

The Corporate Plan 2008/09

Introduction

The role of the Competition Commission

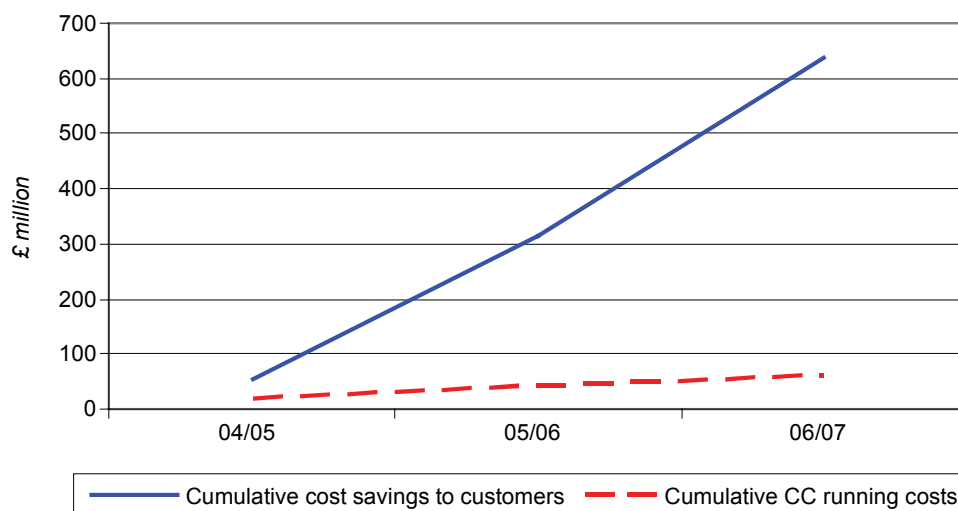
The Competition Commission (CC) is an independent non-departmental public body which, together with the Office of Fair Trading (OFT) and the Competition Appeal Tribunal, operates the UK's competition regime. The CC's role is to conduct in-depth inquiries into mergers, markets and the regulation of the major regulated industries (including utilities, postal services, railways, airports, air traffic control and financial services).

All our inquiries are undertaken following a reference made to the CC by another authority: most often the OFT (which refers mergers and markets) or one of the economic regulators (which refer their markets, or price controls, or, in the case of Ofgem, appeals in respect of modifications to the codes covering the energy industry). References are also occasionally made by the Secretary of State for Business, Enterprise and Regulatory Reform (BERR). In the case of non-regulatory references, the CC is usually required to decide whether a merger results, or is likely to result, in a substantial lessening of competition, or whether any feature, or combination of features, in a market prevents, restricts or distorts competition, thus constituting an adverse effect on competition. If so, the CC must seek to remedy the problems identified.

The OFT typically investigates around 150 mergers a year, of which it refers around 10 per cent to the CC. The OFT and other authorities also typically refer one to three markets or other regulatory issues to the CC each year, though the actual number in a particular year can vary greatly.

The c45 CC members (including the Chairman and three Deputy Chairmen) are appointed by the Secretary of State for BERR for fixed terms. Decisions on each inquiry are the responsibility of groups of (between three and seven) members appointed by the Chairman. The members are supported by a body of expert professional and administrative staff.

The CC each year publishes the estimated cost savings to consumers arising from its decisions, and compares this with its costs. The following chart summarizes the figures through to April 2007. Further detail is in the CC 2007 Annual Report, and the figures will be updated in the 2008 Report.



Key Performance Indicators and risks

The CC aims to be among the best competition authorities in the world for the quality of its analysis, and the robustness of its processes and decisions on competition issues and remedies. We also aim not to put undue burdens on business, and to make a strong contribution to the development of competition policy, in the UK and internationally. In particular, the CC seeks to achieve:

- high-quality analysis and authoritative decisions;
- effective and proportionate remedies;
- open, fair and expeditious procedures; and
- effective communication of its decisions.

The key risks facing the CC in delivering its objectives arise as a result of our unpredictable workload; not only does the rate of referrals fluctuate significantly, the CC is also not able to prioritize its cases or establish when they will arrive. Alongside this, the CC faces the uncertainty of appeals to its decisions.

To achieve the above aims, and to deal with the risks we face, the CC will continue to divide its work under the six work streams, each led by a work stream leader, to organize and manage its activities. The six work stream objectives are to:

- carry out investigations;
- make efficient and effective use of all its resources;
- make the right decisions;
- take the right remedial action;
- operate first class procedures; and
- contribute effectively to the development of competition policy and practice in the UK, the EU, and internationally.

