

Competition and Consumer Protection Commission

Annual Report 2020



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2020 in numbers

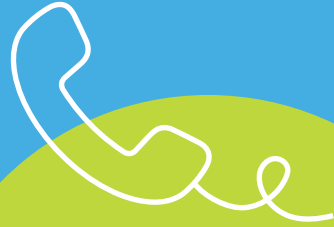
1,940,081

visits to our website



48,603

consumers contacted
our helpline



5

joint actions with
other EU market
surveillance authorities

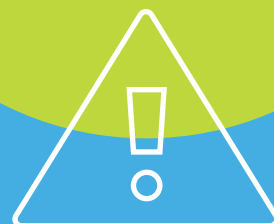


1,064

staff in organisations
across Ireland
benefitted from our
Money skills for life
financial education
programme

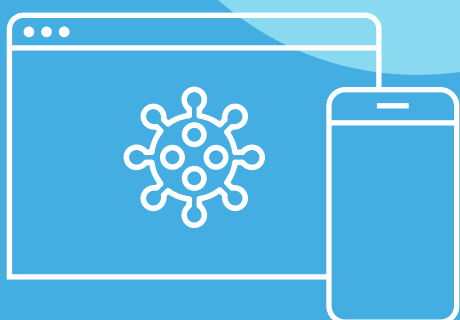
185

store visits to monitor
compliance with consumer
protection law



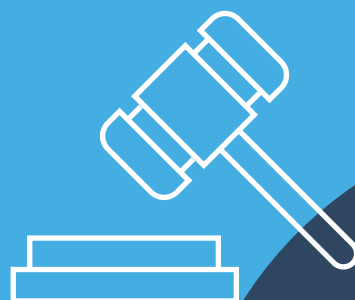
82,224

visits to our online
COVID-19
information hub



First

criminal conviction in Ireland
for a business disguising
their trader status



43

merger
determinations
issued

32

positions were
filled across the
organisation



6,836

subscribers to
our consumer
newsletter

From the Chairperson



I can say with great confidence that 2020 was a year like no other. The COVID-19 pandemic held the entire world firmly in its grip and it is difficult to capture in words the situation faced by consumers, businesses, the CCPC

and our staff. Last year, I spoke about the ongoing challenges the CCPC continues to face to meet the growing demands on our services. Little did I realise how we, and the services we provide, were going to be tested so severely in the year ahead. But I am very proud to say that the CCPC quickly adapted to the new situation, whilst keeping our core work on track.

Like every other public and private sector body, we started 2020 with clear plans and objectives for what we wanted to achieve during the year. But very quickly, we had to recalibrate as there was a huge surge in demand for the CCPC's services, particularly from consumers as they dealt with cancelled holidays, flights, events and a range of other issues. As consumers shifted to shopping online, we worked to ensure that they were aware of their rights and that businesses did not take advantage of the circumstances. Given the increase in demand for particular products, we also worked to protect consumers from the risks of substandard items, and responded to an increase in queries from businesses looking for information and advice about topics such as the safety standards required for Personal Protective Equipment (PPE) and non-PPE face masks for consumers.

Although many of our services increased in activity, some of our other work was severely affected as physical searches and inspections often could not be carried out for public health reasons. As a result we moved our focus to online inspections, and in the course of the year we examined over 97 websites for compliance with consumer protection law. Our criminal investigators also adapted to

find ways to carry out targeted inspections safely and to continue with their investigations despite the circumstances. One of these resulted in the first criminal conviction in Ireland for a business disguising their trader status while selling cars. Our ticketing and motor insurance investigations also progressed, as we issued preliminary findings in one investigation and we sought a High Court order on an agreement with Ticketmaster Ireland. Our work on mergers continued, as we shifted our merger control from paper-based to online and we obtained statutory designation so that we could conduct remote oral hearings in Phase 2 merger investigations. Throughout the year, CCPC staff showed great flexibility and agility in adjusting their work to the circumstances so as to minimise the impact on the delivery of our work. Without these exceptional performances from staff, the CCPC would not have been able to function so smoothly.

Whilst this report captures the many visible outputs of the CCPC's work, what is less evident is the effort and determination behind the scenes that made these results happen. Across the whole of our organisation, our staff went above and beyond to maintain, and in many cases increase, our services to support consumers and businesses. Our I.T. team transitioned our entire workforce to remote working in record time, supporting every staff member to pick up where they left off in the office. Our Organisational Development and Corporate Services teams also played huge parts in keeping the organisation going, adapting important processes and ensuring staff were supported. Our helpline responded to the waves of queries from consumers and we developed a COVID-19 information hub on our website to provide a comprehensive resource for consumers that was continuously updated to reflect the ever-changing situation.

This is my last annual report as Chairperson, as my term finishes in October 2021. As I look back over the six years since the CCPC was set up, although 2020 was not comparable to other years, there have been many other big changes and challenges that we have risen to in the past. After a long wait, the National Consumer Agency and The Competition Authority amalgamated in October 2014. At this time, Ireland was still feeling the effects of the global financial crisis and subsequent bailout. Money was tight, the

organisation was seriously understaffed and we were split between two premises. Since then we have brought the legacy organisations together, moved to new premises, increased our staff numbers by more than 60%, and established a strong track record in enforcement, compliance and consumer information. Collectively we have seized many challenges as opportunities and achieved a lot.

I would like to take this opportunity to thank staff members past and present, for their contributions over the years. I believe each and every individual has made their mark in some form on how the CCPC is today, and it has been an honour to work alongside you and lead the organisation.

Looking to the future, my successor will face many challenges, not least dealing with the aftermath of COVID-19 and Brexit. But there are also positive developments ahead that will both benefit and challenge the CCPC, as new legislation in competition, consumer protection and product safety will broaden our scope and increase our enforcement powers. I am confident that the expertise and the enthusiasm of our staff will bring the CCPC through these challenges. I myself look forward to watching their continued success as an observer.



Isolde Goggin

Chairperson

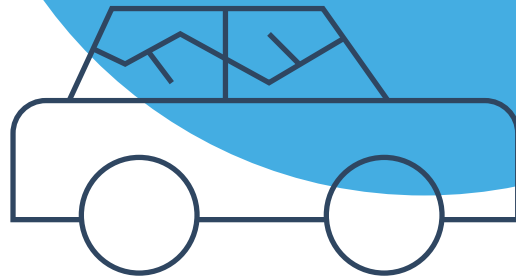
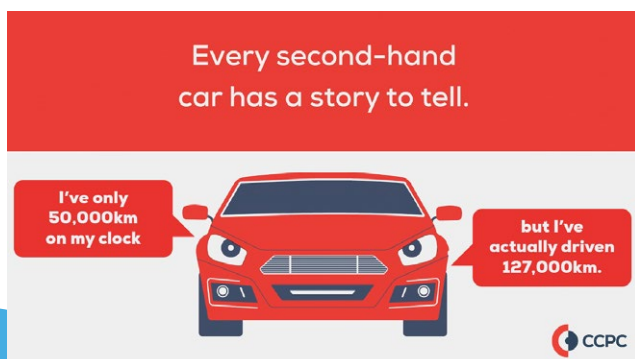


Case study: Motor sector

Over the years, the CCPC has been extremely active in the motor sector. Buying a car is a significant purchase, not just financially: from a safety perspective also it is an important decision. Our work in this sector is informed by consumer contacts, information that we gather through complaints and our own market monitoring and intelligence. Although the court services were impacted significantly in 2020, we continued to secure significant outcomes for consumers, including the first conviction in Ireland for acting as a 'disguised trader'. We also continued our work in helping consumers understand the steps they should take if they are buying a second-hand car.

Vehicle crime

Consumer law requires traders to be transparent and to provide accurate information to consumers to enable them to make their purchases on a fully informed basis. If a consumer buys from a trader they have strong rights by law. A trader cannot falsely claim or create the impression that they are acting in a personal rather than a business capacity. If a car dealer does not disclose that they are selling a car in the course of their business, they may be guilty of engaging in a disguised trader sale, which is against the law. Omitting or concealing material information, such as supplying a false odometer reading may also be considered a misleading commercial practice under consumer protection law.



In 2017, the CCPC received a complaint from a consumer who had purchased a vehicle from an individual, James Hughes. A few months later, when the vehicle was undergoing repairs, the consumer discovered that the vehicle had been 'clocked'. There were also a number of mechanical faults with the car, which the consumer was required to repair at their own cost. As a result, the consumer was advised that the car was not roadworthy. The CCPC opened an investigation during which a number of other issues with the manner in which James Hughes conducted his car selling business came to light. This included the practice of marking himself as a "private" seller on the DoneDeal.ie classifieds advertising platform. By doing this, James Hughes was presenting himself to consumers as a private seller rather than a trader who is active in the car selling business. This activity is a breach of section 55 of the Consumer Protection Act 2007 which states that a trader cannot make a representation that they are acting as a consumer when they are not. To do so is misleading as, when a consumer buys from another consumer, they are not protected by consumer protection law, however they are protected when they buy from a trader.

Following the CCPC's investigation, James Hughes pleaded guilty to one offence of providing false information about the mileage history of a motor vehicle to the consumer and three offences for advertising motor vehicles for sale as a "private" seller. In July 2020, Mr. Hughes was sentenced on all four offences. He received a sentence of four months' imprisonment, suspended for two years. He was also ordered to pay costs of €2,500 to the CCPC and to pay compensation to the consumer. This was the first conviction in Ireland for a business disguising their trader status. This case acted as a strong warning to traders disguising

themselves as private sellers. Disguised traders harm both consumers and legitimate traders.

Last year, we also carried out a number of unannounced inspections of car traders who were suspected of selling clocked or previously crashed cars. In October, the CCPC was assisted by colleagues from the Garda National Economic Crime Bureau, the Garda Stolen Vehicle Investigation Unit and local uniformed Gardaí, to carry out a series of unannounced inspections of garages and second-hand car dealerships in Dublin and Kildare over three days. Teams of Authorised Officers from the CCPC inspected vehicles for evidence that traders may be in breach of consumer protection law. All of the traders identified for inspection had been subject to multiple complaints to the CCPC in 2020 for the sale of clocked and crashed cars.

Helping consumers

Enforcement is just one part of the CCPC's work to protect consumers buying second-hand cars. In 2020, we also provided information to over 1,800 consumers through our helpline about their rights when they are buying, or their rights in addressing problems having bought, a second-hand car.



