

Data Standards Body

Non-functional Requirement Consultative Group

Background

The Non-functional Requirements (NFRs) included in the Consumer Data Standards have been a part of the standards since July 2019 and were made binding in October 2021.

The NFRs set a baseline expectation for performance and availability of technical implementations that support the Consumer Data Right ecosystem. The importance of these NFRs increases as CDR usage increases and data sharing under the CDR becomes more integral for business activity in Australia.

Changes to the NFRs were proposed in late 2022 in response to expanding scale of the ecosystem. These changes were initially consulted on via the standards maintenance process and were later consulted on directly via [Decision Proposal 288 - Non-Functional Requirements Revision](#). A number of NFR workshops were also held in August & September 2023.

To address the feedback received during Decision Proposal 288 and during the NFR workshops a trial of a consultative group was proposed.

The intent of this trial is to test the approach proposed by the community for more targeted consultation and planning on NFRs. If this trial demonstrates that the approach is effective, the DSB will propose that a more permanent version of the group be established.

Terms of Reference

The NFR Consultative Group would be established by the Data Standards Chair as a group to provide advice to the Chair on the development of standards.

Under Section 56FA of the *Competition and Consumer Act 2020 (Cwlth)*, the Data Standards Chair may make data standards. These data standards support the implementation of the Consumer Data Right (CDR).

Under Section 56FK, the function of the Data Standards Body (DSB) is to assist the Data Standards Chair (Chair). It must comply with the consumer data rules (enabled under *Competition and Consumer (Consumer Data Right) Rules 2020 (Cwlth)*) when assisting the Chair.

Under Division 8.2 of the CDR Rules, the Data Standards Advisory Committee (DSAC) provides advice to the Data Standards Chair. The DSB provides support and secretarial services to the DSAC and the other committees, advisory panels or consultative groups the Chair may create.

The scope of the initial consultative group is proposed to be as follows:

- To develop a forecast for the expected future usage of the CDR ecosystem, under various hypothetical scenarios, that can be used to help CDR participants plan their future infrastructure requirements.
- To procure, securely collate, and review actual performance data from CDR participants that can be used to identify changes that need to be made to the CDR NFRs.

- To propose changes to the CDR NFRs that can then be commented on by all CDR participants in a public consultation.
- To provide feedback on the effectiveness of the trial and help shape a more permanent approach for the management of NFRs.

Membership

The membership of the initial NFR Consultative Group will be determined as follows:

- Nominations will be open to anyone to become a consultative group member.
- The preferred criteria for membership are:
 - Representative of an existing, operationally active, participant in the CDR ecosystem,
 - Technical expertise in the delivery and management of digital infrastructure,
 - Ability to work collaboratively in a group,
 - Capacity for attendance at a regular monthly meeting, and
 - Capacity to read and analyse information and minutes in between meetings.
- The target size for the consultative group will be nine members.
- Members will be required to accept a code of conduct that will include requirements for managing confidential performance data provided to the consultative group to help decision making.
- In addition to the members of the consultative group the ACCC, Treasury and OAIC will be invited to nominate an observer.
- The Data Standards Chair will have sole discretion on the number of members for the NFR Consultative Group and the individuals that shall be invited as members or observers.

Operations

It is proposed that the consultative group will operate as outline below:

- The DSB will act as Chair and Secretary for the meeting.
- The consultative group will meet once per month for around two hours.
- An agenda, describing issues to be discussed will be published ahead of the scheduled meeting time.
- Available data, if any, that can be used as an aid to discussion will be made available to members ahead of the scheduled meeting time.
- Minutes will be taken for each meeting documented outcomes but will not contain attribution of anything said in the meeting or the detail of discussion.
- The agenda and minutes for each meeting will be considered public and will be published by the DSB.

- The initial backlog of issues to address will be created by the DSB based on feedback received to date.
- Once operational, the consultative group will actively curate the backlog of issues to address.

Trial Conditions

To ensure a long enough period to validate the operation of the consultative group the initial trial will run for six meetings. This time may be truncated if a majority of the members of the consultative group inform the Chair that the consultative group is not effective, and the trial should be ended early.

For further information

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