The CC and BERR have agreed that they will monitor the CC's performance in the following ways:

1. by monitoring the level of satisfaction of the CC's stakeholders as surveyed by an independent third party (every two years; the most recent survey was conducted in 2007);
2. by commissioning a peer review of the UK competition regime, which assesses the CC's and OFT's performance against the objectives of being a world-class competition authority, to be carried out by independent consultants every three years (the most recent review was published in June 2007); and
3. by monitoring the CC's financial performance as measured by budget compliance and progress in achieving annual efficiency improvements.

The Council's Review

In 2007, the CC launched a comprehensive review of the way the CC fulfils its role. The review considered many options and alternative models; however, there were no recommendations involving radical policy or structural change. We are encouraged by the conclusion that this organization is more than fit for purpose. However, the review did recommend a number of incremental changes, which build on its proven strengths, including practical improvements in the conduct of inquiries, better use of members and staff, and improved evidence collection, processing and analysis.

The CC's vision and aims following the Council's Review and all its research and deliberations this year are shown below. These key priorities have informed our work programme going forward.

Our main aim remains to *make robust and authoritative decisions* in our inquiries and investigations. We will also seek to:

1. *Make our investigations* more efficient and effective by:
 - (a) earlier identification of possible theories of harm;
 - (b) more focused information and data gathering; and
 - (c) greater use of unmediated information (particularly electronic data).
2. *Improve clarity and communication* of CC findings, decisions, opinions and precedents. Ensure reports are concise, accessible and readable.
3. *Frame and apply remedies that are focused, appropriate* and proportionate.
4. *Make the best use of resources*—including trying new ways of working including increased use of flexible inquiry teams with good team working and clear shared goals. Additionally the CC will aim to attract and retain top-quality members and staff, make the best use of their skills and experience with appropriate appraisal, development and reward systems.
5. *Share best practice internally* to develop systems and culture that encourage a process of continuous improvement. Use and improve existing mechanisms of corporate governance, including a thorough review of the committee structure to ensure they are working more effectively.
6. *Retain our distinctive strengths* of thoroughness, transparency, independence, using panels of decision makers who are independent, accessible and actively involved in investigations.

The next stage of the Council's Review will ensure that these aims are reflected in our working practices and so the recommendations have now become the responsibility of each of the work stream leaders. The following sections provide more detailed information about activities within each work stream in 2008/09.

Work stream strategic objective 1: To carry out well-managed investigations within the CC's analytical and procedural framework

Person responsible: Senior Directors, Inquiries (Rachel Merelie and Andrew Taylor)

In carrying out investigations, the CC seeks to take decisions that are well founded on sound evidence and clearly reasoned and, where needed, implement remedial action that has an effective and timely impact on competition concerns.

The overall aim of this work stream is to ensure that inquiries meet these objectives, are efficiently managed, and operate within the CC's analytical and procedural framework. Members and inquiry staff at the CC (around three-quarters of all staff) devote most of their working time contributing to this objective.

The recent Council's Review and the establishment of two Senior Director positions within the CC have provided a renewed focus on ensuring that inquiries are managed as effectively as possible. This includes, in particular, identifying, documenting and embedding best practice inquiry processes and procedures (for example, embedding the 'theories of harm' approach into our investigations, implementing lessons learned from the streamlined merger inquiries and looking further at transparency issues) and ensuring that inquiry staff are well managed. With regard to our inquiry staff, we will look at role profiles, recruitment, induction, training and staff allocation to inquiries and improve our communications.

The Senior Inquiry Directors are the budget holders for all inquiry activity. Budgets are set by the Inquiry Director at the start of an inquiry up until provisional findings. The budget is then adjusted at provisional findings to take account of the current circumstances, such as whether there is likely to be a clearance or not. All inquiry budgets are approved by the inquiry group. The total inquiry administration budget will fluctuate depending on the number of inquiries; any adjustments that are needed will be discussed with and approved by BERR.

Risks

There is a risk to the achievement of these objectives if workload is significantly higher than planned. A very high workload means that staff and members are stretched, and the CC may have to employ a higher proportion of temporary staff. This could lead to consequent risks on quality of decisions and hence challenge by parties to inquiries and ultimately appeals to the Competition Appeal Tribunal.