In September, we launched a consumer awareness campaign on buying a second-hand car. The campaign informed consumers about what to look out for before they buy a second-hand car including checking the car history. The campaign ran for four weeks, and included advertising on Dublin Bus, radio, digital audio and display, YouTube and social media. We also worked with Carzone, with a "CCPC Used Car Guide" for consumers displayed on the used car section of carzone.ie. The campaign landing page received 14,017 page views during the campaign.

"My husband and I emailed the car garage outlining our findings in the car history check report and requested a refund of our €500 deposit. As advised by the CCPC, a time-frame for a response was given and we also made it known that we had sought the advice of the CCPC. We are happy to confirm that a few days later the €500 deposit was refunded to our account. I want to thank the CCPC for the very helpful advice. I believe that being able to quote the relevant legislation helped immensely."

– Feedback from a caller to our helpline

Motor insurance investigation

Last year, we also made considerable progress in our competition law investigation in the private motor insurance sector. In September, we issued preliminary findings to five insurers, an insurance industry trade association and an insurance broker.

More information on this investigation is on page 15.

Strategic Goal 1

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



1



Highlights

Operating an effective merger regime

The year in summary

During the year, a total of 41 mergers were notified to the CCPC (a 13% decrease compared to 2019). We issued 43 determinations, 11 of which were in respect of transactions notified at the end of 2019 and therefore carried over to 2020. One of the approved transactions required commitments to secure our approval. The CCPC undertook an extended Phase 1 investigation in relation to 15 transactions, two of which went on to become Phase 2 investigations. All non-extended Phase 1 investigations were completed in an average length of 22.9 working days, a decrease on the 2019 figure of 24.7 working days. From the transactions notified to us, the most prominent sectors in 2020 were: 'Information and Communications' with nine notifications, followed by 'Healthcare' where there were eight notifications. There was a reduction in the number of notifications for transactions in the motor and real estate sectors, compared to 2019.

Introduction of a simplified merger notification procedure

In July, we introduced a simplified merger notification procedure (SMNP). Under the SMNP, notifying parties of mergers or acquisitions which do not raise significant competition concerns are not required to provide certain information. The SMNP regime provides efficiency benefits for businesses through reduced notification requirements and speedier decision timelines. The introduction of the SMNP followed a considerable analysis by the CCPC, including external public consultation on the proposed introduction and a further public consultation on the process itself. Between July and December 2020, seven mergers were cleared under the SMNP, with an average time period for a decision of 13.4 working days.

Keeping consumers safe

The CCPC is responsible for enforcing legislation relating to the safety and compliance of a wide range of non-food consumer products covered by five EU Directives and Regulations. Our aim is to ensure that goods placed on the Irish market do not pose a safety risk to consumers. Every year we investigate hundreds of potentially unsafe products, we inform consumers of product recalls and we alert consumers in Ireland to safety warnings from other EU states.



Our work with Customs

In 2020, approximately 200,000 product units were referred to the CCPC by Customs. These products ranged from PPE facemasks and face coverings to children's toys, sunglasses, swimming aids, power banks, chargers and other low voltage electrical products. Our investigations found that five of these consignments, containing approximately 59,000 products, were non-compliant. Corrective action was taken to ensure these products were safe before being placed on the Irish market or in some cases, the products were disposed of or re-exported.

In 2020, we served enforcement notices to three importers to seize and dispose of children's toys that did not meet the required EU safety standards.



CCPC staff oversaw the destruction of unsafe toys in December 2020.

In November, we destroyed approximately 50,000kg of unsafe children's toys. Video footage of the destruction was issued to media as part of a campaign to remind consumers about the importance of CE marks and other safety checks when buying Christmas gifts, particularly when it comes to children's toys.

Proactive compliance inspections

During the year, we undertook proactive inspections to monitor compliance and to raise awareness of businesses' obligations under product safety law. In December, we carried out inspections of market traders in Dublin city centre. Toys and electrical products of concern were observed during these inspections and were brought to the attention of the relevant businesses.

In 2020, the CCPC assisted the Gardaí in Operation Bannister which targeted businesses involved in the sale of counterfeit electronic products with suspected product safety issues. The operation was coordinated with a number of other agencies including; the Garda National Bureau of Criminal Investigation, the Garda National Immigration Bureau, the Criminal Assets Bureau and others. In the region of 15,000 items, believed to be counterfeit products, were seized by Gardaí during the operation, along with approximately 10,000 items of packaging bearing particular brand names.

Personal Protective Equipment

The CCPC is the Irish Market Surveillance Authority (MSA) for PPE face masks intended for consumer use, and barrier masks or face coverings. In April, the EU issued a recommendation regarding market surveillance of PPE during the COVID-19 crisis which amended the product safety rules for the period of the crisis. On foot of this, the CCPC received an influx of queries from importers who intended to import PPE and who were seeking clarification on what product safety rules applied. To ensure there was a consistent approach to the market surveillance of PPE, we liaised with Customs, the Health and Safety Authority and other MSAs for PPE throughout Europe.

In May, the Government issued a recommendation that consumers wear face coverings, such as barrier masks, to help stop the spread of COVID-19. At the request of the CCPC, the National Standards Authority of Ireland established a working group, including representatives of the CCPC, to develop a specification standard for barrier masks. The aim of the specification is to ensure that barrier masks are safe for consumers. It also provides clarity to producers of barrier masks as to the product safety standards they must comply with. The CCPC also participated in a European Commission working group which developed an EU specification for barrier masks.



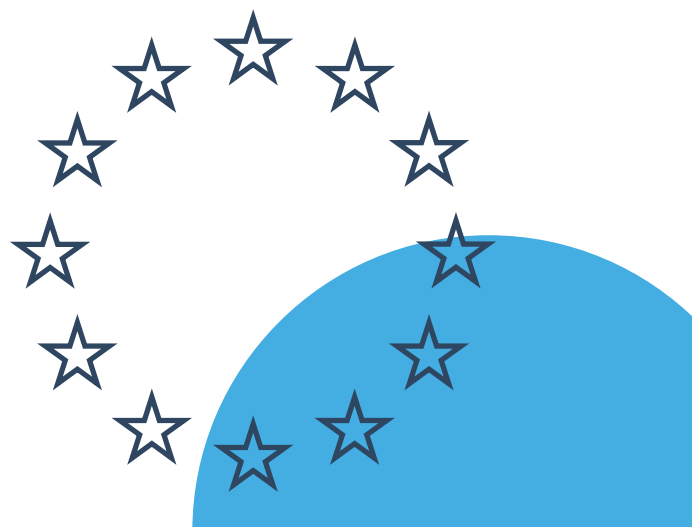
We published guidance for businesses on the new specifications to assist them in placing safe and compliant consumer face masks on the market. We also used this as an opportunity to remind businesses that they must provide accurate information regarding the types and purpose of the consumer face masks they sell. Our Chairperson, Isolde Goggin gave an interview on 'Morning Ireland' and the guidelines featured widely across national and regional broadcast and online media. We liaised with the Department of Health on the Government's advice about face coverings to ensure consumer protection and product safety issues were taken into consideration.

Joint actions with EU counterparts

In 2020, the CCPC worked with our counterparts across the EU in coordinated market surveillance activities for the safety of products. Through this work we are able to engage with other market surveillance authorities on specific testing campaigns for certain products. It also provides a platform for organisations like the CCPC to exchange ideas and best practices for developing common approaches, methodologies, practical tools and guidelines. These Coordinated Activities on the Safety of Products (CASP) were facilitated by the European Commission and included:

- CASP Risk Assessment and Methodologies: The scope of this activity was to develop guidance documentation for a harmonised approach to risk assessments in the EU. This guidance will be published in 2021.

- CASP baby nests, sleep bags and bedside sleepers: This product-specific activity included identifying the safety risks, and carrying out testing and assessing the conformity of baby products including baby nests, co-sleepers and sleeping bags. This activity was ongoing at the end of 2020.
- CASP Customs: This activity focused on developing collaboration between market surveillance authorities and Customs authorities, including information exchanges, sharing best practice and co-ordinating activities.
- CASP information campaign: The main objective of this activity was to provide participating MSAs with the knowledge, skills and a theoretical foundation in the best practice approaches/methodologies used in the management and delivery of effective information campaigns. The modules covered planning, strategy, audiences and messaging, media relations, digital amplification and crisis communications. Staff from the CCPC participated in all six content modules and in a further ad-hoc module on crisis communication as a result of COVID-19.
- CASP Corona 2020: This ad-hoc activity was undertaken in response to COVID-19. This product-specific activity focused on products which are frequently used by consumers to prevent the contracting, or spreading of, or in the treatment of, infectious disease. The CCPC's focus is on the sampling, assessment and testing of PPE facemasks. This activity was ongoing at the end of 2020.



Ensuring compliance with consumer protection law

In 2020, the impact of COVID-19 on consumers and businesses was unprecedented. The CCPC's activity at the beginning of the pandemic was primarily focused on monitoring compliance with on-premises product pricing requirements. We visited 185 stores and checked over 1,300 items to assess whether traders were meeting their obligations under product pricing legislation. As on-premises inspection activity became increasingly limited due to restrictions and with the likelihood of many consumers moving to online purchasing, we moved our focus to online compliance inspections. We inspected over 50 websites selling goods and services for compliance with the following consumer protection legislation requirements:

- Product Pricing.
- Consumer Rights Directive.
- Payment Services Directive.
- E-Commerce.
- Unfair Commercial Practices.
- Gift Vouchers.
- Online Dispute Resolution.

A further 47 websites were assessed as part of a broader CCPC response to COVID-19 and emerging consumer issues. In total, the CCPC examined over 100 trader websites to review their compliance with consumer protection requirements. The examination of trader websites helped inform our activities and in some instances resulted in enforcement action being taken. In addition to our work at European level, at the beginning of COVID-19, the CCPC wrote to 11 of the largest online platforms and marketplaces in Ireland, advising them of their obligations under Irish consumer protection legislation.

To ensure businesses did not take advantage of vulnerable and worried consumers, we monitored traders selling key products such as hand sanitiser, face masks and other similar products online. We found that an increasing number of online traders appeared to be informing consumers that the PPE they were selling had been donated to hospitals and other healthcare providers. However, it was

unclear if these donated products were suitable for use in healthcare settings. We were concerned that these claims could influence consumers who were considering buying these products. At the end of April, we issued guidance to consumers advising them to be cautious about 'donation claims' being made by traders when they are shopping for PPE online. As a result, a number of online platforms placed a notice informing their customers that they would not place ads for hand sanitisers, face masks and related items.

