

## Appendix B

### Use of information provided to the CMA

- A.1 This annex sets out how the CMA may use information provided to it during the course of this market study.

#### ***Why is the CMA asking for information?***

- A.2 The information you provide will help the CMA to understand the market for the supply of new homes to consumers in England, Scotland and Wales and identify any competition and consumer issues.

#### ***What will the CMA do with the information I provide?***

- A.3 Your information will inform the CMA's final market study report, and any interim updates. The CMA may publish information you provide and identify you as the contributor of it in those reports, or alongside them on our website. The final market study report will set out the CMA's findings and any proposed next steps to deal with any existing or potential issues it finds.
- A.4 The CMA may disclose any information provided by you for the purposes set out in sections 7, 170 and 241 to 243 of the Enterprise Act 2002, where it considers such disclosure to be appropriate. In particular, the CMA may choose to put information provided by you to third parties, such as other Government departments and other parties providing information to the CMA, for the purpose of facilitating any further related work.
- A.5 The CMA may share your information within the CMA to facilitate the performance of its functions. The CMA may use information you provide to take enforcement action, including against businesses operating in the markets within the scope of this study, using its competition or consumer powers. The CMA may also share your information with another enforcement authority or with another regulator for them to consider whether any action is necessary.
- A.6 Unless an exemption applies, the CMA may disclose the fact that you have provided information to it, and the information you have provided, in accordance with its obligations under the Freedom of Information Act 2000.

#### ***Will the CMA take steps to protect my information?***

- A.7 The CMA may only publish or share information in specific circumstances set out in legislation (principally Part 9 of the Enterprise Act 2002). In

particular, prior to publication or any such disclosure, it must have regard to (among other considerations) the need for excluding, so far as is practicable:

- (a) any information relating to the private affairs of an individual which might significantly harm the individual's interests; or
- (b) any commercial information which, if published or shared, it thinks might significantly harm the legitimate business interests of the undertaking to which it relates.

A.8 The CMA will redact, summarise, or aggregate information in published reports where this is appropriate to ensure transparency whilst protecting legitimate consumer or business interests.

***How will the CMA handle any personal data I provide?***

A.9 Any personal data you provide to us will be handled in accordance with the CMA's obligations under the UK General Data Protection Regulation and the Data Protection Act 2018. The CMA's [personal information charter](#) sets out the standards you can expect from it when it collects, uses or shares personal data and provides details of your rights in relation to that personal data and how to contact it.

***What should I do if I have concerns about how the CMA will use any information I provide?***

- A.10 You should make clear to the CMA any information that you consider to be confidential when you provide it to the CMA and set out why you consider it to be confidential.
- A.11 If the CMA wants to include any sensitive commercial or personal information in a document that will be published it will, save in exceptional circumstances, contact you prior to publication to give you an opportunity to tell it about any concerns you may have regarding that publication.

***Where can I find further information?***

A.12 Further details of the CMA's approach can be found in in Transparency and Disclosure: Statement of the CMA's Policy and Approach ([CMA6](#)).

Other relevant CMA publications

A.13 More information about our approach to market studies is contained in the following publications, which are available on our website:

- (a) Market studies and market investigations: Supplemental guidance on the CMA's approach (CMA3);
- (b) Market Studies: Guidance on the OFT approach (OFT519); and
- (c) Market investigation references (OFT511).