approval processes would apply to the establishment of any new central government arm's length bodies created to undertake the proposed Smart Data Function or other proposals in this document.
31. We propose that the objective of the Smart Data Function should be to support the development and delivery of Smart Data infrastructure for the benefit of consumers, particularly vulnerable consumers. We propose that the Smart Data Function should cover some, or all, of the following responsibilities:

**Support the development of Smart Data initiatives:**

- Develop and oversee standards which are likely to be common across markets. These could include rules for consent and authentication, security standards and API specifications

- Work with implementation teams for each Smart Data initiative to agree data fields and definitions, implementation timeframes and to provide expert advice<sup>15</sup>
- Provide a single source of support for TPPs seeking to access consumer data via Smart Data initiatives. This could include providing guidance on regulatory requirements or managing the provision of sample data to enable testing

### **Manage the accreditation of TPPs:**

- Assess accreditation applications from TPPs seeking to access data from outside of financial services markets, monitor compliance and revoke or advise on revocation of accreditation if necessary
- Maintain a cross-sector register of accredited TPPs, building upon the Open Banking register

### **Provide long term governance of Smart Data**

- Monitor API performance and assist regulators in ensuring that Smart Data participants comply with all relevant requirements
  - Design and introduce updates to data, consumer experience and security standards as appropriate
  - Advise the Government and regulators on key cross-sectoral issues, including consumer protection
32. As we set out above, we will consult later in the year on the functions of the Digital Markets Unit, including the use of data mobility and data openness as tools to promote competition. Our expectation is that any team tasked with delivering these initiatives would align to our proposed Smart Data Function.
33. We propose that an initial priority for the Smart Data Function should be to consider how we can simplify consumer authentication processes to make it easier for consumers to share data from multiple businesses across multiple markets with a TPP. Consumers could experience significant frictions if they are required to complete different authentication processes for each business they are requesting data from, both when first using an app and when they re-authenticate at regular intervals. The Smart Data Function could consider, for example, whether once consumers have confirmed their identity to their bank, they could provide this confirmation of identity to other businesses rather than re-authenticate separately with each one.
34. Once we have confirmed the objectives and responsibilities of the Smart Data Function we will need to identify the most appropriate sources of funding and staffing model. Existing Smart Data initiatives, including the cost of providing data via APIs and the cost of the implementation body, are funded largely by the businesses that hold consumer data. This approach may not be appropriate for all markets and it may be appropriate for TPPs to contribute also. We therefore welcome views on alternative long-term funding arrangements for Smart Data initiatives.

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<sup>15</sup> We expect that implementation teams for Smart Data initiatives will often sit in the relevant regulator or other body, however in some cases it may be appropriate for the Smart Data Function to lead implementation directly

**Consultation questions**

- 6. Do you agree that we should establish a cross-sector Smart Data Function with the proposed responsibilities set out above?**
- 7. What would be the best form for the Smart Data Function to take? Should it be, for example, a new body, part of an existing body or in some other form?**
- 8. How can we ensure that the costs of Smart Data initiatives are shared fairly between the participating businesses?**

## Using data and technology to help vulnerable consumers

35. Data and technology, including innovations enabled by Smart Data, provide new opportunities for businesses, charities, regulators and others to support vulnerable consumers and provide tailored services. We are determined to ensure that these benefits are realised. Too often, those who are vulnerable are on the worst deals or have poor experiences. They are also likely to require additional support to benefit from Smart Data. We are therefore committing to place the needs of vulnerable consumers at the centre of future Smart Data initiatives, and to support investment in data-driven services aimed at improving outcomes for vulnerable consumers.