See pages 22 and 23 for more information on warnings issued to businesses.



Grocery Goods Undertakings Regulations 2016

The CCPC has responsibility for the enforcement of the Consumer Protection Act 2007 (Grocery Good Undertakings) Regulations 2016. The Regulations apply to retailers and wholesalers of food and drink in Ireland who have, or are part of a group of related companies with, a worldwide turnover in excess of €50 million. Such entities are considered as Relevant Grocery Goods Undertakings (RGGUs). The CCPC monitors the submission of the Annual Compliance Reports (ACR) from RGGUs and conducts on-site inspections to check compliance with the Regulations.

Under normal circumstances, RGGUs are required to ensure that their ACRs were submitted by the statutory deadline in March. In light of the circumstances and the critical role played by

RGGUs in the early stages of the pandemic, the CCPC allowed additional time for RGGUs to submit their ACRs. However, the CCPC's review of the ACRs was conducted to the usual standards to ensure that all the necessary information was included.

In completing the ACR, the RGGUs are required to provide certain information. Such information includes a list of particular suppliers, detail as to their compliance with the Regulations, listing any breaches that occurred during the reporting period and details as to staff training regarding the Regulations. Depending on the level of detail provided in the ACR, we engaged with some of the RGGUs to ensure that they fully understood their obligations and that they provided the details necessary under the Regulations. Whilst the CCPC conducted on-site inspections with RGGUs in early 2020, the pandemic restricted further inspections that would have otherwise taken place later in the year.

As part of our role, we can investigate complaints received in relation to alleged breaches of the Regulations. No such complaints were received in 2020. Our review of the ACRs showed that certain RGGUs had made improvements where we raised questions previously and that a number of RGGUs had made further improvements to particular practices.

Platform to Business Regulation

The Platform to Business (P2B) Regulation commenced on 12 July 2020. The CCPC is responsible for monitoring compliance with and enforcement of the P2B Regulation. The purpose of the P2B Regulation is to provide a set of rules creating a fair, transparent and predictable environment for businesses and traders on online platforms and to allow for effective redress possibilities if required. It is envisaged that protecting EU businesses will ultimately protect EU consumers by creating a more transparent and fairer marketplace. In 2020, the CCPC wrote to a number of the leading platforms in Ireland to ensure that they had reviewed their practices and were in compliance with the requirements under the Regulation. The CCPC also published P2B 'guidelines for businesses' on our website. This guidance sets out the requirements that are now in place for both online intermediation service providers and online search engine providers.

Our consumer protection work in Europe

On 17 January 2020, the Consumer Protection Cooperation Regulation 2017/2394/EU (CPC Regulation) came into effect. This new piece of legislation replaced the older CPC Regulation which had established a network for cooperation between competent authorities in consumer protection throughout the European Economic Area. The CPC Regulation brought important changes to how the CPC Network operates and gives stronger investigative and enforcement powers to competent authorities. In addition to the CCPC's role as a competent authority, we continue to be the Irish Single Liaison Office, responsible for coordinating the investigative and enforcement activities of all of the Irish competent authorities.

Under the CPC Regulation, any authority in a country where consumer protection law covered by the CPC Regulation may have been breached, can ask its counterpart in the country where the trader is based, to take action to stop this breach of law. Authorities can also alert each other to possible breaches that could spread to other countries and, with the European Commission's support, authorities can also coordinate their approaches to applying consumer protection law to tackle widespread infringements.

The CCPC has created a dedicated CPC unit in our Consumer Protection Division. Consequently, as part of our ongoing work in the CPC Network, the CCPC undertook a number of activities in 2020.

- We participated in two European CPC 'sweeps'. Sweeps are a set of market surveillance checks that are carried out by the CPC Network across Europe. These checks show whether traders are complying with their obligations under consumer protection laws. Where the checks reveal potential breaches, the CCPC uses its powers to ensure remedial action is taken. The CCPC participated in two sweeps in 2020:
 1. COVID-19 Scams: The COVID-19 pandemic resulted in a surge of consumer scams and unfair online marketing practices. In 2020, a sweep was conducted in order to identify the extent of these issues. This included a screening of online platforms (such as Google and Facebook) and of traders offering products in high demand due to the pandemic.

2. Green Claims: During 2020, a sweep was carried out to determine whether 'green' claims used by traders were misleading. The findings of this sweep will also feed into the impact assessment to be prepared for the new EU legislative proposal to empower consumers for the green transition.

- At the start of the COVID-19 pandemic, the CPC Network was concerned with the proliferation of deceptive marketing techniques on online platforms to exploit consumers' fears. To help counter such practices, in addition to the sweep, the CPC Network adopted a common position on its concerns which was communicated to the large online platforms who agreed to take action.
- Through the CPC Network, the CCPC can receive both requests for information from competent authorities in other EU countries and requests for enforcement, which is where we may be asked to take action against an Irish-based trader who is breaching consumer protection regulations in another country. In 2020, we received five enforcement requests and one information request via the CPC Network, relating to potential consumer protection infringements. We acted on these requests as well as those received in previous years and we closed 17 requests during the year (16 enforcement requests where the CCPC was the requested authority and one where the CCPC was the applicant authority). The CCPC also issued one request for information and one alert.
- We continued to engage and support the French consumer protection authority (DGCCRF) in relation to complaints from Irish purchasers of French Leaseback properties. We have worked to support the French and to provide to the DGCCRF details of the issues raised by Irish property purchasers. Updates received from the DGCCRF investigation during the year were communicated to complainants and the CCPC continues to assist complainants with queries and requests.
- As in previous years, we actively contributed to the ongoing work in the CPC Network, attending Committee meetings and many working group meetings, examining consumer protection issues across a number of sectors.



The pandemic resulted in all CPC Network meetings, workshops and engagements moving online. This shift in work practices has not significantly impacted our activities and we have so far been able to continue working on our responsibilities and commitments. Within the CPC Network, Irish consumer and aviation authorities also collaborated closely on travel-related issues related to COVID-19. This ensured parent departments were kept updated while they worked on legislative supports and consumers were given accurate and timely information during these unprecedented times.

Compliance with competition law

Public procurement

Cartels, where businesses offering the same or similar products or services collectively agree not to compete with one-another or to fix prices, cause very significant harm to competition and consumers. Bid-rigging in public procurement can be particularly harmful as it can artificially increase prices and reduce the quality of services the State provides while ultimately costing taxpayers more. The CCPC prioritises these investigations. In 2020, the CCPC responded to number of follow-on queries regarding a file that was referred to the Director of Public Prosecutions (DPP) in relation to potential bid-rigging in the procurement of publicly-funded transport services in certain parts of Munster and Leinster.



Ongoing investigations and compliance

In September 2020, the CCPC issued preliminary findings in relation to our investigation into suspected anti-competitive practices in the provision of private motor insurance in the State, contrary to section 4(1) of the Competition Act 2002, as amended (the “2002 Act”) and Article 101(1) of the Treaty on the Functioning of the European Union. The anti-competitive cooperation activities under investigation include a practice which is commonly referred to as ‘price signalling’. Price signalling occurs when businesses make their competitors aware that they intend to increase prices, in turn causing further price increases across the sector. Price signalling can happen in public, through announcements or comments on prices, or in private through direct contacts between companies. If a business knows that their competitor is increasing prices, they may be encouraged to also increase prices, since their customers are less likely to move to their competitor.

The CCPC’s preliminary findings alleged that five insurers, an insurance industry trade association and an insurance broker had potentially engaged in anti-competitive cooperation over a 21-month period during 2015 and 2016. The parties named in the findings were:

- AIG Europe S.A
- Allianz PLC
- AXA Insurance DAC
- Aviva Insurance Limited
- FBD Insurance PLC
- Brokers Ireland, formerly the Irish Brokers Association
- AA Ireland Limited

The alleged anti-competitive cooperation consisted of public announcements of future private motor insurance premium rises as well as other contacts between competitors, all of which reduced levels of competition between the parties. The CCPC’s findings are provisional and the relevant parties have the opportunity to consider them and respond. The parties have the option to engage with the CCPC to offer commitments regarding their future behaviour to address the CCPC’s competition concerns. The CCPC will carefully consider any responses before deciding if it will bring civil court proceedings pursuant to section 14A(1) of the 2002 Act or to take some

other course of action. At the end of 2020, the engagement with the parties was ongoing.

Throughout the year, we also engaged with a number of businesses and trade associations to highlight potential competition concerns and achieve compliance with competition law.

- In June, in advance of hairdressers reopening after COVID-19 related closures, we wrote to the Irish Hairdressers Federation (IHF) and the Hairdressing Council of Ireland (HCI) to remind them that any attempts to advise, recommend or suggest to their members the prices they should charge for hairdressing services would raise competition law concerns.
- Trade associations like the IHF and HCI are known as “associations of undertakings” under competition law and are therefore not allowed to recommend price increases to their members. This is a form of price fixing under Irish and EU competition law. In response, the IHF and HCI informed the CCPC that they would not make any public statements on future pricing intentions or make recommendations in relation to members’ prices.
- In 2018, we received over 200 complaints in relation to competition issues in the beef sector. Following an extensive examination, in June 2020, we wrote to over 200 complainants to explain that there was insufficient evidence of a breach of competition law to warrant taking any further action at the time.
- In September 2020, the CCPC and Booking.com mutually agreed to extend the duration of commitments on Most Favoured Nation clauses in online hotel bookings from 1 October 2020 until 1 July 2023. This means that Booking.com cannot prevent hotels that list with it from offering lower prices on other channels (with the exception of the hotel’s own website).

Engaging with businesses to achieve compliance

The CCPC helps businesses to meet their legal obligations under competition, consumer protection and product safety law by producing information resources for businesses and running public information campaigns. In 2020, we ran a number of advertising campaigns to inform businesses of legislative changes and important issues.

Gift vouchers

In January, our first business campaign of 2020 was on the topic of gift vouchers and aimed to inform businesses, primarily small and medium retailers who sell gift vouchers, of new laws that they needed to be aware of. The campaign ran for four weeks on radio, YouTube and social media platforms. We also ran ads in regional press and trade publications. Our website content received 4,216 page views during the campaign period.



