

**COMPETITION AND MARKETS AUTHORITY**  
**Minutes of the Board**  
**18 December 2013**

**Present:**

David Currie (Chairman)  
Alex Chisholm (CEO)  
Sarah Cardell  
Andrea Coscelli  
Carolyn Fairbairn  
Alan Giles  
Bill Kovacic  
Philip Lowe  
Jill May  
Annetje Ottow  
Mike Walker (items 3-13 only)  
Erik Wilson  
Roger Witcomb  
Rachel Christopher (Board Secretary)

**Apologies:**

Sonya Branch

**1 Updates on key transition workstreams**

(Alex Chisholm, Colin Sharples)

The Board was updated on key transition workstreams:

- **Sector regulation:** The UK Competition Network (UKCN) Statement of Intent has now been ratified by a number of regulators' Boards.
- **ICT:** The infrastructure build is on target and is expected to be moved to Victoria House for onsite testing in early January.
- **Accommodation:** The refurbishment of Victoria House is now underway with work beginning on the second as well as the seventh floor. The build of the data centre has been prioritised and will be ready for the planned arrival of the infrastructure build on 2 January.
- **Comms:** A preferred supplier for the intranet has now been identified and it is hoped that development work will start in January. The next all staff meeting is on 21 January.

- **KIM:** The overarching structure for this workstream was discussed yesterday at the Workstreams Board and consideration is now being given to how to introduce a culture of information-sharing in the CMA. A paper on this workstream will be submitted to the February Board.

## **2 Annual Plan**

(John Kirkpatrick, Paul Latham)

The team presented the most recent draft of the Annual Plan. The Board noted that the publication plan includes publishing the revised Vision, values and strategy document and the response to the consultation, the Annual Plan and the Prioritisation Principles together. The chart of how the documents fit together will also be published. The team noted that it remains for it to update the documents with references to the CPP statement and the UKCN Statement of Intent, both of which the CMA has adopted.

The Board reviewed the draft suggesting some small changes, and thanked the team for their work.

The timetable for publication of the Annual Plan was considered and the Board agreed that it will review the next draft offline in parallel with staff, who will also be given the opportunity to comment prior to publication.

## **3 CMA risk management**

(Mike Lacaille, Shagufta Hassan)

The team presented the paper and the Board discussed the inculcation of a risk culture and the development of a risk appetite framework, and considered the possibility of an executive Risk Committee and an integration of the risk appetite with the Annual Plan. The Board agreed that it will consider risk again at a future meeting and thanked the team.

## **4 HR, job matching and structure**

(Erik Wilson, Carmel Flatley)

The Board was updated on recent developments around staff. The final structure of the CMA was also presented with the Board noting that this has been subject to extensive consultation with the new senior leadership. The Board acknowledged and thanked the HR teams for the huge effort in completing the matching process on schedule.

## **5      OFT and CC staff engagement survey**

(Carmel Flatley, John Kirkpatrick)

The Board was updated on the results of the surveys, noting that it is the fifth time the OFT has completed this Civil Service-wide survey, and the first time for the CC. The team updated the Board on next steps.

## **6      CC external stakeholder survey**

(John Kirkpatrick, Carmel Flatley)

The team reported that this is the third time the CC has carried out an external evaluation of stakeholder response to its work. The team explained that the survey will be published in the new year with a short commentary.

## **7      CMA web presence on GOV.UK**

(Paul Latham, Judith Frame)

The team updated the Board on the CMA's web presence, highlighting that this must meet user needs and must address statutory requirements. The Board recommended that the new site is enhanced with links to previous documents and cases associated to each new case. The team highlighted that the CMA will also have its own Youtube and other social media channels. The Board thanked the team for its work.

## **8      Request for approval and consent to publish Tranche 1 guidance documents, as well as guidance on review of remedies from Tranche 2**

(Andrea Gomes da Silva, Simon Constantine)

The team sought the Board's approval to publish the following Tranche 1 guidance documents and their associated summaries of responses:

- *Mergers: guidance on the CMA's jurisdiction and procedure*<sup>1</sup>
- *Market studies and Market investigations: supplemental guidance on the CMA's approach*
- *Administrative penalties: statement of policy on the CMA's approach*
- *Transparency and Disclosure: statement of the CMA's policy and approach*
- *Cost recovery in telecoms price control references: guidance on the CMA's approach*

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<sup>1</sup> The Board is also asked to approve certain ancillary documents namely, the Merger Notice, the remedies form and the template interim order.

The team also sought approval of and permission to publish *Remedies: guidance on the CMA's approach to the variation and termination of merger* which was originally included in Tranche 2. The Board agreed that the team should also publish this guidance. The Board thanked the team for all its work.

## **9 Update on UK Competition Network**

(Andrea Coscelli)

The Board was updated on recent developments, including:

- The UKCN Statement of Intent has now been approved by a number of Boards.
- A number of joint projects are ongoing with the sector regulators, particularly Ofgem with whom the OFT and CMA will shortly publish a framework for how they will assess competition in the energy market, looking at both the domestic and small business markets.
- The OFT, CMA and Ofgem have also committed publicly to publish an assessment of competition in energy markets in March.
- The CMA guidance on concurrency is part of Tranche 2.

The Board highlighted that the CMA's work in sector regulation is innovative and far reaching.

## **10 CMA Information assurance strategy**

The team introduced the strategy highlighting the importance of a culture that supports the protection of material held by the organisation. The Board highlighted that both existing organisations already have a strong culture and awareness of information assurance. The importance to the Audit and Risk Committee was noted. The Board also noted the critical importance of this workstrand and endorsed the strategy. It thanked the team.

## **11 Minutes – November public and private minutes and October revised public minutes**

The Board approved all three sets of minutes with no changes.

**Rachel Christopher**

Board Secretary

16 January 2014