## Supporting investment in services for vulnerable consumers

36. Already, many of the tools that have emerged from Open Banking can benefit vulnerable consumers. Some are of particular help to those with low financial resilience, for example, consumers with low levels of current account balances can benefit from apps that can identify upcoming bills that are likely to mean they go into an expensive overdraft and instead automatically provide cheaper short-term funding. Open Banking has also initiated the development of several money management apps, including services that can alert a trusted friend or relative if a consumer is in financial difficulties.
37. In addition, many of the automatic switching services, utility management services (which enable people to see all of their contracts, bills and upcoming payments in one place), and advanced digital comparison tools are likely to be more accessible and simpler to use than current services, require less effort and reduce complexity in decision making.
38. We welcome the development of these services and are optimistic that further innovations can be delivered to support vulnerable consumers. However we also recognise that many vulnerable consumers, for example those who do not have access to the internet or a smartphone or who lack trust in unfamiliar services, are unlikely to benefit from these services directly.
39. For these consumers, trusted third parties may be able to use Smart Data on their behalf. For example, carers or attorneys could use a Smart Data enabled service to help them manage the finances and essential services of a vulnerable person, or advice charities could use Smart Data technology to streamline and enhance the service they provide. There are also opportunities for regulated businesses to invest in data infrastructure to ensure vulnerable consumers receive the support they need and don't lose this support when they switch.
40. The table below provides further examples of how a range of individuals and organisations could use data and innovative services to support vulnerable consumers. We encourage organisations and innovators to work together to explore the opportunities for innovation, in particular to help vulnerable consumers.

**Figure 1: Opportunities to use data and innovative services to help vulnerable consumers**

<p><b>Charities</b></p>	<p>Open Banking data and data from other markets could allow advisors to auto-populate financial statements; identify if an individual is eligible for support schemes and register them; and identify opportunities for reducing expenditure by moving, for example, to better value energy, broadband or mobile phone deals, and enacting these. This would reduce the costs of providing advice and make a significant difference to those facing financial difficulties. Charities could also offer their own innovative services direct to their clients</p>
<p><b>Carers or appointed attorneys</b></p>	<p>Digital tools could enable carers or attorneys to manage a consumers' finances and essential services on their behalf, including the ability to make payments or switch tariffs. Other potential functions include:</p> <ul style="list-style-type: none"> <li>• Notifying carers of significant transactions or changes to essential services and enabling them to block</li> <li>• Tools to provide transparent and simple options to reimburse carers for purchases made on their behalf</li> </ul>
<p><b>Regulated companies</b></p>	<p>Identification of vulnerable consumers is a significant challenge and many customers are not receiving the support they are eligible for and could benefit from. New technologies and data sharing could help regulated companies identify which of their customers require additional support, and what their individual needs are. New approaches could also ensure that customers continue to receive this support if they switch provider.</p>
<p><b>Intermediaries</b></p>	<p>We expect that consumers will increasingly use Smart Data enabled intermediaries to manage their essential services, rather than maintain direct relationships with multiple companies or use multiple apps. There is an opportunity for these intermediaries to use data and new technologies to identify if their users may be vulnerable, register them for the support they are eligible for across multiple markets, ensure the keep this support if they switch provider, and direct consumers to advice providers at the appropriate points.</p>
<p><b>Services for vulnerable consumers</b></p>	<p>There may be opportunities for services that can meet the needs of vulnerable consumers. Examples include:</p> <ul style="list-style-type: none"> <li>• Financial management apps for those with mental health conditions. These could require consumers to confirm large payments the following day or provide prompts if bills have been unpaid</li> <li>• Comparison tools aimed at those with disabilities. These could highlight specialist support or provide accessibility options</li> </ul>

43. We recognise however that some of these services may need support to get started and the market on its own may not offer the right incentives. We also recognise that, while partnerships between innovators and charities or regulated businesses will help to maximise the benefits of Smart Data, charities and businesses will need to be confident that doing so does not put vulnerable consumers at risk of harm. We are therefore highly supportive of efforts such as the Open Banking for Good challenge, launched by Nationwide as part of the Inclusive Economy Partnership.<sup>16</sup>

### Open Banking for Good

The Open Banking for Good challenge was launched in 2018 by Nationwide as part of the Inclusive Economy Partnership to develop tools, using Open Banking, to improve financial capability for the financially squeezed. Open Banking for Good offers support to fintechs, including £3m funding, and facilities partnerships between fintechs and charities, to develop tools to address the following challenges:

- enabling individuals seeking debt advice to quickly provide accurate income and expenditure statements to debt charities
- helping those with irregular incomes, e.g. the self-employed, to manage their finances and meet regular and fixed outgoings.
- supporting individuals to manage their finances and improve spending and saving habits to help them avoid financial difficulties

Seven successful fintechs, out of more than 50 applicants, are now working with Nationwide and several charities to develop these services and roll them out.