Product safety

In September, we launched a business campaign to drive awareness of the importance of product safety when selling electrical chargers. The objective of this campaign was to remind retailers who sell chargers that they must comply with the relevant regulations and that they have a legal obligation to check the CE mark and applicable safety documentation before selling chargers to consumers.



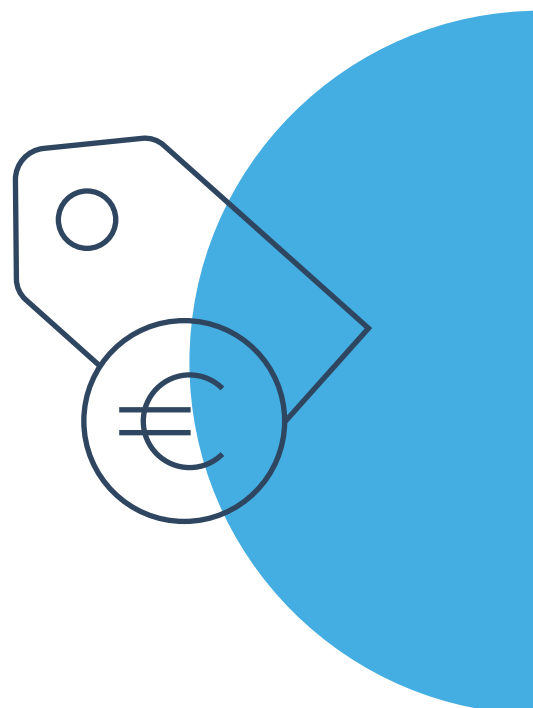
The campaign ran for four weeks on radio, digital display and social media platforms. Our website content received 2,908 page views during the campaign.

Price fixing and bid-rigging

In September we also launched awareness campaigns on price fixing and bid-rigging. We produced two information videos to explain to businesses what price fixing and bid-rigging are, how they affect competition and the penalties for breaking the law. From September to November, the videos were promoted on YouTube and social media platforms including LinkedIn and Twitter. The price fixing campaign generated almost 1.1 million impressions (which is the number of times the campaign displayed on a user's screen), and delivered 337,143 completed views. The bid-rigging campaign delivered 467,686 impressions and generated 198,765 completed views.

CCPC staff members presented at the Public Affairs Ireland's 'Certificate in Public Procurement' course on three occasions where they gave lectures on competition law and cartels with a particular focus on bid-rigging.

More information on our Brexit campaign for businesses is on page 43.



Strategic Goal 1

A summary of our work

– Consumer protection law, compliance monitoring and enforcement activity:

- » We monitored compliance with on-premises product pricing requirements, which included visiting 185 stores and checking over 1,300 items to assess whether traders were complying with product pricing obligations.
- » We inspected over 50 websites for compliance with consumer protection legislation. Where necessary, the CCPC will progress any issues encountered with the traders concerned and take appropriate enforcement actions resulting from those inspections.
- » We secured five Fixed Payment Notices from traders and issued five Compliance Notices in respect of breaches of consumer protection law.
- » We received five enforcement requests and one information request via the CPC Network, relating to potential consumer protection infringements. We also closed 17 enforcement requests received through the CPC Network.

– Competition law, investigations and other activities:

- » Investigations in the ticketing and private motor insurance sectors continued, with the CCPC's preliminary findings issued to parties in both cases.
- » A formal investigation continued into the alleged conduct of a UK household furniture wholesaler concerning resale price maintenance in Ireland. Resale price maintenance (RPM) is an agreement between a supplier and a reseller. The agreement requires the retailer to sell the goods or services at a specified price or above a minimum price which has been decided by the supplier. The CCPC had ongoing engagement with the wholesaler to address its competition concerns. The investigation was ongoing at the end of 2020.

- » The investigation into an alleged anti-competitive conduct of the Restaurants Association of Ireland (RAI) remained open while the CCPC continued to monitor developments in the sector.
- » In December 2020, the CCPC acted as rapporteur in a meeting of an EU Advisory Committee on Cartels, when the European Commission re-adopted a cartel decision against CCPL Group and imposed total fines of €9,441,000 on three entities of CCPL Group for their participation in three separate cartels in the retail food packaging sector. The companies fixed prices and allocated customers of polystyrene foam or polypropylene rigid trays, in breach of EU antitrust rules.

– Product safety inspections and investigations:

- » RAPEX is the EU system for the rapid exchange of information for products found to pose serious health and/or safety risks. 432 RAPEX recall notifications were assessed by the CCPC. 245 RAPEX notifications related to products within the CCPC's product safety remit which were available for sale in Ireland and resulted in further investigation. The CCPC published 181 web notices alerting consumers to product recalls. The CCPC proactively submitted five RAPEX recall notifications.
- » 23 consignments referred by Customs were inspected to assess the compliance of products under the CCPC's product safety remit. The consignments included approximately 200,000 units of potentially unsafe products. Following investigations, five of these consignments were found to be non-compliant and therefore could not be placed for sale on the Irish market. Corrective action was taken with respect to approximately 59,000 products.
- » 74 product investigations of potential product safety issues were initiated in 2020 in response to consumer complaints to the CCPC.

- » Three seizure and disposal notices were served on traders with respect to non-compliant products.
- **Investigations into the sale of crashed/clocked cars:**
 - » Two prosecutions were initiated against vehicle traders.
 - » Two undertakings were agreed between vehicle traders and the CCPC.
 - » Four inspections of vehicle traders and three searches of traders under warrant took place.
 - » One trader was convicted of engaging in prohibited commercial practices and misleading commercial practices under the Consumer Protection Act.
- **Merger examinations:**
 - » 41 mergers were notified in 2020 (a 13% decrease on 2019).
 - » 43 determinations were made, one of which required commitments to secure clearance.
 - » 15 extended Phase 1 investigations, two of which required a Phase 2 investigation.
- **Other regulatory activities:**
 - » As the body responsible for the list of notified Alternative Dispute Resolution (ADR) entities, the CCPC engaged with entities in relation to becoming a notified ADR entity and provided explanations of the application process as well as the benefits of doing so. Such benefits include being listed as an ADR entity on the CCPC website as well as the EU list of ADR bodies. In addition to being listed on the two websites, being a notified ADR entity ensures that both consumers and traders can be confident that the process is fair and transparent. In addition, as part of our compliance inspections framework in 2020, the CCPC reviewed 50 traders' websites for Online Dispute Resolution (ODR) platform links. The European ODR platform is provided to make online shopping safer and fairer through access to quality dispute resolution tools. All

online retailers and traders in the EU are obliged to provide an easily accessible link to the ODR platform.

- » The CCPC proactively monitors compliance with the Single European Payments Area (SEPA) Regulation and engages with traders to ensure compliance with their obligations under SEPA. The CCPC has been designated as the competent authority for the purposes of Article 9 of Regulation (EU) No. 260/2012 in respect of business to consumer transactions. This ensures that consumers benefit from being able to make euro-denominated payments to, and receive such payments from, accounts anywhere else in SEPA. In 2020, the CCPC reviewed 31 separate SEPA complaints and engaged directly with 18 traders in relation to SEPA issues.
- » 816 Credit Intermediary authorisations were issued during 2020 along with three licences for pawnbrokers.



Case study: Ticketing investigation

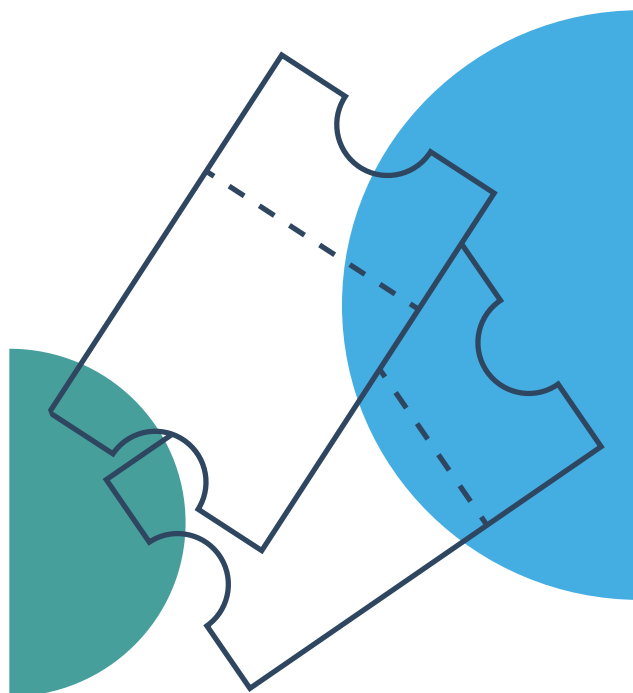
In January 2017, the CCPC commenced an investigation into suspected anti-competitive practices in the provision of tickets and the operation of ticketing services for live events. The CCPC opened this investigation because of concerns that activities by operators in the supply of outsourced ticketing services to live events may be in breach of competition law and causing consumer harm.

Ticketmaster Ireland holds a very significant share of this market in Ireland. We had concerns that Ticketmaster Ireland may have abused a dominant position in the market by entering into long-term exclusive contracts with contractual partners and that these contracts may have restricted competition in the market. Abuse of a dominant position and entering into anti-competitive agreements are prohibited by competition law.

Commitments by Ticketmaster

The CCPC conducted an extensive investigation during which we engaged with a range of industry players. Following this investigation, Ticketmaster Ireland denied breaching competition law but nevertheless entered into an agreement with the CCPC and gave certain commitments as to its future behaviour.

In summary, the agreement committed Ticketmaster Ireland to remove exclusivity clauses with venues in relation to the supply of outsourced primary ticketing services¹. Exclusivity clauses must now be limited to three years in contracts with live event organisers and the overall contract duration will be capped at five years, with no automatic contract renewals. The CCPC considered these commitments sufficient to address our concerns arising from the investigation.



Outcome

Section 14B of the Competition Act 2002, as amended, empowers the CCPC to apply to the High Court to have an agreement with a business which it has been investigating made an order of court. In December 2020 the CCPC made an application to the High Court for an order pursuant to section 14B(2) of the Competition Act 2002, as amended, in the terms of an agreement in November 2020 between the CCPC and Ticketmaster Ireland. Having granted the CCPC's application, the High Court made an order in the terms of the CCPC's agreement with Ticketmaster on 15 December 2020, subject to the expiry of a standstill period of 45 days.

