

Strategy Statement 2018–2020




Coimisiún um
Iomaíocht agus
Cosaint Tomhaltóirí

Competition and
Consumer Protection
Commission

Statement of Strategy 2018-2020

We are an independent statutory body responsible for the enforcement of competition and consumer protection law.

Our vision is for open and competitive markets where consumers are protected and businesses actively compete.



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Chair's Introduction

I am delighted to introduce the CCPC's second Strategy Statement, which sets out how we, as an organisation, are going to have an impact and work towards our mission.

Our new strategic goals are the outcome of three years' achievement and learnings. We have built new organisational structures, trained and recruited significant numbers of staff and developed new systems, processes and procedures. We have developed into an organisation with a clear mission and strong values. We are building a strong track record and using that experience to create models for how we can approach market issues in the future.

The CCPC has a broad remit, one that leads to competing demands on our resources and a need to constantly prioritise our work. Our main challenge is in determining what to focus on and what priorities should be given the most resources. This Strategy Statement clearly outlines how we will respond to that challenge. We will focus on the sectors and behaviours within our remit that the evidence shows are most detrimental to competition and consumer welfare. Sectoral characteristics, business behaviours and competition concerns that impact negatively on large groups of consumers or distort a particular market will always warrant attention, either by the CPC, or other bodies. When we see that the solutions to particular issues lie with other bodies, we will actively seek to work closely with them and gain support for our views.

During the lifetime of this Strategy Statement, Brexit will lead to changes in the competition and consumer protection space in Ireland. While the exact shape of Brexit may not yet be known, what is clear is that given the close trading relationship between Ireland and the UK, there will be impacts for business, for consumers and for Government. We will ensure that we will create the capacity to deal with these issues as they arise.

The European Commission, together with various national authorities including the CCPC, collaborate to enforce competition law and to ensure consumers' rights, both at national and cross-border levels. This collaboration

benefits consumers, businesses and the European economy as a whole. The CCPC's participation takes many forms, from representing Ireland on working groups and sharing relevant information or learnings, to participating in collective enforcement action and acting on requests from other bodies about the actions of traders based in Ireland. As a member of the EU, along with benefitting from a wider resource network, we also have certain obligations and duties and it is important that we provide adequate resources to support this work.

In the development of this Strategy Statement, the views of our staff and our external stakeholders were paramount. The latter group includes consumers, businesses, business representative groups, regulators, consumer representative groups, the legal profession, enforcement agencies and Government. I would like to take this opportunity to thank all those who gave of their time, opinions and expertise in the consultation process, and express particular thanks to the Department of Business, Enterprise and Innovation for their valued contributions and for their support during the lifetime of our previous strategy. The views of our staff, who will deliver against this Strategy, are evident throughout this document. In addition to providing valuable contributions, the perspectives of external stakeholders also highlighted some key opportunities for the CCPC over the next three years, not least in terms of how we can work with them to achieve common aims.

I am confident that the experience we have gained as an organisation over the last three years has equipped us with the expertise, the skills and the determination to deliver tangible, impactful work that will benefit consumers and businesses in Ireland and the economy as a whole. And I look forward to working with all of my colleagues in delivering on the opportunities and challenges that lie ahead.



Isolde Goggin
Chairperson

About the CCPC

We are an independent statutory body working towards one common purpose – protecting and increasing consumer welfare.

We do this by:

- Enforcing competition and consumer protection law
- Informing consumers, businesses and the government about those laws
- Regulate specific activities in certain sectors

Enforce

- We enforce Irish and European competition law in Ireland. We conduct investigations and can take civil or criminal enforcement action if we find evidence of breaches of competition law.
- We enforce a wide range of consumer protection legislation. We have a variety of enforcement tools to tackle illegal business practices.
- We must be notified about proposed mergers, acquisitions and takeovers which reach a certain financial threshold, and all media mergers. We assess whether they are likely to result in a substantial lessening of competition.
- We make sure that product safety standards are being complied with through the General Product Safety Directive and other sector-specific regulations. We also share information about dangerous goods and enforcement measures across the EU through the RAPEX system.