44. As more data becomes available via Smart Data there will be further opportunities for innovation to help those who are vulnerable and it is important that we continue to support investment in this area. **We will therefore launch a Vulnerable Consumer Challenge** alongside the delivery of further Smart Data initiatives to bring together innovators, charities and regulated businesses and stimulate the development and deployment of innovative data-driven technologies that improve outcomes for vulnerable consumers.
45. The Consumer Forum<sup>17</sup>, chaired by the Minister for Consumer Affairs, will also coordinate efforts by the Government, the CMA and sector regulators to facilitate the use of data to deliver better services for vulnerable consumers. Some examples of work already underway includes:
- The Money and Pensions Service is exploring the potential for clients seeking debt advice to allow open banking access to their data to simplify the advice process and improve the support that can be provided
  - The Centre for Data Ethics and Innovation's review of online targeting will also consider – among other things – the use of data by businesses to identify people who are vulnerable and provide them with the necessary support.<sup>18</sup> It will consider whether

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<sup>16</sup> [Open Banking for Good](#)

<sup>17</sup> [Consumer Forum](#)

<sup>18</sup> [Centre for Data Ethics and Innovation: Review of online targeting](#)



further guidance or rules need to be in place to give businesses confidence to use data in this way, and to reassure consumers that their data and privacy will be respected.

- The UK Regulators Network will launch a project to improve our understanding of the challenges that vulnerable consumers face and will consider the role of Smart Data in addressing these.

### Using data to help customers get the support they are eligible for

In 2018 the UK Regulators Network, working with Ofgem and Ofwat, ran a data-sharing pilot with energy and water suppliers aimed at making it easier for vulnerable consumers to obtain non-financial support (i.e. Priority Service Registers).<sup>19</sup>

Priority Services Registers are offered by energy and water companies to vulnerable consumers and provide additional support including large print bills or priority support in the case of a supply interruption. Since consumers have to sign up to priority services registers, many who could benefit are not registered. Under the pilot, consumers who had signed up to a priority service register with United Utilities (the water supplier) were asked if they consented for their data to be shared with Electricity North West (the electricity distribution company), or vice versa. This enabled the consumers to benefit from a similar service from both utilities without having to register twice. Following a successful pilot, the data sharing scheme is expected to be rolled out nationally by April 2020.

### Consultation question

**9. What other actions could the Government or regulators take to support the use of data and innovative services to improve outcomes for vulnerable consumers?**

## Use of consumer data by regulators

46. Regulators are also able to use consumer data to support their work to help vulnerable consumers. Consumer data could, for example, help regulators to further their understanding of the challenges faced by consumers, including those who are vulnerable, and to design interventions targeted at those in greatest need. The potential for research and analysis to support regulators' statutory duties can be amplified by sharing data with approved external researchers and other regulators. There are already some examples of this occurring.
47. There are also opportunities for regulators to use non-anonymised consumer data held by businesses, for example to identify customers who may be vulnerable and/or on poor value or inappropriate deals and facilitate interventions targeted at these consumers.
48. The provision of data on disengaged energy customers to Ofgem provides an example of how consumers' data can be used by regulators for the benefit of consumers. Following the CMA's energy market investigation, energy suppliers were required to provide details to Ofgem about their customers who had been on an expensive standard

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<sup>19</sup> [Making better use of data to identify customers in vulnerable situations: A follow up report, UK Regulators Network](#)

variable tariff for over three years. This allowed Ofgem to create a database of disengaged customers and trial interventions to engage them. For example, Ofgem ran a collective switch trial in which disengaged customers were contacted and offered a tariff negotiated by an Ofgem-appointed independent comparison service. The trial resulted in 22% of consumers switching to a cheaper deal (compared to 2.6% in the control group), almost a quarter of whom were over 75 years old.<sup>20</sup>

49. Similar intervention may be possible in other markets, and by combining datasets regulators could more effectively help those consumers who are on poor value deals in multiple markets. Analysis of usage data, for example in the communications market, could help regulators identify potential victims of mis-selling who are on inappropriate contracts.
50. We encourage regulators to consider how we can take advantage of these opportunities to use data to support consumers and meet their objectives. We are also prepared to legislate if necessary to enable further such interventions by regulators and to enable regulators to share non-anonymised consumer data with other regulators or third parties where necessary, subject to consumers being given the chance to opt-out at the time their data is requested by a regulator<sup>21</sup>.