Work streams 2, 3, 4 and 5 (on our resources, analysis, remedies and procedures) help to mitigate risks to the quality of CC analysis and decisions. The leaders of these work streams take responsibility for ensuring that we have in place skilled staff, excellent analytical processes and tools, an understanding of what remedies are effective, clear and fair processes.

The table below details the objectives falling under work stream 1; these objectives are ranked in order of priority, although all objectives are considered important and are intrinsically interlinked. The objectives set below are all new objectives for 2008/09.

Table 1

<i>Number</i>	<i>Objective</i>	<i>Measure/Activity</i>	<i>Time</i>
1.1	To publish provisional findings in a timely fashion and final reports within our statutory deadline.	Provisional findings on merger inquiries are, on average, published by week 15. No reporting past statutory deadline.	To be assessed at the end of the financial year.
1.2	Reports on investigations contain high-quality analysis and robust, evidence-based decisions, and are conducted in a fair manner.	Number of challenges to (or adverse judgements on) CC decisions in the CAT.	To be assessed at the end of the financial year.
1.3	To run more efficient inquiries by identifying and implementing best practice processes and procedures.	Reduction in the average cost incurred per month of inquiry (assuming a workload of an average of ten inquiries a month). Reduction in the number of group meetings per merger inquiry.	To be assessed at the end of the financial year.
1.4	To run more efficient inquiries by improving our inquiry staff management.	Staff turnover in the inquiry teams is in line with the average public sector turnover. Provide more training opportunities for inquiry staff.	To be assessed at the end of the financial year.

Work stream objective 2: To make efficient and effective use of resources

Person responsible: Director of Corporate Services (Rebecca Lawrence)

This work stream ensures that the CC's corporate services are well managed and effectively support the CC to enable it to deliver its core objectives. Responsibility for delivery of the objectives in this work stream lies with the Corporate Services department, which is led by the Director of Corporate Services and reports to the Chief Executive and the Operations Board.

Corporate Services are responsible for:

- monitoring and planning our business effectively so that the CC copes with its workload and manages its budgets effectively;
- ensuring that the CC receives high-quality and cost-effective support from its corporate service departments: IT (including the Inquiry Support Unit, Information Centre and Publishing), Facilities, Security, Finance, Procurement, Human Resources (HR) and Planning;
- supporting the CC and its members by employing excellent staff, and deploying their skills to achieve the best outcomes;
- providing focused training and development opportunities for staff and members which allow them to gain the skills and knowledge to do their jobs effectively;
- running the Members' Support Unit; and
- ensuring a safe and healthy working environment, with good internal communications.

Corporate Services comprises approximately 40 staff and the Corporate Services Management Team meets on a monthly basis to ensure that key objectives are delivered. Corporate Services is responsible for a budget of £11 million a year.¹ Approximately £2.8 million is spent on staffing and the remaining £2.8 million is spent on running costs and funding all the projects mentioned below. The budget holder for this work stream is the Director of Corporate Services, who ensures that the budget is set at the beginning of the year and is not exceeded. Corporate Services costs are relatively constant year on year and do not fluctuate with inquiry workload. Any significant fluctuations are reported to BERR.

As a proportion of the CC's total salary budget, corporate services staff account for 24 per cent of the total budget.