Inform

- We advise Government and influence policy in terms of the possible impact of proposed legislation or regulations on competition and/or consumer welfare.
- We empower consumers by giving them information about their rights through our helpline and website. We also run public awareness campaigns.
- We aim to foster a culture of business compliance by informing businesses of how to comply with the law.
- We have a specific role under legislation to provide personal finance information and education to consumers.

Protect & Regulate

- We are responsible for monitoring compliance with the Grocery Goods Regulations, investigating complaints and, where appropriate, taking enforcement action.
- We share responsibility for the advertising of credit facilities with the Central Bank and have specific responsibility for the authorisation of credit intermediaries and for maintaining the Register of Credit Intermediaries.
- We assess applications from parties that wish to become Alternative Dispute Resolution (ADR) entities. ADR aims to resolve disputes between consumers and traders out-of-court.

Our Vision, Mission and Values



Our Strategic Goals





Strategic Goal 1

We will use our statutory powers to increase compliance with competition and consumer protection law, taking enforcement actions where appropriate.

To achieve this goal we will undertake the following:

- Identify and investigate potential breaches of the law and take appropriate compliance and enforcement actions.
- Amplify all compliance and enforcement outcomes to raise awareness of the law and to increase the deterrent power of actions taken.
- Develop a programme of business-focussed compliance activities aimed at increasing knowledge of competition and consumer protection law.
- Work closely with enforcement agencies including An Garda Síochána, Director of Public Prosecutions and Revenue, including Customs.
- Continuously improve the way we work in light of lessons learned from all enforcement activities.
- Commit to transparency in our compliance and enforcement activities, providing information on legislation, explaining the basis for our decisions and publicising proactive inspections.
- Publish information and guidelines to encourage complaints that will lead to potential enforcement actions.
- Continuously assess all our investigative and enforcement procedures to ensure ongoing adherence to best practice and legal requirements, including those in relation to privacy, data protection and the rights of defence.



Strategic Goal 2

We will empower consumers to help them make informed decisions.

To achieve this goal we will undertake the following:

- Continue to develop and improve our information and programmes, keeping pace with technological and market changes.
- Promote the importance of financial education, both through our own programmes, and through working collaboratively with stakeholders in this area, collectively highlighting the importance of financial education to consumer wellbeing.
- Utilise the most effective channels and methods to promote and increase use of our consumer information resources.
- Work with stakeholders to ensure that information provided to consumers is consistent and that appropriate co-ordination takes place to improve signposting of consumer services.
- Ensure that our activities and programmes reflect the needs and experiences of consumers by using consumer market research, behavioural economics, assessing the scale of potential detriment and identifying emerging issues.
- Work to help consumers understand market issues which affect them, providing them with actionable information so they can use their buying power and/or exert their rights.



Strategic Goal 3

We will work to influence public debate and policy development, promoting competition and highlighting the interests of consumers.

To achieve this goal we will undertake the following:

- Proactively utilise our knowledge and experience of markets and sectors to inform our interactions with Government, public representatives and the public sector.
- Determine advocacy priorities based on an evidence-based assessment of factors including consumer detriment, competition concerns and market developments.
- Work with stakeholders in developing advocacy positions and identify opportunities for mutual support and collaboration.
- Represent the interests of consumers through our participation in groups, forums and networks at a national and European level.
- Work to influence developments in competition and consumer protection law and policy both in Ireland, and at European level.



Strategic Goal 4

We will support our staff's ambition to maximise the CCPC's impact and help our people achieve their potential.

To achieve this goal we will undertake the following:

- Ensure that our staff are supported and facilitated in delivering their objectives by continuously improving our supporting corporate services, policies and procedures.
- Ensure our staff can develop new skills and expertise in their roles through involvement in innovative and impactful projects, and encourage staff to seek opportunities across the organisation in line with business needs.
- Complete our current Organisation Development (OD) Programme, implementing recommendations from internal teams.
- Consult regularly with staff to improve our ways of working and knowledge sharing.
- Invest in learning and development for all our staff and deliver comprehensive learning and development initiatives, including leadership and management training.
- Create opportunities for staff to enhance their knowledge of emerging market developments
- Develop relationships with competition and consumer protection agencies abroad to exchange knowledge and experience

Strategic Outcomes

Collectively, we strive to produce visible, impactful work that makes a difference. Our ultimate aim is improve consumer welfare by making markets work better.