#### Consultation question

**10. Should we strengthen the powers of sector regulators to enable them to use consumer data to improve their understanding of the challenges faced by vulnerable consumers and to intervene to improve outcomes?**

## Putting the needs of vulnerable consumers at the centre of Smart Data initiatives

51. If we are to realise the potential of Smart Data to help vulnerable consumers, it is essential that the needs of vulnerable consumers are central to the Smart Data Function. The Smart Data Function will be able to advise on, for example, how to ensure that authentication processes do not hinder access for those who are vulnerable or who need a trusted carer or advisor to access their data on their behalf, or on how to prioritise the data requirements for services that would benefit vulnerable consumers.
52. **We therefore propose that vulnerable consumers are placed at the heart of the Smart Data Function.** This includes the following commitments:
- the primary objective of the Smart Data Function should be to support the development and delivery of Smart Data infrastructure for the benefit of consumers, particularly vulnerable consumers

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<sup>20</sup> [Open Letter, Active Choice Collective Switch Trial: Early Findings, Ofgem](#)

<sup>21</sup> Sharing data in this way would rely on articles 6.1 (c) (legal obligation) and 6.1 (e) of the GDPR (public task) but, as an additional safeguard, we propose (additionally to the customer's GDPR rights) that affected customers should be notified and be given the chance to opt-out at the time their data is requested by a regulator.

- the Smart Data Function should encompass a Vulnerable Consumer Advisory Panel, and that at least one consumer representative should sit on the steering group for each Smart Data initiative
- the Smart Data Function should work with successful applicants to the Vulnerable Consumer Challenge to identify any barriers to the development of their services, for example, a need for additional data to be made available, changes to data standards, or regulatory barriers, and act to address these where appropriate
- the Smart Data Function should establish a set of principles for the delivery of Smart Data initiatives that includes the need to ensure that vulnerable consumers are at the core.

### **Consultation question**

**11. How can we ensure that the Smart Data Function improves outcomes for vulnerable consumers? Do we need to consider any further actions?**

## Protecting consumers and their data

53. If we are to build trustworthiness and greater transparency in, and support the take up of, innovative data-driven services it is essential that we ensure consumers' data is protected and used in ways that they are comfortable with. This should also help ensure that the regulatory environment does not create barriers to innovation. The UK's existing data protection regime provides an excellent foundation for data portability, but we think it is necessary to go further to minimise the risks from sharing personal data with Third Party Providers (TPPs) under Smart Data initiatives.

## Building trustworthiness into data-driven services

54. As previously set out, the design of Smart Data initiatives provides additional protections for consumers when transferring data to TPPs beyond those in the existing right to data portability. For instance, we propose that data transferred under a Smart Data initiative will be required to be sent via secure APIs, and only once the consumer has consented and verified their identity via a secure authentication process.
55. If the data that is being shared with TPPs is considered to be high risk<sup>22</sup>, for example data relating to a consumers' banking transactions or pensions, we propose that the TPP receiving the data should be required to obtain accreditation to ensure that they are compliant with the necessary data protection requirements, including the requirements of the UK's data protection legislation. This is already that case in Open Banking, in which only FCA regulated TPPs may access payment account data to provide account information services<sup>23</sup>.
56. The protection provided by accrediting TPPs is, however, difficult to maintain if accredited TPPs can transfer consumer data to non-accredited third parties (even with consumer consent). **We therefore propose that data obtained under a Smart Data initiative, and which is restricted to accredited TPPs, can only be shared with non-accredited TPPs for approved purposes.** This would not affect the consumer's general right to data portability. We propose that the new Smart Data Function would be responsible for proposing a list of approved purposes and the associated consent messages that must be displayed to the consumer when TPPs wish to share their data with other third parties.
57. We therefore propose that consumers should receive the following protections when sharing their data under a Smart Data initiative. These additional protections will provide enhanced rights above and beyond those under existing data protection legislation – which will continue to apply, in all cases, as a minimum level of protection of personal data – and do not affect any rights of protections for the consumer under other regulatory regimes if applicable (for example, under the Payment Services Directive):
- TPPs should only be able to access consumer data once the consumers' explicit consent has been gained and identity verified through a secure authentication process