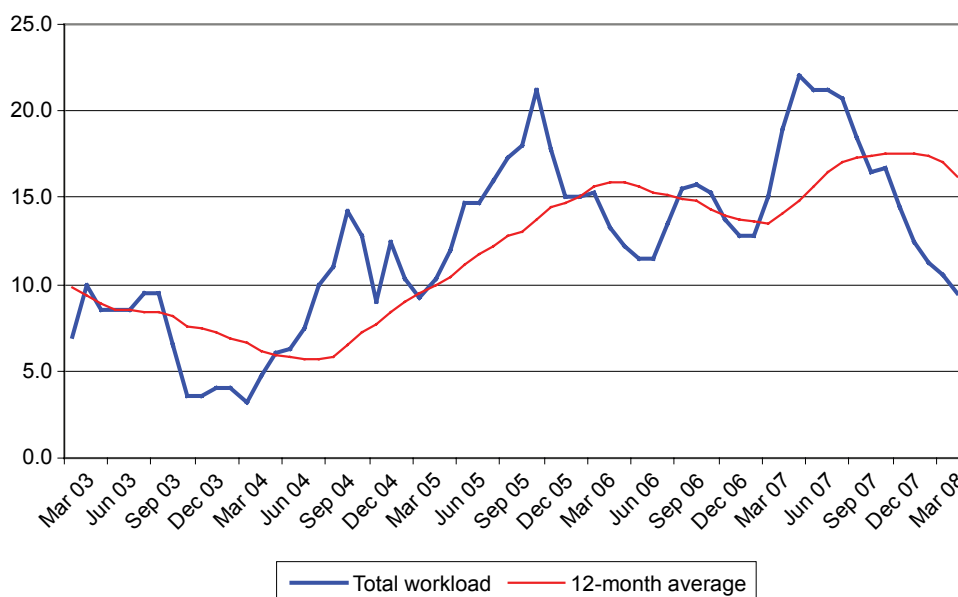
The CC's strategic planning assumptions

The CC has no control over its workload, it cannot choose its cases and therefore has no control either in terms of the number of cases or when they are referred. Having received a reference, however, the CC has to reach its decisions within prescribed statutory timescales. Figure 1 illustrates the variation in volumes of work in recent years:

¹Just under 50 per cent of this budget covers the CC's accommodation costs.

FIGURE 1

CC workload



Due to the difficulty in predicting the CC’s workload, our planning assumption is based on historical trends and information we have about likely future references. Our assumption, based on current information, is that there will be *an average of 12 typical inquiries under way throughout the year*, which might include mergers, market investigations, regulatory references, or appeals, counting the larger market investigations as more than one inquiry. Our precise resourcing needs in practice vary according to the types of inquiries we are conducting (a market investigation, involving dozens of interested parties and a significant volume of data, demands more hours of work per month than a smaller merger inquiry with less data and only a few interested parties). Also, the CC’s costs vary with workload, although in the short term a large proportion of the CC’s costs that relate to permanent staff, equipment and accommodation are fixed, no matter what the level of work. In contrast, a high workload can necessitate employment by the CC of extra members of staff temporarily and greater participation of CC members. Spending trends, including cost per typical inquiry, are reported in our Annual Report.

The overall strategic planning objective for 2008/09 is for the CC to complete the financial year within the budget set by BERR of £20.5 million, assuming an average of 12 inquiries under way at any one time.

Risks

The main risks facing corporate services in 2008/09 are that:

- A number of subleases require renegotiation during 2008, so there is a risk that the subleases to the tenants will be problematic to renegotiate.
- Poor performance and conduct issues for staff are not addressed in a way which encourages improvement, thus creating longer-term and expensive problems and potentially damaging the CC’s reputation.
- The low public sector pay awards are not fully mitigated by better branding of total reward and staff morale and engagement drops, leading to the loss of valued staff.

To mitigate the above risks, Table 2 details the objectives of work stream 2, against which we will report in 2008/09. These objectives are ranked in order of priority, although all objectives are considered important and are intrinsically interlinked. Objectives 2.1, 2.4, 2.7 and 2.8 have been identified as new objectives for the new financial year; the other objectives are a continuation of ongoing work.

Table 2

<i>Number</i>	<i>Objective</i>	<i>Measure/Activity</i>	<i>Time</i>	<i>Responsibility</i>
2.1	To complete the financial year 2008/09 within the budgets agreed with BERR.	<ul style="list-style-type: none"> • CC budget will be set in line with BERR's Comprehensive Spending Review. The figures supplied by BERR will be monitored closely, especially following any changes in workload. • Internal budgets will be reviewed more regularly in response to fluctuations in workload. 	Throughout 2008/09.	Head of Finance.
2.2	Optimize use of space within Victoria House to ensure sufficient space for future CC requirements.	Ensure best practice with space planning and use of appropriate space planning expertise to consider optimum team adjacency issues.	By end of financial year 2008/09.	Head of Facilities.
2.3	To achieve best value for money in terms of services provided to and by the CC.	Achieved through early consultation with external service providers and customers.	During 2008.	Head of Facilities and Head of Finance.
2.4	To review the corporate governance structure at the CC to ensure a structure that suits the organization's needs.	A review of the CC's committee structure and corporate governance systems will be undertaken and recommendations will be implemented.	During 2008/09.	Director of Corporate Services.
2.5	To implement recommendations from the Council's Review to improve our support to members.	<ul style="list-style-type: none"> • Review and implement new pay structure for members. • Introduce a training programme for members to attend. • Provide guidance to BERR on the recruitment of new members. • Provide Intranet site for members collating all the information they need in one central place. 	By end 2008. During 2008. By spring 2008. Ongoing.	Head of Planning. With support from IT.