Behind each Strategic Goal, we have developed a specific workplan detailing how we will achieve the objective. Overall the expected outcomes from the delivery of this Strategy Statement are:

- Effective enforcement outcomes, that address harm and act as a deterrent
- Increased levels and visibility of direct engagement with businesses to achieve compliance
- Successful delivery of a programme of business compliance initiatives, leading to increased understanding of relevant areas of the law and use of guidance information
- Growth in awareness of the CCPC and the laws we enforce among all our stakeholders, including consumers, business representative groups, regulators, legislators and legal practitioners
- Measured increases in the levels of consumers' knowledge in relation to their consumer rights
- Increased use of all consumer-facing channels, services and programmes and continuous improvement in customer satisfaction measures
- Enhanced relationships with stakeholders and evidence of successful joint approaches to issues in markets
- Visible and evidence-based public positions taken to address competition and consumer protection concerns
- Enhanced levels of staff engagement and motivation
- Positive trends in terms of staff retention
- Enhanced ability to create teams to address complex issues in a short period of time
- Improvements made to processes and procedures as a result of our Organisation Development (OD) Programme

Resources Required

A continuing challenge over the course of the life of this Strategy Statement will be to ensure that the financial and human resources required to adequately fulfil our statutory remit are available.

Over the past three years, the organisation's staffing profile has changed dramatically. At the time the CCPC was established, there were 23 vacant roles. In its first three years, the CCPC has filled 69 positions, some of which were new roles while others involved back-filling consequential vacancies. This recruitment phase has been resource-intensive for the entire organisation.

We have been grateful to the Department of Business, Enterprise and Innovation for their support in moving through a period of significant recruitment. The Strategic Resource Management Framework creates the right balance between governance and flexibility, allowing us to, when required, reassign roles with the support of the Department within our overall pay budget. As an organisation that is required to adapt to developments in the consumer economy, this flexibility is vital as it can enable us to recruit for specific skills.

While we are now moving toward a full staff complement, the requirement for further recruitment remains and resource issues that are relevant to this Strategy Statement include:

- 32% of our staff are in the organisation or in a new role for less than 12 months. This creates considerable requirements for ongoing induction, management of probation and training and development. In addition, there is a need to build capacity through experience.
- The requirement to manage increases in the volume and complexity of our work due to, for example, new digital markets, data protection law, increasingly complex consumer issues and ongoing investigations in key sectors of the economy.
- The lead-up to Brexit and the period following the UK's departure from the EU may increase our workload in certain areas. In this current phase, we expect increased engagement with the EU Commission and bodies in UK. Potentially, there will be a requirement for bilateral agreements with authorities in the UK which will require ongoing management and co-ordination.
- Current EU proposals in relation to ECN+ and enhanced Consumer Protection Cooperation (CPC) Regulations will, when implemented, have resource implications for the CCPC. We will assess these implications on an ongoing basis as the proposals develop.
- Our ability to retain and recruit high calibre staff will be tested as the skillset required by the CCPC is in demand both in the public and private sector. Given that some public and private sector employers are able to offer more attractive salaries and conditions, this creates further challenges in terms of recruitment.

- There is a requirement to invest in organisational-wide training programmes to ensure new and existing employees have the necessary expertise to be effective in their respective areas. On a wider organisational scale, the development of a learning culture will be fundamental to supporting the CCPC to continually improve practices and processes so that they continue to be fit for purpose.

These challenges will require us to continually review our internal resources to ensure that we can deliver against current and new requirements and determine what is realistic and attainable. Attracting and retaining people with the necessary expertise is crucial to us delivering our strategic outcomes. Over the life of this Strategy, we look forward to working with the Department of Business, Enterprise and Innovation within the Strategic Resource Management Framework to develop a new workforce plan that will enable the CCPC to continue to deliver results.