COVID-19 has had a very significant adverse impact on the live events industry, however the CCPC is of the view that, when live events open again, the measures put in place as a result of our agreement with Ticketmaster would allow for improved competition in the market, and provide more choice for Irish live event businesses. Improved competition in this market can ultimately deliver consumers significant benefits in terms of price, service and innovation. Following the conclusion of the 45 day standstill period, the order came into effect on 29 January 2021 and the terms of the agreement are now binding on Ticketmaster.

¹ Venues owned by Live Nation are not part of the commitment.

Strategic Goal 2

We will empower consumers to help them make informed decisions.



2



Case study:

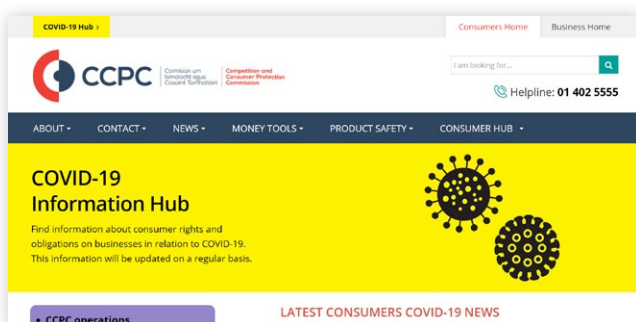
Responding to the impact of COVID-19 on consumers, businesses and competition

From March, we saw a significant increase in the demand for our services from consumers seeking information about their rights. We also had an increase in the number of requests from businesses seeking clarification around their responsibilities. The CCPC moved quickly to respond to the immediate issues arising from the COVID-19 pandemic. Whilst appreciating the challenges faced by businesses due to COVID-19 it was also important to protect consumer rights during this time. To that effect, we launched a dedicated online hub, proactively published guidance and where necessary issued warnings to businesses. We also monitored compliance through online and on-premises inspections.

Our online hub

On 23 March, we launched a COVID-19 information hub on our website ccpc.ie to provide a comprehensive resource for consumers to find out about their rights on issues such as holiday and flight cancellations, buying online and cancelled events. The hub also provided information to businesses, particularly in relation to their obligations under consumer protection and product safety law.

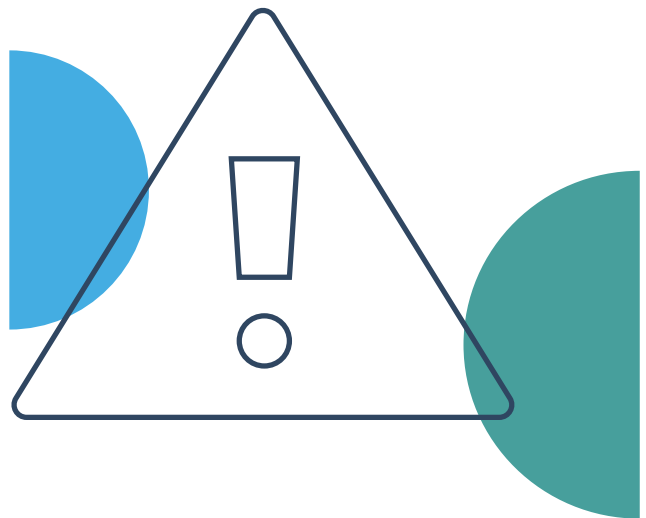
Throughout the year, the hub was updated with the latest information available to reflect the ever-changing situations that consumers experienced. The hub received a total of 82,224 views in 2020. Consumers were highly engaged with the content, with the travel and consumer contracts pages



both being viewed for, on average, over four minutes, which is 44% higher than the average for the website.

Helpline service

We also supported the high demand for consumer information through our helpline service. Calls to our helpline increased sharply from mid-March, with over 3,000 consumers and business contacting us from 16 March to 16 April. Despite the challenging circumstances and move to remote working, the CCPC helpline service remained open for consumers and businesses throughout 2020.



Issuing guidance and warnings to businesses

Whilst the vast majority of businesses act in good faith and do not seek to take unfair advantage, we were aware that there was a heightened risk that a small minority of traders may engage in commercial practices which were damaging to consumer welfare, particularly that of vulnerable consumers. We continued to monitor compliance with consumer protection law both in-store and online, with a particular focus on sectors and issues which were impacted by COVID-19. We also issued a number of warnings to businesses to remind them that although they were facing unprecedented challenges, competition and consumer protection law continued to apply.

- February 2 – we issued a reminder to traders involved in the travel sector about their obligations to travellers under package holiday legislation, with a focus on their requirement to provide consumers with information about their right to cancel.
- March 20 – we issued a reminder to businesses that consumer protection law still applied. We also encouraged any consumer who encountered misleading practices, particularly regarding health products, or if they experienced difficulties with any online trader, to contact us.
- March 23 – we issued a warning to consumers in relation to a website which sold hand sanitisers, as we were concerned about the information being provided on the website. We opened a formal investigation in relation to this website.
- April 2 – we issued guidance to businesses about their obligations in relation to providing adequate and accurate information to consumers, particularly in relation to payment methods where consumers are ordering online or over the phone.
- April 20 – we issued a warning to consumers to be cautious about online traders claiming product donations, such as face masks and hand sanitiser, to healthcare providers as it is not a guarantee of standards or suitability.
- May 26 – we published new guidance to assist businesses to place safe and compliant PPE and non- PPE face masks for consumer use on the market. Throughout the year we also published further guidance to provide information to businesses on the regulatory requirements of PPE products and on the different regulatory requirements of facemasks, particularly face coverings or barrier masks.
- June 15 – we issued a reminder to businesses that they may not change or add additional terms and conditions into existing consumer contracts without advance notification to consumers. Businesses were reminded that if they are making changes they must give consumers the opportunity to exit the contract without penalty if they do not wish to accept the business's proposed change. We also published accompanying guidance about the Unfair Terms in Consumer Contracts Directive.
- July 1 – we issued a reminder to businesses as they re-opened that they must act independently when setting their 'post lockdown' charges and prices. It warned that the CCPC would be closely monitoring the activities of businesses, trade associations and similar representative organisations.
- September 1 – we issued guidance following the announcement that the standard rate of VAT had been reduced from 23% to 21%. We reminded businesses about their obligations when setting and displaying new prices as, even during a temporary VAT reduction, the rules still applied.
- November 3 – we issued a warning to consumers in relation to a website, as we were concerned about the information being provided on the website.
- November 24 – we issued a warning to consumers doing their Christmas shopping online to be vigilant for products that do not meet safety standards particularly children's toys or gifts. We issued an accompanying checklist for buying safe toys.

Continuity in the review of notified mergers

In March 2020, we put in place processes to ensure business continuity in the review of notified mergers and acquisitions. These measures included:

- Accepting electronic notification of mergers where notification forms can be completed and submitted electronically.
- Reviewing notified mergers almost entirely through remote working.
- Extending deadlines for responses to Requests for Information (RFIs) under formal powers.
- We also obtained designation as a statutory body that can conduct remote oral hearings in Phase 2 mergers investigations.



Highlights

Consumer helpline

One of the most important ways in which we help consumers is by providing them with information about their consumer rights through our dedicated helpline. Our helpline also provides information on personal finance products and services. In 2020, our helpline provided information directly to 48,603 consumers and businesses, a 17% increase on 2019.

– Queries related to travel, transport and holidays dominated

Unsurprisingly, COVID-19 issues dominated the contacts to our consumer helpline in 2020. Many consumers had to cancel or postpone their travel plans and as a result we received 6,676 contacts relating to travel, transport and holidays. This was an increase of 278% compared to 2019.

Top sectors 2020	
Travel, transport and holidays	6,676
Telecommunications	3,913
Vehicles and personal transport	3,367
Clothing and footwear and accessories	1,888
Audio visual and electronic and associated goods	1,871
Furniture and furnishings	1,851
Domestic appliances	1,808
House buildings and maintenance and improvements	1,762
Catering and accommodation	1,655
Recreation and sport and leisure	1,198

– 340% increase in queries related to contract cancellations

Consumers seeking information on contract cancellations was the top reason consumers contacted us in 2020. Our helpline received a total of 6,030 contract related queries which represents a 340% increase when compared to 2019. The chart below highlights the top five categories of queries received from consumers.

“A consumer called back to thank the CCPC for giving her the confidence to contact her bank to seek a refund of money she was overcharged. She followed up with a registered letter and is now receiving the €1700.00 owed to her.”

– Feedback from a caller to our helpline



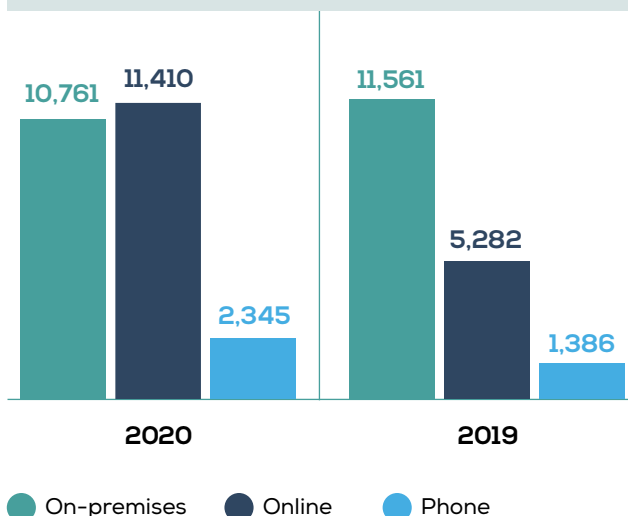
Top queries in 2020

Canelling a contract	6,030
Faulty goods and services	5,843
Other goods and services issues	2,555
Buying online rights	2,512
Contract payment and charges	2,455

Online sales versus on-premises sales

COVID-19 accelerated even more the shift away from bricks-and-mortar retailing towards online purchasing and for the first time contacts to our helpline relating to online sales purchases exceeded traditional on-premises sales. The below chart shows the volume of contacts which related to on-premises, online and over the phone purchases in 2020. The breakdown for 2019 is also displayed for comparison.