2.6	Conduct a review into all recruitment activity to embed the principle of fair and open competition; and demonstrate that all training has been effective and relevant (following recommendations from the Council's Review).	<ul style="list-style-type: none"> • Produce an updated policy, standardized recruitment pack and mobilizing the master vendor contract for maximum efficiency and introduce a marketing strategy to develop the CC brand as an employer of choice and attract high-quality candidates. • Total staff turnover does not exceed the average for public sector (as reported in the CIPD annual survey). • Produce quarterly management reports for Operations Board which show that opportunities were shared equitably and have achieved the desired outcome. 	Ongoing throughout the year.	Head of HR.
2.7	Ensure that staff have easy access to up-to-date and accurate information on their terms and conditions of employment; and expand the capability of line managers in offering support and direction to their staff and work closely with Staff Council on staff welfare issues.	<ul style="list-style-type: none"> • Update thoroughly the Employee Handbook and complementary Intranet pages. • Run a management development programme and conduct a review of the CC's pay and performance management system. • Conduct an employee satisfaction survey and give a timely response on action needed. 	Ongoing throughout the year.	Head of HR.
2.8	To achieve British Standards Institute accreditation for our Business Continuity Group.	Implement the technology and the process required to ensure that the CC's data is secure and that in the event of a business continuity situation the organization can be up and working again with minimal inconvenience.	End of year.	Head of IT.
2.9	Continue to implement the 'Autonomy' knowledge management project.	The 'Autonomy' knowledge management project will improve the technology tools to ensure that knowledge is managed efficiently and effectively (predominantly within IT), including a high-speed search engine.	This is an ongoing project—phase 1 to be complete by end October 2008.	Head of IT.

Work stream strategic objective 3: Make the right decisions

Person responsible: Chief Economist (John Davies)

The aim of work stream 3 is to ensure that the CC has processes in place to improve the quality of the CC's (non-remedies) decision-making. The Analysis Group is responsible for implementing these activities. In particular, the Analysis Group:

- considers whether formal evaluations and experience in recent inquiries suggest that the CC might analyse its cases in better or different ways;
- carry out or commission evaluations and other analysis of any improvements to decision making that seem necessary, whether because of concerns arising in inquiries or a more general need to maintain the CC's capability;
- decide on what the CC's approach should be, where required, and update relevant published guidance where necessary;
- consider the costs and benefits of the CC's activities; and
- disseminate best practice, and think-pieces.

Staff time commitment

The Analysis Group meets around six times per year, and also considers issues between meetings. It is chaired by the CC Chairman; Deputy Chairmen and the Chief Executive are also invited. The Group includes three other CC members and up to 12 senior staff, including three inquiry directors and six economists. Closely related to the work of the Analysis Group is the 'analysis seminar' series, in which interested staff and a few members meet about six times per year to discuss topics in competition policy relevant to several inquiries. One or more members of staff will typically prepare a paper for each analysis seminar. Finally, the work of the Analysis Group itself is a relatively small fraction of the staff time devoted to evaluation, acting as it does only as the strategic direction for the work that is carried out. Staff (particularly economists and lawyers) spend time on, for example, peer review on inquiries, commissioning and steering consultancy and academic studies and producing and collating evaluations and quantification work for CC inquiries, in addition to the more general role of participating in conferences, sharing work with colleagues elsewhere in Government and the wider intellectual community and so on. Approximately half the time of one economic adviser, and perhaps 30 per cent of the time of the Chief Economist, is devoted to coordinating this wide range of work, in which most staff economists participate.

Risks

The main risk to these objectives is that a very heavy caseload diverts resources from this work, as those staff whose skills are suitable to support this work stream are all needed to work on investigations to ensure that the CC meets its reporting deadlines, and produces work to the requisite quality level. The historical pattern of work, however, indicates that this would be unlikely to occur over the whole year. There is also a risk that our peers criticize the findings of reviews/ evaluations of inquiries: we mitigate this risk by reviewing the findings internally, and by publishing our methodology for scrutiny.