Review of Strategy 2015 – 2017

It has been a productive first three years for the CCPC. The Competition and Consumer Protection Act 2014, which gave rise to the establishment of the CCPC, was a significant piece of legislation. Since October 2014, we have made considerable progress, creating and resourcing a new organisation, delivering significant quality outputs and preparing ourselves to adapt and further improve in the years to come.

In our first Strategy Statement, the CCPC set out four Strategic Goals across enforcement, advocacy/public awareness, consumer information and building our organisation.

When the CCPC was established, it had 23 staff vacancies, which represented a vacancy rate of 22%. The requirement to embark on a significant recruitment programme was central to enabling us to deliver against our stated Strategic Goals. During the last three years, we have made significant progress in filling vacancies and assessing the needs of new and existing staff for training and skills so that we can adapt in response to constant change in consumer markets. Over the life of our first Strategy Statement, we saw rapid growth in the sharing economy, and trends towards business models where transactions are non-monetary and instead are based on the value of consumers' data. This required the CCPC, like other organisations, to continuously keep pace with developments and rapidly assess the impact of such changes on our work.

The backdrop to the period of our first Strategy was a period of change. New legislation, significant levels of recruitment and increasing collaboration with the European Commission and our European colleagues shaped much of our work.

Our first Strategy Statement set out how the CCPC would build the cornerstones of the new organisation whilst continuing to fulfil its strategy remit. Although we have experienced many challenges and undergone significant change in the last three years, we have built the necessary skills, structures, work practices and enforcement protocols to realise the ambition set out for the organisation. The details of the CCPC's performance against each of the strategic goals and the supporting KPIs are set out in Appendix 2 listed below.

Strategic Goal 1:

We will use our enforcement and regulatory powers to make markets work better and get the best results for consumers.

- We secured the first conviction for bid-rigging in Ireland.
- A prosecution following one of our investigations resulted in the first custodial sentence for a trader who provided a consumer with false information about the mileage of a car.
- Another car dealer was given a six month suspended sentence and a €5,000 compensation order in relation to similar misleading activity.
- We opened an own-initiative investigation into price-signalling in the car insurance market.
- We opened an own-initiative investigation looking at practices in the ticketing sector.
- We assessed 209 merger notifications and made 221 determinations.
- We participated in co-ordinated action with a number of other National Competition Authorities to remedy identified competition concerns in the online travel agent sector, securing binding commitments from Europe's largest online travel agent, Booking.com.
- We secured binding commitments from a number of business and representative bodies to stop anti-competitive practices.
- We issued directions to traders in relation to the sale of hoverboards.
- We issued 44 Compliance Notices and 91 Fixed Payment Notices.
- We have worked with Revenue and Customs to stop thousands of unsafe products from entering the Irish market.

Strategic Goal 2:

We will promote the benefits of competition and consumer protection through our advocacy and public awareness activities.

- We conducted a study of the Irish Mortgages Market, highlighting options to improve competition.
- We commenced a study to explore issues in the waste sector, which followed our ongoing monitoring of the sector in relation to consumer contracts and competition issues.
- We published a consumer detriment study quantifying the level of detriment experienced by consumers in Ireland.
- We commenced a study into the PCP car finance market.
- We commenced a project to develop a set of guidelines for providers of residential care services to older people and consumers of those services.
- We advocated on behalf of consumers in relation to proposed legal services reform.
- We continued work with the Department of Transport to improve competition in the Irish ports sector.

Strategic Goal 3:

We will empower and equip consumers to make informed choices and assert their rights.

- We delivered a total of nine major public awareness campaigns.
- We ran numerous campaigns informing consumers about the risks of buying clocked or crashed cars.
- We developed specific online tools to help consumers assess their mortgage and calculate the potential savings that could be made by switching mortgage provider.
- There were over 4.5 million visits to our websites.
- We dealt with over 127,000 calls, emails or letters from consumers and traders.
- We delivered 126 Money Skills for Life talks reaching 7,513 consumers around the country.
- We developed Money Matters, a short course on personal finance which has now been rolled out as part of the Junior Cycle.
- We maintained financial product comparisons on our website, ensuring that over 500 products are regularly audited and updated.

