

OFT (11) 11th minutes

Minutes of the Office of Fair Trading Board Meeting

Thursday 6 October 2011

Present:

Philip Collins (Chairman)

John Fingleton (CEO)

Vivienne Dews

Alan Giles

Frédéric Jenny

Robert Laslett

Tony Lea

Philip Marsden

Bill Moyes

Apologies:

Clive Maxwell

OFT Staff:

Frances Barr

Sonya Branch (representing Clive Maxwell) (save for Items 8-10)

Paul Latham

Marcia Poletti, Jessica Nardin (Annual Plan)

Gordon Ashworth, Colin Brown, Cavendish Elithorn, Jackie Holland, Louise Marfany, Geoff Steadman, Bethan Watts (Landscape)

Amelia Fletcher, Jackie Holland, Marc Braithwaite, Deb Jones, Carlos Martinez, Steven Preece (Leniency and Penalties Policy reviews)

Sue Oxley, Dan Moore (Extended Warranties)

Ed Smith, Pete Hill, Dan Rawling, Noel Tarleton, David Osmon (Audit)

Ali Nikpay, Stephen Blake (Cartels)

Executive Office:

Kate Bridge

Erik Wilson

1 Annual Plan

Strategic input to draft Annual Plan

The Board considered and made some suggestions on the first draft of the Annual Plan. The Board encouraged the team to use the consultation as an opportunity to engage externally, particularly with groups representing vulnerable consumers.

2 Organisational updates

Monthly executive report to the Board October 2011

The Board received and considered this report.

Goods, Consumer, Cartels

Retirement homes

The Board was updated on the progress of this case.

Mobility Aids

The Board was informed that there had been widespread and positive media coverage of the Mobility Aids market study publication (29 September), focussing on the enforcement action being taken by the OFT in light of the findings. The consultation on the provisional decision not to refer will close on 20 October.

Online commerce

The Board was updated on two online commerce cases.

Consumer Codes approval

The Board noted that the OFT has 10 approved codes in place and a further 10 are in the process of approval.

Credit surcharges¹

The Board was updated on responses to the consultation on the OFT provisional decision not to make a market investigation reference to the Competition Commission on the Which? surcharges super-complaint.

Services, Infrastructure, Public markets and Mergers

¹ John Fingleton absented himself from this discussion

Off-grid energy market study

The Board agreed with the team's recommendation and took a provisional decision not to make a market investigation reference to the Competition Commission; the consultation will open on 18 October.

Private healthcare market study

The Board was updated on the progress of the market study.

Car insurance call for evidence

The Board was updated on the recent call for evidence.

Travel money super-complaint

The Board was updated on this case and noted that the team is engaging with a range of stakeholders.

Information exchanges

A second public consultation on the basis of amended commitments will close on 28 October.

Dentistry

The Board was updated on the various meetings being held by the team.

Mergers

The Board was updated on the status of current mergers.

3 Litigation

The Board was updated on various litigation developments.

4 Operations

Corporate Services

Consumer Direct

The Board was updated on the transfer of this service to Citizens Advice.

Restack

The Board was updated about the progress of the Fleetbank House Restack programme.

Debt Collection Guidance

OFT Guidance setting out the standards expected of all businesses engaging in the recovery of consumer credit debts has been finalised and will be published in October.

Audit Committee Update

The Chairman of the Audit Committee gave an update to the Board.

5 External environment

Landscape

The team updated the Board on the status of BIS' consumer and competition consultations, and thanked the Board for its input into the OFT response to the consumer consultation.

6 Policy reviews

Leniency and penalties policy review

The Board was updated on both the leniency and penalties policy reviews. The Board welcomed both reviews which will be published in October.

7 Goods, Consumer

Extended Warranties

The Board was updated on the Extended Warranties market study.

8 Services, Infrastructure

Audit

The Board was updated on this market study. Following the consultation on the provisional decision, the Board decided to refer the market for audit services to large companies to the Competition Commission for a market investigation.

9 Group presentation

Cartels

The team presented the portfolio and pipeline for the Cartels Group.

10 Minutes of the Board meetings (1 September) and AoB

Minutes

The Board approved the 10th minutes with no changes.

AoB

The revised dates for Board meetings in 2012 and 2013 were discussed and agreed. The next Board awayday dates will remain 19 and 20 March 2012.

11 Review of the Board meeting; future agenda items; carry forward

The Board was asked to send any comments on carry forward items of the future agenda to Erik Wilson (erik.wilson@oft.gsi.gov.uk).

Kate Bridge

Executive Office

27 October 2011