The table below sets out the key objectives for the new financial year and how these objectives will be achieved. These objectives are ranked in order of priority, although all

objectives are considered important and are intrinsically interlinked. All these objectives have been carried over from the previous financial year.

Table 3

<i>Number</i>	<i>Objective</i>	<i>Measure/Activity</i>	<i>Time</i>
3.1	To assist CC staff and members to maintain and develop the effectiveness of competition analysis.	<ul style="list-style-type: none"> • Help design and support internal training in competition policy, including competition induction for lower-grade staff to increase their engagement with inquiry work and to seek opportunities to share training with other organizations that have similar needs. • Conduct internal seminars for staff and members on cases and new developments in competition policy. • Run at least ten seminars by external speakers during the year. • Conduct 'analysis seminar' meetings of staff to discuss issues of common concern. 	As required. List of internal seminars to be published on CC Intranet.
3.2	To conduct internal evaluation of all inquiries we complete.	Seek feedback from members and parties for post-inquiry review.	End of each inquiry.
3.3	When appropriate, to modify CC analysis, guidance and guidelines.	Complete formal revision of merger investigation guidelines (CC2) during reporting year.	By end of the reporting year.
3.4	To commission reviews by external body of the CC's overall effectiveness.	Commission external reviews and commenting on CC's analytical approach as part of review of CC2.	As required by objective 3.3.
3.5	To evaluate the economic benefits provided by the CC's inquiries.	Quantify the 'benefits' of adverse findings by the CC and publish.	End of each inquiry, publish annual sum to accompany CC annual report.
3.6	To conduct external evaluation of a representative sample of inquiries.	Complete the external review that was commissioned in 2007/08.	September 2008.
3.7	To publicize the CC's analytical approach and new thinking in the area of competition analysis.	Publish at least two occasional papers on website written by CC staff. Participate in public seminars and presentations.	By end of the reporting year.

Work stream strategic objective 4: To ensure that the CC takes the right remedial action

Person responsible: Chief Business Adviser and Head of Remedies (David Roberts)

The overall aim of this work stream is to develop the CC's remedies approach and procedures in accordance with leading standards and to ensure effective sharing of remedies expertise and learning points with members and staff. The CC's Remedies Standing Group (RSG)—consisting of the Chairman, Deputy Chairmen and three other CC members with relevant staff in attendance—is responsible for the governance of this work stream. In pursuing the overall aim set out above, the RSG considers issues of policy, reviews learning points arising from current inquiries and considers findings from remedies research and developments in international practice. The RSG has six scheduled meetings a year. This is supplemented with a number of ad-hoc meetings when necessary. Activities listed below require resources of 1.5 to 2 full-time staff in total.

Risk

The main risk to these objectives is that a very heavy caseload diverts resources from this work, as those staff whose skills are suitable to support this work stream are all needed to work on investigations to ensure that the CC meets its reporting deadlines and produces work to the requisite quality level. One effect of this risk would be to delay upgrades to procedures and expertise with resulting adverse effects on future inquiries. There is also a risk that our output (including merger remedies guidance and further case study work) will be criticized by stakeholders: we mitigate this risk by reviewing these outputs internally and by following principles of openness and transparency in their preparation.

Table 4 details the objectives for this work stream. These objectives are ranked in order of priority, although all objectives are considered important and are intrinsically linked. All these objectives have been carried over from the previous financial year.