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<sup>22</sup> By this we mean data where the consequences of loss or misuse are likely to be greatest

<sup>23</sup> The Government has proposed that FCA authorisation will also be an important criteria for TPPs looking to provide a pensions dashboard showing customer data.

- consumer data will only be shared through secure APIs
- TPP access to consumer data will be time limited and it should be as simple for consumers to revoke access as it is for them to grant access
- only accredited TPPs will be able to access high risk data, for example banking or pensions data, via a Smart Data initiative
- accredited TPPs will only be able to pass consumer data obtained via Smart Data initiatives to other third parties for approved purposes and only once the consumer has provided their consent
- in the case of data loss or misuse, there will be clear way to ensure swift consumer redress. Clear liability rules will ensure a transparent system for settling disputes between data holders and TPPs

### Consultation question

**12. Do you agree these protections for when TPPs use Smart Data are needed? Are there others we should consider?**

## Cross-sector approach to accreditation

58. Many TPPs operate across markets and would face unnecessary burdens and duplicative requirements if different accreditation processes were introduced for each Smart Data initiative. These challenges are likely to increase as further Smart Data initiatives are launched.
59. To address these challenges and to implement the additional protections we set out above, **we propose to introduce a simplified cross-sectoral accreditation process for TPPs** that wish to access consumer data via one or more Smart Data initiatives. This would provide reassurance to consumers that TPPs seeking access to personal data have been vetted, while also simplifying the process for TPPs that operate across markets.
60. We propose the Smart Data Function would play a key role in establishing an appropriate and proportionate accreditation system and determining the requirements that TPPs would be required to meet. The FCA currently regulates TPPs that access data via Open Banking. This process will remain the same and may be extended to other initiatives where financial services data is being shared. For data from outside of financial services, a separate level of accreditation will be required. Rather than applying for accreditation from multiple accreditation bodies, a TPP will only need to apply once and once accredited will be eligible to access data from across multiple non-financial markets.
61. Entities currently regulated by the FCA to access data via Open Banking will have to apply separately for accreditation with other initiatives.

### Consultation question

**13. How should our proposed approach to accreditation operate in practice if it is to effectively ensure that consumers' data are protected and minimise burdens for TPPs?**

## How should the UK's regulatory regime respond to new third-party services?

62. The vision we have outlined for Smart Data will encourage the entry of new forms of digital services into regulated markets. Some of these services may give consumers the option of having their primary relationship with these TPPs, rather than with a broadband provider or energy supplier for example. We have therefore considered whether the UK's sector regulation regimes need to be updated to reflect the greater role that these services are likely to play.
63. Currently, the treatment of TPPs in regulated markets differs between markets. In financial services, TPPs are in scope of FCA regulation if they perform a regulated activity. This means that access to data relating to payment accounts by TPPs providing account information services or payment initiation services is regulated. Access to customer data relating to other financial services or for another purpose is not regulated.<sup>24</sup> We are considering whether the scope of regulation needs to be expanded.
64. In the energy and communications markets, TPPs are not in scope of Ofgem's or Ofcom's regulatory powers and so requirements differ between TPPs and regulated businesses even when they are performing similar activities. Ofgem and Ofcom both operate a voluntary code of practice for price comparison websites, but not all comparison websites have signed up and the codes do not apply to other types of TPPs.
65. The CMA's Digital Comparison Tools market study explored the regulatory requirements faced by TPPs offering a comparison service and recommended that we consider the case for bringing TPPs into scope of Ofgem and Ofcom's regulatory powers.<sup>25</sup> If, as we expect, more consumers begin to have their primary relationship with TPPs rather than suppliers, we need to ensure that regulators have the powers to act if there is evidence or likelihood of consumer harm.
66. Our approach needs to be flexible and cross-sectoral, recognising that TPPs often operate across markets and that TPPs will continue to develop new propositions.
67. In some cases we expect that regulators may be able to take enforcement action against TPPs under general consumer law to address consumer harm. As we set out in our Modernising Consumer Markets Green Paper, we intend to legislate to strengthen the enforcement powers of regulators, and other enforcers, by enabling them to seek financial penalties from the courts for breaches of consumer law.

