

MINUTES OF THE CMA BOARD

Meeting date: 10 February 2021
Venue: By video conference

Members present

Jonathan Scott (Chair)
Kirstin Baker
Martin Coleman
Andrea Coscelli (CEO)
Cynthia Dubin¹
Amelia Fletcher
Andrea Gomes da Silva
Michael Grenfell
Bill Kovacic
Erik Wilson (COO)

CMA staff present

Kate Bridge, Director of Executive Office
Stuart Hudson, Senior Director, Strategy,
Communications and Advocacy
Sukhinder Lalli, Legal Director, Governance,
Compliance and Risk
Board Secretary (minutes)

Teams

The meeting was attended by staff from the Governance, Enforcement, Advocacy, DaTA and Markets teams. The Office for the Internal Market project team also attended.

Advisors present

Sarah Cardell, General Counsel²
Mike Walker, Chief Economic Adviser

Apologies

There were no apologies

1. Introduction

The Chair welcomed the Board members to the meeting. There were no new conflicts declared or declarations of gifts or hospitality.

2. Minutes

The Board approved the minutes and actions from the CMA Board meeting held on 13 January 2021, subject to one small change to the minutes.

3. ARAC update

Cynthia Dubin, Chair of the Audit and Risk Assurance Committee, updated the Board on its recent meeting on 18 January 2021.

¹ CD left the meeting for the last 10 minutes of item 7.

² SC left the meeting at the end of item 9.

4. Chief Executive's update including Corporate Risk Register and Covid-19 operational response

The CEO updated the Board on recent cases and other developments at the CMA, including current consumer cases and regulatory appeals. The Board also discussed the current litigation in which the CMA is engaged.

5. Subsidy Control

The Board was updated on the government's consultation on the domestic subsidy control regime.

6. CMA Board rules of procedure and CMA Board authorisations and RIPA Designations

The Board agreed to extend the Covid-related Board authorisations put in place last year, by 12 months, until March 2022

The Board also discussed proposals to update its Rules of Procedure, noting that the final draft will be presented for approval offline and asking also for the terms of reference for the Remuneration Committee to be updated to include oversight of the performance management policy.

7. Office for the Internal Market – progress update and proposal on governance

The Board noted the next steps in developing the OIM, which is due to take up its new functions in the autumn, including the preparations for consulting on guidance. It also discussed the proposed governance structure and the role of the OIM Panel Chair.

9. Covid-19 – Update on current activity³

The Board was updated on the work to manage the information and intelligence received relating to the effects of the pandemic. It noted that Covid-related case activity continues to focus on cancellations and refunds; and this work remains a high priority for the Enforcement directorate. . It highlighted the current level of activity around these cases.

10. Children's social care market study

The Board considered the proposal to launch a market study of children's social care in England, Wales and Scotland. It discussed the scope of the study noting that the team plans to shine a light on this sector, looking at quality as well as pricing. The Board also noted that this study aligns well with the CMA's priority to protect those consumers in vulnerable circumstances.

The Board formally agreed the launch of this market study, subject to non-substantive changes to the launch documents.

11. AOB

The Chair thanked the Board, and highlighted the recent [Bannerman Competition Lecture](#) given by the CEO.

³ The Board agreed to reschedule item 8 (Algorithms: how they can reduce competition and harm consumers) to a future meeting.