Strategic Goal 4:

We will continue to develop as a results driven organisation that aspires to the highest standards in everything we do.

- We filled 69 roles through open recruitment, including specific recruitment for skilled investigators to join our experienced investigative teams.
- We developed an Organisation Development (OD) Strategy and commenced an OD Programme.
- We revised our structures to maximise skills and expertise.
- We established a Legal Training & Development function.
- We delivered 27 Internal Seminars, broadening staff knowledge of work across the organisation.
- Our investigative staff attended Interview Training with An Garda Síochána.
- We delivered 26 training courses internally across a wide variety of areas and skills.
- We developed a new Service Charter, outlining our commitment to service users.

Appendices



Appendix 1: Consultation and Submissions

The CCPC would like to thank the following organisations who made written submissions or met with the project team in the course of the development of this Strategy Statement. The opinions and views expressed have been central to the development of this document and we look forward to engaging with our stakeholders over the next three years in working towards achieving our common goals.

A&L Goodbody	Financial Services Ombudsman
Association of Compliance Officers in Ireland	Irish Exporters Association
Banking and Payments Federation Ireland	Irish Farmers' Association
Professor Stephen Calkins	Law Society of Ireland
Central Bank of Ireland	McCann FitzGerald
Chambers Ireland	Jackie O'Connell
Commission for Communications Regulation	Office of the Data Protection Commissioner
Commission for Regulation of Utilities	RGDATA
Consumers' Association of Ireland	Small Firms Association
Department of Finance	The Society of the Irish Motor Industry
Director of Public Prosecutions	European Consumer Centre Ireland

Appendix 2: Human Rights & Equality

The Irish Human Rights and Equality Commission Act 2014 creates certain obligations for public bodies in relation to human rights and equality issues. The Act creates a 'Public Sector Duty' which is to have regard to the need to eliminate discrimination, promote equality of opportunity and treatment, and protect human rights of both staff and those they provide services to. In the preparation of this Strategy Statement, an initial assessment was conducted to identify the human rights and equality issues that the work of the CCPC either directly or indirectly affects, or is affected by. The human rights listed in the below table are intentionally broad; it is important that we are as inclusive as possible and not dismissive of any issue in this initial assessment, even if there is only an indirect connection between the issue and our work. This ensures that we remain mindful of the impact the organisation has on our people and those we provide services to. The CCPC is also cognisant of our obligations under the legislation of the Employment Equality Acts 1998-2015, Equal Status Acts 2000-2015 and Disability Act 2005.

As a service provider	As an employer
Human dignity	Human dignity
Education	Prohibition of slavery and forced labour
Non-discrimination	Protection of personal data
Fair trial	Freedom of assembly and of association
Good administration	Education
Access to services of general economic interest	Freedom to choose an occupation and right to engage in work
Respect for private and family life	Non-discrimination
Liberty and security of person	Equality between women and men
Equality between women and men	Workers' right to information and consultation within the undertaking
Freedom to conduct a business	Collective bargaining and action
Protection of personal data	Protection in the event of unjustified dismissal
Consumer protection	Fair and just working conditions

As a service provider	As an employer
Access to documents	Safe and healthy working conditions
No punishment without law	Enjoyment of the highest attainable standard of physical and mental health
Protection of health	Freedom of thought, conscience and religion
	Family and professional life

The above rights were considered in the development of both our Strategic Goals and the strategies we will use to achieve them to ensure no future action we take infringes on those rights. The CCPC has a number of internal policies and procedures that are affected by the above rights and obligations under legislation, such as human resources policies ensuring dignity at work, non-discrimination and safe working conditions, and procedures regarding the process of investigations and the conduct of CCPC employees during those investigations.

In line with our obligations under the Irish Human Rights and Equality Commission Act 2014 we are fully committed to completing a detailed assessment of the above human rights and equality issues relevant to the CCPC over the period of this Strategy Statement. We commit to reviewing internal work plans, policies and procedures through the lens of human rights and equality.