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<sup>24</sup> While banks are only required to allow regulated TPPs access to payment account data, currently TPPs do access other accounts with the customer's consent, via screen scraping. This activity is not regulated.

<sup>25</sup> [Digital comparison tools market study, CMA](#)

68. The Government is also considering whether TPPs should be in scope of Ofcom and Ofgem's regulatory powers to enable them to introduce further rules to protect consumers in cases where general consumer law is insufficient. One option would be the creation of a cross-sectoral general authorisation regime for TPPs in the energy and telecoms markets. Under this regime:
- TPPs would not need to obtain approval to operate in the energy or communications markets, but they would need to adhere to requirements set by Ofcom and Ofgem
  - Ofcom and Ofgem would designate activities that are in scope of the regime and set rules for each activity. TPPs would only be required to follow the requirements that pertain to the activities they perform. This will ensure that requirements are flexible and can adapt to new business models
  - we expect that, unless there is a clear need for sector specific requirements, rules will be common across markets to minimise burdens on TPPs and to avoid inconsistent protections for consumers
69. This approach would avoid duplicative processes and requirements for TPPs that operate across markets. For example, if a TPP that has registered in, say the energy market now wishes to operate in the communications market, they would not need to go through any additional processes or pay any application fees and any additional requirements would be minimised.

#### **Consultation questions**

**14. What are the advantages and risks of introducing a cross-sectoral general authorisation regime for TPPs?**

**15. What other options should we consider to ensure that consumers are protected when using TPPs?**

## Consultation questions

### Enabling data driven innovation in consumer markets

1. **Do you agree with the proposed objectives and expected benefits of Open Communications? Are there any other benefits or risks that we should consider?**
2. **What is the most effective approach to implementation to ensure the success of Open Communications in enabling innovation and delivering the best consumer outcomes?**
3. **Are there any further actions we should take to enable consumers to benefit from Smart Data in regulated markets?**
4. **In which other markets, outside of the regulated and digital markets, would there be the greatest benefits from Smart Data initiatives? Please explain your reasoning**
5. **What other roles might industry find it useful for Government to perform in addition to it acting as a facilitator for Smart Data?**
6. **Do you agree that we should establish a cross-sector Smart Data Function with the proposed responsibilities set out above?**
7. **What would be the best form for the Smart Data Function to take? Should it be, for example, a new body, part of an existing body or some other form?**
8. **How can we ensure that the costs of Smart Data initiatives are shared fairly between the participating businesses?**

### Using data and technology to help vulnerable consumers

9. **What other actions could the Government or regulators take to support the use of data and innovative services to improve outcomes for vulnerable consumers?**
10. **Should we strengthen the powers of sector regulators to enable them to use consumer data to improve their understanding of the challenges faced by vulnerable consumers and to intervene to improve outcomes?**
11. **How can we ensure that the Smart Data Function improves outcomes for vulnerable consumers? Do we need to consider any further actions?**

### Protecting consumers and their data

12. **Do you agree these protections for when TPPs use Smart Data are needed? Are there others we should consider?**



- 13. How should our proposed approach to accreditation operate in practice if it is to effectively ensure that consumers' data are protected and minimise burdens for TPPs?**
- 14. What are the advantages and risks of introducing a cross-sectoral general authorisation regime for TPPs?**
- 15. What other options should we consider to ensure that consumers are protected when using TPPs?**

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