Table 4

<i>Number</i>	<i>Objective</i>	<i>Measure/activity</i>	<i>Time</i>
4.1	Ensure that experience gained on current inquiries is effectively disseminated.	The RSG reviews remedies learning points on conclusion of all relevant cases. These are being captured in the Remedies Toolkit (see below) and, where necessary, are also reflected in current procedures, amended guidance and members' seminars.	Case learning points to be considered at or before first RSG meeting following acceptance of final undertakings. Remedies tool kit and procedures to be updated as and when necessary. Presentations to members' seminars and to staff to be given as and when necessary.
4.2	Develop procedures and guidance.	The CC intends to replace its current guidance on divestiture remedies in merger inquiries (CC8) with guidance covering all merger remedies. This will incorporate learning points from using the current divestiture guidance and remedies research while also broadening the scope of the remedies subject to particular guidance. The new guidance should contribute to a more effective remedies process on individual inquiries and provide greater certainty to merger parties and third parties.	First draft for public consultation to be circulated by April 2008. Final guidance to be issued by autumn 2008.
4.3	Improve training and knowledge transfer.	The Remedies Toolkit is a living document that provides online guidance for staff and members on the design and implementation of remedies and supports the CC's externally published guidance. For each type of remedy the Toolkit shows: <ul style="list-style-type: none"> • key features; • appropriate circumstances of use; • design, process and implementation issues; and • links to example cases, learning points from recent cases and key articles. 	Remedies toolkit to be rolled out to CC staff and members in spring/summer 2008. To be revised and updated as necessary.
4.4	To research the effectiveness of UK remedies.	Ongoing programme of reviewing the outcomes of remedies in past cases to establish learning points from these cases and whether remedies performed as intended. Participation on steering committee of OFT projects on effectiveness of remedies.	Two further case studies to be completed by spring 2008 and published by summer 2008.
4.5	Communicate CC approach and policy on remedies to UK stakeholder community.	Presenting on remedies issues and policy at external events (eg conferences and adviser events).	Ongoing.
4.6	Share remedies expertise with other competition agencies.	Supporting International Competition Network events. Ongoing dialogue with DG COMP and other overseas competition authorities.	Ongoing.

Work stream strategic objective 5: To ensure that the CC has first-class procedures that will enable it to conduct inquiries efficiently and effectively

Person responsible: Chief Legal Adviser (Clare Potter)

The CC is committed to conducting its inquiries efficiently and effectively and in full accordance with legal requirements, treating fairly parties affected by investigations, being open and transparent in its work whilst maintaining the confidentiality of information it obtains. In order to ensure that these objectives are achieved consistently, the CC needs to:

- ensure that best practice is reflected in procedural rules and guidance for members, staff and parties to investigations; and
- keep procedures and the documentation which records them under review.

In drawing up and reviewing procedures and guidance, the CC seeks to take particular account of the need to avoid imposing unnecessary burdens on business and of international best practice in competition enforcement.

Risks

The main risk to these objectives is that a heavy caseload diverts resources from this work, as the staff whose skills are suitable to support this work stream are all needed to work on investigations to ensure that the CC meets its reporting deadlines, and produces work to the requisite quality level.

Resources

The work stream is directed by a Steering Group (the Practices and Procedures Group), which meets about six times a year. In addition to the Chairman and Deputy Chairmen, there are three other CC members on the group supported by five members of staff. Specific initiatives are being taken forward by small groups under the auspices of the steering group. It is anticipated that 10 to 15 days a month of staff time will be devoted to the work stream, although the demands may be heavier this year in view of the need to implement recommendations from the Council's Review.

The following table sets out the specific objectives and measures for work stream 5. These encompass the dual requirements to keep procedures under review and ensure that any changes are appropriately documented. These objectives are ranked in order of priority, although all objectives are considered important. These objectives were largely identified under the Council's Review in 2007, and have therefore carried over from the previous financial year.

Table 5

<i>Number</i>	<i>Objectives</i>	<i>Measure/Activity</i>	<i>Time</i>
5.1	To have in place up-to-date public guidance on merger procedure which reflects streamlining and approach to information gathering.	Revised guidance published following consultation.	Q4 2008.
5.1	Have in place a revised information-gathering strategy comprising more streamlined standard information requests and procedures and best practice for collecting and analysing primary documentary evidence.	Guidance for staff on primary evidence. Revised first day letter and information requests. Template s109 notice for email and other document trawls.	End June 2008.
5.2	Compulsory information-gathering powers are used effectively to ensure compliance with statutory deadlines.	Guidance notes in place on use of s109 notices and enforcement.	Q1 2008.
5.3	CC decisions are clear and fully reasoned but as concise as possible.	Guidance in place on approach to discussion of evidence and other key aspects of report writing.	June 2008.
5.4	Standardize best practice on transparency and disclosure of evidence to achieve an appropriate balance between fairness and cost and burden (including time taken).	CC guidance to groups on disclosure updated. Best practice documented in inquiry handbooks.	Q3 2008.
5.5	Key aspects of conduct of regulatory inquiries are captured in external and staff guidance.	CC4—General procedural guidance—updated to reflect specific practices on regulatory inquiries. Procedural guidance for staff and templates for regulatory inquiries in place.	Sept 2008.