Online versus on-premises sales in 2020 and 2019

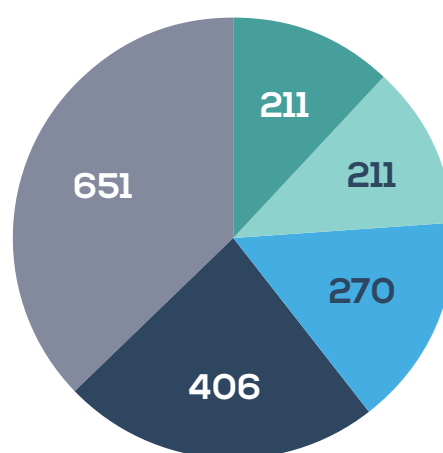


Personal finance insights

Mortgages and equity release – highest volume of personal finance contacts

From the 3,088 personal finance contacts recorded in 2020, mortgages and equity release had the highest volume of contacts with 651. However, this represents a decrease of almost 30% when compared to 2019 figures.

Personal finance queries in 2020



- Loans
- Other insurance e.g. phone insurance
- Travel insurance
- Motor insurance
- Mortgages and equity release

Travel insurance

For the first time, travel insurance was one of the top reasons consumers contacted our helpline in 2020 with a total of 270 contacts. In comparison our helpline received just 119 travel insurance-related contacts in 2019.

"We took the information offered by the CCPC and are happy to report that we have received our full deposit back from the furniture shop. Thank you for your professionalism and advice on the steps to take in this situation."

Feedback from a caller to our helpline



Website engagement

Our website, ccpc.ie, provides information on consumer rights and personal finance products. Google Analytics statistics for ccpc.ie in 2020 recorded 1,940,081 visits to our website, an increase of 5% when compared to 2019. 82% of these visits were from people visiting our site for the first time as our public awareness activities brought the CCPC's messages to new audiences.²

The areas of our website that saw the largest increase in visits were our housing and travel pages where visits increased by 44% and 39% respectively as well as our financial products information pages which saw an increase in visits of 7%. The amount of time consumers spent on our website also increased with the average consumer spending 2 minutes 53 seconds on our site, an increase of 8% on 2019.

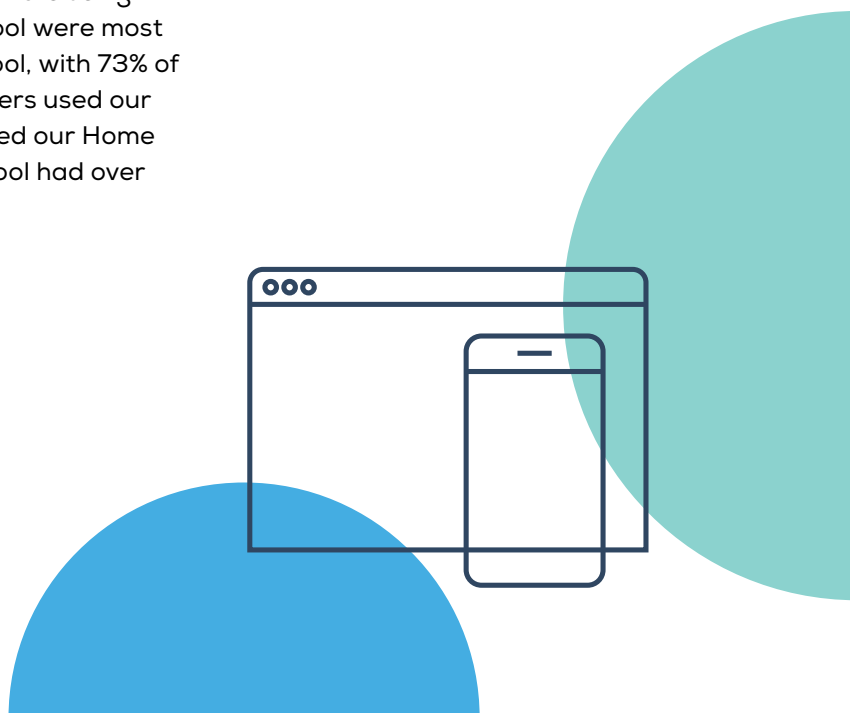
The CCPC's online Money Tools offer consumers comparison tools for the main financial products available in the Irish market. We also have calculators to help consumers track their income and expenses and manage their money better. In 2020, there were 616,110 visitors to our Money Tools. Our mortgage comparison Money Tool had over 140,000 unique visitors. Consumers using our mortgage comparison Money Tool were most likely to use our First Time Buyers Tool, with 73% of users using this tool while 22% of users used our Mortgage Switchers Tool and 5% used our Home Movers Tool. Our loan comparison tool had over 85,000 unique visitors.

Top 5 pages visited - Consumer

1	Mortgage comparison
2	Mortgage calculators
3	Loan comparison
4	Buying a home step-by-step guide
5	How to complain

Top 5 pages visited - Business

1	Consumer protection law – how does it apply to my business
2	Merger notifications
3	About us
4	CCPC Guidance for Business re. COVID-19 Face Masks
5	Current news



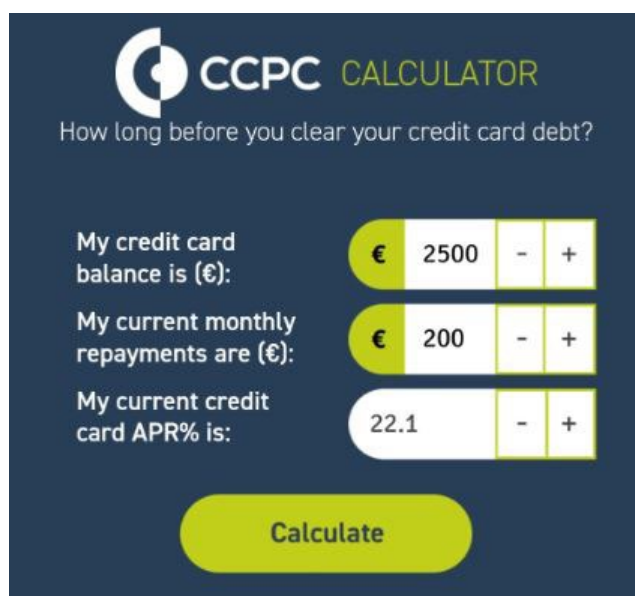
² In 2020, we used Google Analytics to track visits to and use of our website. During 2020, the Data Protection Commission issued updated guidance on the use of cookies and tracking technologies on websites. We updated our cookies policy to comply with this guidance and from 1 October 2020 only visits by users who explicitly opted in to our use of cookies were recorded. We estimate that this led to an 11% under-recording of our total website visits for 2020. A cookie-free analytics solution to measure use of our website will be implemented in 2021.

Consumer awareness campaigns

In 2020, we ran 10 public awareness campaigns to make consumers aware of their consumer rights and the supports available from the CCPC. Our choice of campaign topics was informed by the information we received from the thousands of consumers who called our helpline and visited our website. The campaigns were in relation to: credit card switching, buying online, pyramid schemes, personal loans, car history, preparing for Brexit, budgeting, product safety, gift vouchers and using the CCPC's Money Tools.

Credit card switching

In April, we encouraged consumers with a credit card to consider using the CCPC's credit card Money Tool to check if they could pay less interest and save money by switching to a different credit card. The campaign aimed to improve consumers' knowledge of how credit card interest rates, fees and charges work.



The image shows a mobile app interface for the CCPC Calculator. At the top, it says 'CCPC CALCULATOR' with a logo. Below that, it asks 'How long before you clear your credit card debt?'. There are three input fields: 'My credit card balance is (€):' with a value of 2500, 'My current monthly repayments are (€):' with a value of 200, and 'My current credit card APR% is:' with a value of 22.1. Each field has minus and plus buttons for adjustment. At the bottom is a large yellow 'Calculate' button.

Over a five-week period, the campaign targeted 25-44 year olds with radio ads across a mix of national and local stations. In addition, we used digital display advertising and videos on social media channels to reach consumers. We also created an interactive rich media calculator ad specifically designed for mobile phones. This ad mirrored our credit card Money Tool on ccpc.ie. Consumers could interact with the calculator, by typing in their credit card balance, monthly

repayments and Annual Percentage Rate to see how long it would take them to clear their credit card debt or repay it faster. This ad delivered 791,058 impressions across the campaign with 3,174 clicks. The landing page on our website received 10,717 page views during the campaign period.

Pyramid schemes



In recent years, there has been an increase in contacts to the CCPC in relation to suspected pyramid schemes that promote beauty, health and wellness products. In light of the pandemic and the loss of employment for many people, we suspected some businesses may be targeting people who were looking to earn extra money. The aim of the campaign was to alert people to the potential risks of joining a pyramid scheme; that they are likely to lose their money and could even get a criminal record. The campaign ran in May across Facebook and Instagram. The Facebook display ads delivered 3,854 engagements, and the campaign landing page received 2,605 page views during the campaign period.

Personal loans

As a result of COVID-19, many people were unable to work and had to focus on making ends meet with reduced income or government supports. The aim of the CCPC's campaign on personal loans was to remind consumers to use our free, independent personal loan Money Tool before taking out a loan. The campaign started on 17 August, and ran for five weeks. It consisted of ads on national and local radio. In addition, we used a combination of digital display and videos on social media channels and YouTube to reach consumers. Similar to our credit card campaign, we created an interactive rich media calculator ad specifically designed for mobile phones. This ad type mirrored our personal loans Money Tool, and was designed to encourage viewers to engage with the content.



The campaign targeted consumers aged 18 and over who were thinking about taking out a loan to buy a car, for home improvements, to consolidate debt. On YouTube, the campaign delivered 501,888 impressions and generated 223,312 views. The campaign landing page received 22,391 page views during the campaign.

Information on some of our other consumer campaigns can be found in the case studies throughout the report.

Financial education and well-being

Financial education programmes

Last year, we continued to make strong progress in our financial education work. With the invaluable help of experienced volunteer presenters, Money skills for life (Msfl) provides impartial, independent information on managing your money, budgeting, savings and investments, insurance, borrowing money, dealing with debt and planning for retirement. The programme is delivered through workplace talks, at the request of employers, as well as to other groups and organisations.

"Very informative, no matter how financially savvy you may be- there is something in there for everyone to take away"

New developments

In March last year, the restrictions caused by COVID-19 brought Msfl to a halt with all scheduled talks postponed. However, the CCPC adapted the programme to make it suitable for the new reality of many workplaces in Ireland and in May, we began delivering talks remotely via platforms such as Zoom, Microsoft Teams and WebEx. Throughout the year, a total of 44 talks were delivered to 1,064 attendees with 22 of these delivered remotely and 22 in-person.





