

# Consultation: Credit reference agency access to information

17 JULY 2023

**Summary:**

Government is consulting on its plans to provide UK credit reference agencies (“CRAs”) with information on Jersey residents, to facilitate the use of the CRAs for the performance of affordability checks and customer due diligence (“CDD”) checks in accordance with relevant money laundering obligations. To perform this, Government is proposing an amendment to the Register of Names and Addresses (Jersey) Law 2012 (the “RNA Law”) to extend the statutory purpose of the register to allow specified information on Jersey residents to be provided to CRAs.

Ahead of publication of this policy, the Government has worked with representatives of the three main CRAs in the UK to inform the proposal.

**Date published:**

17 July 2023

**Closing date:**

25 August 2023

## Background

1. Recently Government has been working closely with banks to understand the decline in the number of credit card providers and the barriers to providing services to new customers in Jersey. This engagement has consistently flagged the absence of electoral register equivalent data for CRAs as a key barrier to extending credit card offerings to new applicants on island. Acknowledging this, Government is committed to delivering a solution as soon as possible to remove the frictions to delivering this service to islanders.
2. Financial institutions have invested in the streamlining of their onboarding processes, utilising digital solutions to make both improvements to service quality and efficiency. This draws upon data held by CRAs, when product applications are received, to support the performance of affordability checks and customer address verification. At present certain public information is not made available to credit reference agencies for Jersey residents, as such certain products applied for through these processes are not available for new customers from Jersey.
3. This consultation proposes a solution which will enable Government to securely deliver data to UK CRAs for such specified purposes.

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## How CRAs use information

4. CRAs are independent organisations that securely hold data about customers with the primary purpose to provide lenders with a range of information on a potential customer. Lenders will then use this information to make decisions about whether to provide a product or not. In absence of CRAs, companies have to apply more cumbersome and potentially less effective processes to collect information on consumers each time applications for credit are made.
5. The information held by CRAs is obtained from both financial institutions and public records to build consumer reports. This information will include how well you have maintained your credit and utility accounts, as well as personal details including your address history. A key source of information permitted under UK Law is the UK electoral register, this providing information on your current address. The Jersey electoral register is not provided to the CRAs as it is not permissible under Jersey Law. This consultation is providing access to this source of information.

## Proposal – provision of information from the Register of Names and Addresses (“RNA Register”)

### Information to be provided

6. The RNA Register, commonly referred to as the People Directory, holds core personal and demographic information on individuals that engage with Government,

amounting to over 100k+ records for residents and non-residents (e.g., non-resident taxpayers). This information is held for the specific purposes of facilitating public administration and customer service by public authorities.

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7. Through the delivery of this proposal, the permitted use of the RNA Register will be extended to permit the provision of information, limited to specific fields for Jersey residents 18 years and over, to CRAs.
8. It is not intended to provide the CRAs with all data fields maintained within the RNA Register as this will go beyond that which is necessary. Government has considered the minimum information requirements of the CRAs, through engagement with the three main UK CRAs Equifax, Experian and TransUnion, and proposes the following fields of data are provided:
  - a. Full name
  - b. Residential address
  - c. Full date of birth

#### Means of provision

9. The proposed amendment will allow for the provision of information to CRAs which are specified in a Ministerial Order made by the Chief Minister. This will be limited, in the first instance, to those which are authorised and regulated by the UK Financial Conduct Authority. Extension to CRAs from other jurisdictions will only be permissible in future where there is authorisation, supervision and data protection in place equivalent to the UK.
10. The definition of a CRA will be aligned to that currently used under Financial Ombudsman Law.
11. Information will be extracted from the RNA Register and securely provided on a monthly basis. This will ensure that the information maintained by the CRAs is the most current and reasonably captures changes of address. This will further reduce the risk of persons who have moved to the island or those who have become 18 years of age having to wait extended periods of time before establishing a credit profile.
12. It is proposed that the information will be provided subject to an administrative fee, this in accordance with the provision of information by UK Electoral Authorities. This will be established by the Chief Minister and specified within a Ministerial Order.

#### Limitation of use

13. Given the nature of the information proposed to be shared, CRAs in receipt of the information will be limited by clear purposes for use which will be established within the law. These purposes will be to facilitate:
- a. The performance of affordability and credit checks
  - b. Meeting anti-money laundering obligations (e.g., the performance of CDD)
  - c. The performance of statistical analysis of credit risk assessment whereby the individuals are not referred to by name or made identifiable. Note that this entails broader analysis which often provides a relevant context for the initial primary purpose, the performance of credit checks.
14. It is proposed that the sharing of data will be provided subject to Data Sharing Agreements being put in place with the CRAs, these specifying clearly the purposes for use. It is further highlighted that UK CRAs will be subject to UK data protection compliance under the UK Data Protection Act 2018, this recognised by Jersey as being an adequate third country for data transfer purposes.

## Conclusion

Government seeks to ensure that the necessary information is provided to CRAs to effectively support the performance of affordability checks and CDD verification checking, and facilitate continued improvements driven by banks and credit service providers through the digitalisation of their processes. This will in turn support the continued provision of key service to islanders. Government welcomes any additional general comments on the proposals to provide CRAs with information from the RNA Register.

Responses may be provided by the Smart Survey facility provided.

Should you wish to find out more about how credit reference agencies use a consumer's information or how you can access the information on your credit reference file, see [XXXX website](#)

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