Work stream strategic objective 6: Communicate effectively, and contribute effectively to the development of competition policy and practice

Persons responsible: Director of Policy (Chloe MacEwen) with Head of International (Carole Begent)

The CC will continue to look for ways in which it can communicate its key messages to competition practitioners, the business community and consumers through a variety of methods including hosting and participating in seminars and competition events and engaging with the media on inquiry developments. We are taking advice from external consultants in order to develop a more structured and strategic approach to communication.

The CC continues to work closely with the OFT, BERR and HM Treasury on the development of competition policy and procedure. Over the year ahead, the CC and the OFT will assist BERR and HM Treasury in preparing the Government's consultation document outlined in the Pre-Budget Report on further changes to the competition regime to enhance the merger system and facilitate private actions for breach of competition law. The resulting Bill also will provide an opportunity to address certain gaps in the CC's remedies powers and to ensure more flexible terms of appointment of Chairman or Deputy Chairman.

The CC and the OFT plan to work together to develop ways in which we might improve the functioning of the competition regime overall. This work may focus on such factors as: how we might improve our joint processes and/or reduce burdens on business; better understand the basis of selection of cases by the OFT and referred to the CC; prioritization and resource allocation; refinements to the identification, monitoring and amendment of behavioural remedies; and more effective communication of how the three UK competition bodies relate to one another and operate.

The CC and the OFT will also continue to work closely together to streamline the handover of merger and market investigations from Phase I to Phase II. Building on the work of its Council's Review, the CC continues to work proactively on the effectiveness of its analysis and procedures.

Following the success of a roundtable on EC sector inquiries and UK market investigations in 2007 co-chaired and hosted by the CC, the CC expects to participate in a further EC roundtable in 2008, which it will assist BERR in organizing.

The CC continues to be involved with and support the work of the international competition community, including the Organisation for Economic Cooperation and Development (OECD), the International Competition Network (ICN) and the United Nations Conference on Trade and Development (UNCTAD) in the development of policy relevant to the CC's role. The CC also will continue to respond to requests for assistance from overseas authorities and to develop strong bilateral links. The CC recognizes the benefits of developing strong international links through these networks and bilateral meetings and of sharing lessons learnt and best practice in procedures and analysis with other competition authorities.

Resources

This work stream is the responsibility of the Director of Policy, working closely with the Head of International who supervises the work described in the paragraph above. The Chairman, three Deputy Chairmen, Chief Executive and other senior staff also contribute in varying degrees to the promotion and communication of the CC, whilst the Director of Policy is supported by a lawyer, an economist and the Press Office. The Communications Group meets once a week to discuss publicity and press coverage, and the Communications Strategy Group meets about every two months to discuss overall communications strategy.

Risks

Internal risks to achieving the CC's policy objectives include having a heavy caseload so that professional staff are not able to devote sufficient time to preparing policy documents or attending meetings at the domestic or international level. External risks include UK government departments or overseas competition authorities having insufficient resources to devote to cooperating with the CC.

Table 6 lists the objectives we are working to achieve under work stream 6. These objectives are ranked in order of priority, although all objectives are considered important and are intrinsically interlinked. All these objectives have been carried over from the previous financial year.

Table 6

<i>Number</i>	<i>Objectives</i>	<i>Measure/Activity</i>	<i>Time</i>
6.1	To contribute effectively to competition policy and procedural issues, where the CC has expertise, in order to improve the operation of the UK competition regime.	Those in senior positions and, where appropriate, CC staff are kept fully informed of and involved in policy matters. Effective communication achieved with other government departments.	Ongoing.
6.2	To promote an understanding of the CC's work and the benefits of competition to UK stakeholders, including the business community and consumers.	An effective and agreed communications strategy. Work under way to draw up structured programme of engagement with CC stakeholders. Ongoing improvements to the CC website.	Ongoing.
6.3	To contribute effectively to international competition networks (eg OECD, ICN) in areas where the CC has expertise and to develop competition policy and share lessons learnt and best practice.	Attendance at key competition events and high-quality contributions to papers and presentations where appropriate (ie on matters where CC has expertise). Successful hosting of events at the CC to share best practice with overseas competition authorities.	Ongoing.
6.4	To develop the CC's bilateral relations with overseas competition authorities both within and outside Europe, so as to increase cooperation on similar cases, as appropriate, and to share lessons learnt.	Development of CC's overseas links: effective visits programme for senior staff and effective hosting of visits from overseas authorities. Effective contribution to overseas requests for information.	Ongoing.