Survey

Of the Msfl attendees surveyed in 2020, 74% said they will make changes to their spending habits after attending a talk, 98% said they found the talk very or reasonably useful and 95% also said that they would recommend the talk to others. 100% of employers surveyed said the presentation and free handbook met or exceeded their expectations and 85% expressed an interest in organising another Msfl talk in the future.

“The CCPC’s Money skills for life virtual presentation was a short and sharp look at ways people can be more effective with their money-saving. A great starting point for anyone looking to improve their financial wellbeing”

Junior Cycle financial education programme

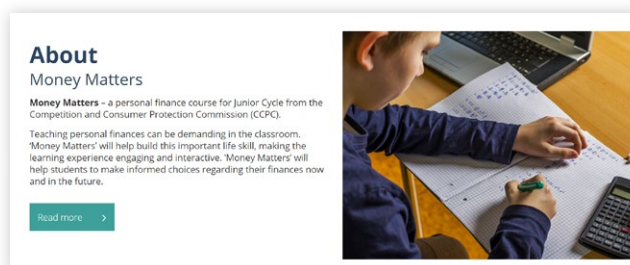
Money Matters is a personal finance course for second-level students developed by the CCPC. Aspects of the course can be taught to support the Junior Cycle Business Studies or Home Economics curriculum requirements.

In 2020, we expanded our Money Matters content to include new units of learning, a Parents’ Hub and Irish language resources. This continued work on Money Matters resulted in 8,147 website visitors to the Money Matters website in 2020, up from 2,924 in 2019.

Me and My Money

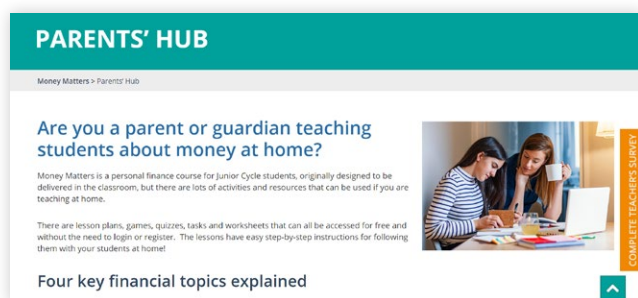
At the start of the new school year in September, the CCPC launched a new unit of learning, *Me and My Money*, on budgeting and household financial management.

The CCPC worked collaboratively with *Junior Cycle for Teachers* (JCT), who are a dedicated Continuous Professional Development (CPD) support service of the Department of Education and Skills, to develop this new resource. The resource is designed for Junior Cycle Business Studies and Home Economics teachers and students and can be used in the virtual or physical classroom. *Me and My Money* covers four different topics: budgeting, managing expenditure, resources and income, as well as learning the difference between what we want and what we need. To make learning as engaging and interactive as possible, the module incorporates worksheets, case studies, exercises, assessments and video clips from the RTÉ show ‘*How to be Good with Money*’, which is sponsored by the CCPC. The Business Studies Teachers’ Association of Ireland and the JCT worked closely with the CCPC to help advertise the new resources, alongside our own social and digital promotions.



Parents' Hub

As a result of the COVID-19 restrictions, 2020 saw parents and guardians teaching students at home. In response, the CCPC created a *Parents' Hub*. The hub has four specifically-designed financial education videos presented by financial planner Eoin McGee as well as links to useful lessons from the Money Matters website on spending diaries, money goals, opening bank accounts and a spender/saver quiz.



Ábhair Airgid

In 2020, the CCPC also launched *Ábhair Airgid*, an Irish-language personal finance resource for Junior Cycle Home Economics and Business Studies teachers and students, as part of the Money Matters website. It was developed in conjunction with An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG) to assist those who are teaching these subjects through Irish. *Ábhair Airgid* uses a combination of exercises, activities, worksheets, case studies and video clips to cover a variety of different finance-related topics across a number of separate units. Each unit is made up of a number of different lessons aligned with specific learning outcomes from the curriculum specification and it has been designed to deliver the information in an interactive way.

Primary school curriculum

In 2020, we made a submission to the National Council for Curriculum and Assessment (NCCA)'s public consultation on the Draft Primary Curriculum Framework. Our submission recommended that financial education be formally included in the primary curriculum to help children develop the skills to make financial decisions throughout their lives. We recommended that elements of financial education be developed through Mathematics, Science and Technology Education and Well-being from junior infants to sixth class. Our recommendation was informed by the findings of the CCPC's 2018 Financial Capability and Well-being Study as well as international research, guidelines and experience. In developing our submission, we engaged with a number of other bodies that have an interest in improving financial well-being and education in Ireland to encourage their engagement in the consultation process.



Sponsorship of RTÉ One's *'How to Be Good with Money'*

In January and February, the CCPC again sponsored *'How to be Good with Money'*, a financial education series broadcast on RTÉ One. Each week on the programme, financial planner, Eoin McGee, helped a household manage their money better to achieve their financial goals. Viewers were given practical financial information and solutions that they could apply to their own lives.

This was the CCPC's second time sponsoring the series. The programme had an average viewership of 376,450 per episode and the average audience share was 22%. To bring the partnership to life, we created a supporting campaign which included activity on YouTube, Instagram, Facebook and Twitter. The Facebook and Instagram ads were viewed 1.14 million times. This activity directed people to our personal finance information and Money Tools. Visits to our website [ccpc.ie](https://www.ccpc.ie) over the course of the eight-week series increased by 21% when compared to the same period in 2019 when we sponsored Series 1 of *'How to be Good with Money'*.



Strategic Goal 2

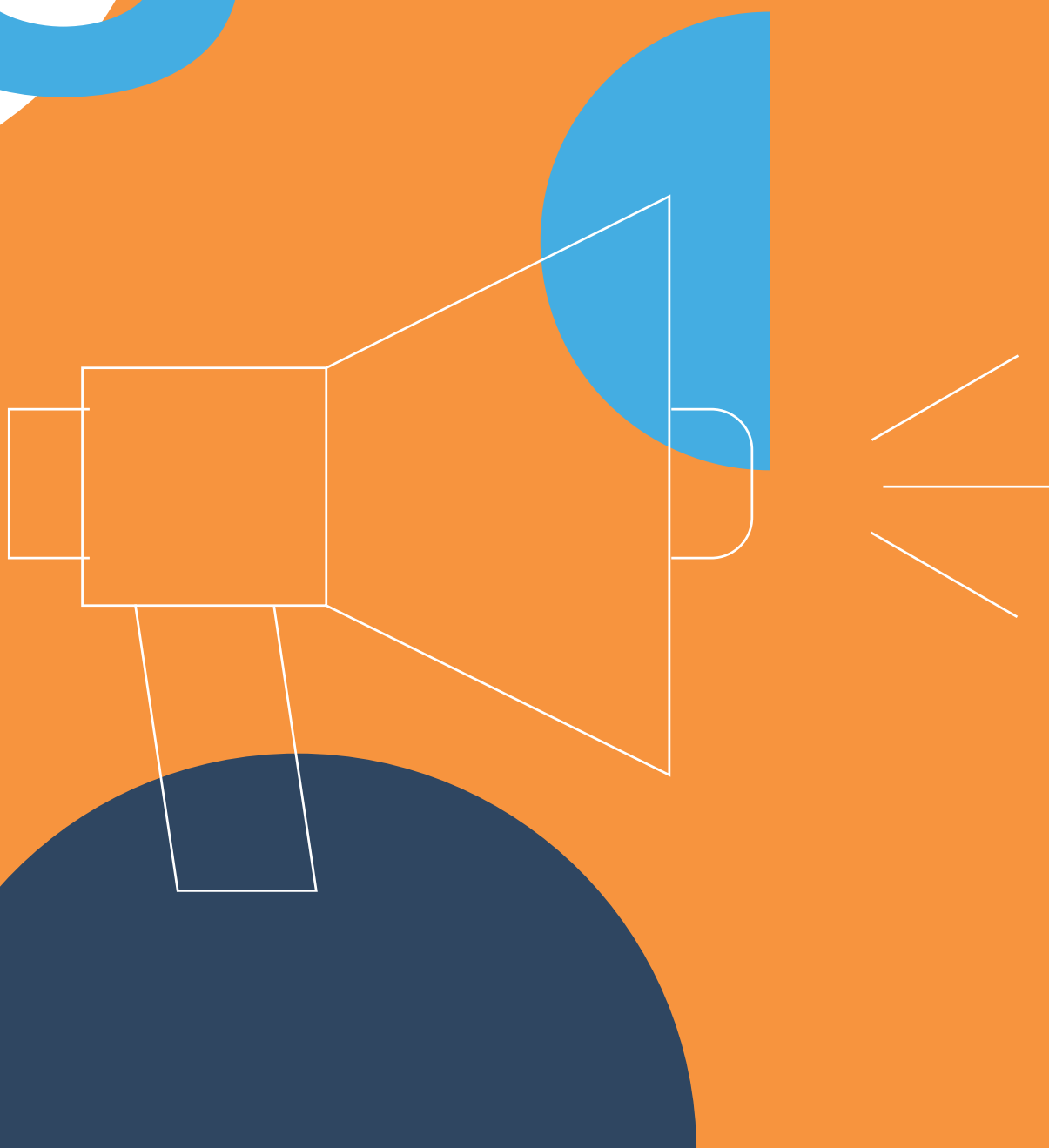
A summary of our work

- 1,940,081 people visited and received information from ccpc.ie.
- Information was provided to 48,603 consumers and businesses who contacted the CCPC seeking information on a range of issues.
- There were 612,841 visits to our financial product comparison tools.
- 10 consumer awareness campaigns empowered consumers to make informed decisions.
- 1,064 employees in organisations across the country participated in the CCPC's Money skills for life financial education programme.
- As of December 2020, there were 6,836 subscribers to the CCPC consumer newsletter. During the year, 15 consumer newsletters were issued with an average open rate of 50%, and a click-through rate of 11%.
- As of December 2020, the CCPC had 44,198 social media followers (Facebook, Twitter, Instagram, and LinkedIn).
- 1,000 consumers were surveyed on changes in consumer online shopping behaviours in response to Brexit. (see page 22 for more information)



Strategic Goal 3

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

A large, bold, blue number '3' is positioned on the left side of the page. It is partially overlaid by a white semi-circle at the top left.

Case study:

Study of the public liability insurance market

Background

In 2019, the Minister for Business, Enterprise and Innovation, Heather Humphreys, TD asked the CCPC to conduct a study of the public liability insurance market in accordance with section 10 (4) of the Competition and Consumer Protection Act 2014. The completed CCPC study was submitted to the Minister for Enterprise, Trade and Employment and An Tánaiste, Leo Varadkar, in December 2020.

The CCPC's study examined the public liability insurance market from a competition perspective. Given the absence of independent data on the sector, the findings were informed by extensive stakeholder engagement and research, which maximised the information available for analysis. The CCPC also undertook market research amongst a large sample of public liability insurance buyers, such as businesses and community-based organisations, and we used our statutory power under section 18(1)(d) of the Competition and Consumer Protection Act 2014 to send requests for information to industry representative bodies. This approach allowed the CCPC to identify the relevant competition issues in the market and make evidence-based policy recommendations.

Findings

- The market study found that high premium increases in public liability insurance are an issue across all sectors of the economy. Respondents to the CCPC's market research reported premium increases of, on average, 15-20% in the past three years. In addition, there was a reduced availability of public liability insurance primarily impacting certain sectors such as community and sports groups.
- The market study found that a lack of independent public data on the insurance market, as well as a lack of open access to claims history information, may be acting as barriers to market entry.
- The experiences of buyers of public liability insurance policies was highlighted. The CCPC's market research found that the level of engagement by buyers in the market was relatively low. A quarter of buyers switched their insurer in the last five years, primarily for price-related reasons. Of the organisations that did not switch their insurer in the last five years, around half had shopped around for an alternative provider over the same period. Around one-third of organisations did not switch due to a real or perceived barrier to switching such as a lack of alternative providers, the time required or the complexity of the process.
- Uncertainty on claims costs were perceived as being a significant driver of increasing premiums. While the available data was insufficient to confirm the extent to which this was the case, this perception may be impacting on new entrants deciding to enter the market.



Recommendations

Based on these findings, the CCPC made a number of recommendations including:

- **Improved data availability** – to ensure enhanced access to data and to facilitate new market participation in the public liability market.
- **Developing supports for buyers** – to allow for greater support for public liability insurance buyers, and;
- **Expansion of the role of the Personal Injuries Assessment Board (PIAB)** – to become the main personal injury settlement channel in the State and in doing so provide a more transparent and cost-effective process for claims.

In December 2020, the Cabinet Sub-Committee on Insurance Reform published the Action Plan for Insurance Reform. The CCPC continues to actively engage with Government and other stakeholders to progress the implementation of the recommendations of our study and on the broader insurance reform agenda.



The full list of recommendations and the report are available to download on ccpc.ie.

Highlights

Promoting competition and highlighting the interests of consumers

Package Holiday Directive

Throughout 2020, the COVID-19 pandemic and subsequent public health restrictions on travel meant that many consumers had to cancel and postpone planned package holidays. The CCPC worked alongside our parent Department, DETE, the Department of Transport, Tourism and Sport and the Commission for Aviation Regulation to ensure travellers would benefit from new guidance on the right of travellers to terminate package travel contracts due to the extraordinary circumstances resulting from the COVID-19 outbreak. The guidance was published at the end of March and provided clarity to travellers, travel agents and tour operators on the right to terminate package travel contracts for reasons related to COVID-19.

Special Committee on COVID-19 Response

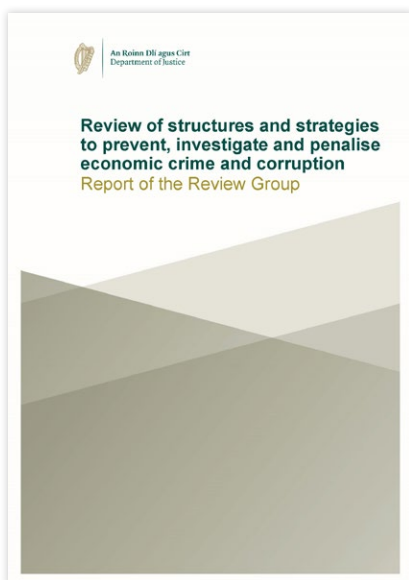
In June, we made a written submission to the Oireachtas Special Committee on COVID-19 Response on the topic of travel restrictions and, in particular, passenger rights and refunds. The Committee was assessing the impact of national and international travel restrictions and we were requested to make a submission along with a number of other government agencies including the Commission for Aviation Regulation, the National Transport Authority and Fáilte Ireland. In our response to the Committee, we highlighted passenger rights in relation to package holidays, cancelled flights and cancelled ferries. We also outlined the work we did to help consumers and businesses, including the development of an online COVID-19 information hub on our website, publishing guidance and warnings to businesses and conducting inspections to ensure that businesses complied with the law and responding to an increase in queries from businesses looking for information and advice about topics such as the safety standards required for PPE and non-PPE face masks for consumers.

Public liability insurance study

In August 2019, the Minister for Business, Enterprise and Innovation, Heather Humphreys, TD in accordance with section 10 (4) of the Competition and Consumer Protection Act 2014 requested that the CCPC conduct a study of the public liability insurance market. The completed CCPC study was submitted to Tánaiste Leo Varadkar in December 2020 and made a number of evidence-based policy recommendations.

More information on the CCPC's study, findings and recommendations is available on page 34.

Improving competition and consumer welfare



White collar crime

In 2018, a commitment was made by Government to review Ireland's anti-corruption and anti-fraud structures and procedures in criminal law enforcement. Mr. James Hamilton, former Director of Public Prosecutions and anti-corruption expert, was appointed to chair the review group. Pat Kenny, Member of the CCPC Commission and Eksteen Maritz, Director of Criminal Enforcement, participated in the review group with representatives from various government departments, State agencies and other experts. The report *"Review of structures and strategies to prevent, investigate and penalise economic crime and corruption"* was published in December 2020.

The report made a number of structural, legislative and resourcing recommendations to enhance the capacity of agencies, including the CCPC, to tackle white collar crime. The CCPC particularly welcomed the recommended recognition of bid-rigging as a distinct form of hard-core cartel behaviour. Bid-rigging is one of the most common forms of cartels that the CCPC investigates. The support for the introduction of a bid-rigging screening system for public procurement data in the Hamilton Report is also important for the detection and deterrence of bid-rigging in public procurement processes and across the economy generally. The CCPC has worked with our parent Department, DETE, to provide for a specific offence of bid-rigging and for additional surveillance powers in the forthcoming Competition (Amendment) Bill.

The review group also recommended the extension of surveillance powers to the CCPC and changes to the custody regulations to assist in the investigation of economic crime such as cartel activity. If implemented, these recommendations will provide important tools to enable the CCPC to counteract the secretive and covert nature of such criminal behaviour.

Addressing gaps in the Irish competition law enforcement regime

New competition legislation, the Competition (Amendment) Bill 2021, will be introduced in 2021. The Bill will transpose Directive EU 2019/1 (ECN+ Directive) into Irish law and introduce a number of significant changes to the current competition law enforcement regime in Ireland. The purpose of the ECN+ Directive is to empower the national competition authorities of the EU Member States, including the CCPC, to be more effective enforcers of EU competition law and to ensure the proper functioning of the internal market. The ECN+ Directive provides for minimum guarantees and standards to empower national competition authorities with the appropriate tools to enforce EU competition law in a harmonised manner. In particular, the ECN+ Directive requires Ireland to introduce non-criminal financial sanctions for breaches of EU competition law. The Bill will also include amendments to existing competition legislation which are outside the scope of the ECN+ Directive. The purpose of these amendments is to further bolster the CCPC's powers in the enforcement of EU and Irish competition law and

the statutory merger review regime.

The CCPC is very strongly supportive of the aims and content of the ECN+ Directive and of the Bill. It is essential that we have sufficient and coherent powers to effectively deliver on our core objectives. In particular, the CCPC considers that the introduction of non-criminal financial sanctions will fill a significant gap in the existing competition law enforcement regime in Ireland and is of critical importance for the effective enforcement of competition law in Ireland. The CCPC's strong preference is for the introduction of an administrative enforcement regime in Ireland, whereby the CCPC would itself have the power to impose fines for breaches of competition law.

In 2020, we continued to work closely with our parent Department, DETE, on the transposition of the ECN+ Directive and the drafting of the Bill to ensure that Ireland's competition law regime can meet the challenges of current markets.

We also began planning for implementing and operationalising the requirements of the Bill and the ECN+ Directive. We actively engaged and participated in discussions with key stakeholders, including the Commission for Communications Regulation (ComReg), the Director of Public Prosecutions (DPP) and the legal community regarding the transposition of the ECN+ Directive, as well as presenting on the ECN+ Directive at competition law events.

- **Enforcement and Modernisation Directive 2019/2161**

This Directive, also known as the "The Omnibus Directive" is due for transposition in Ireland by November 2021. The aim of the new Directive is to update and strengthen existing consumer protection laws, particularly in respect of penalties and transparency requirements for online consumer transactions.

- **The Sale of Goods Directive 2019/771/EU**

This Directive will modernise consumer rights in relation to contracts for the sale of goods and provide a suite of remedies to consumers.

- **The Digital Content Directive 2019/770/EU**

This Directive will give consumer rights in contracts for digital content and digital services an express statutory footing in Ireland for the first time.

- **The Better Enforcement and Modernisation of Consumer Protection Rules Directive 2019/2161/EU**

This Directive will likely lead to amendments of existing CCPC enforcement powers provided by the Consumer Protection Act 2007, as well as the possibility of greater penalties for breaches by traders of consumer rules where those breaches have an EU-wide dimension.

The transposition of these Directives will have a positive impact on the protection provided to consumers in modern-day contracts, as well as providing the CCPC with the powers necessary to enforce those rules. The CCPC will assist our parent Department, DETE, in the transposition of these Directives.

Other legislation changes

- **Collective Redress Directive**

2020 also saw the finalisation of the Collective Redress Directive 2020/1828/EU on representative actions for the protection of the collective interest of consumers under EU law. The new Directive sets out rules to ensure that a representative action mechanism for collective interests of consumers is available in the EU. The Directive is part of the 'New Deal for Consumers' which aims to ensure that all European consumers fully benefit from their rights under EU law.



- **EU Market Surveillance Regulation**
A new EU market surveillance Regulation, EU Regulation 2019/1020, will come into effect in July 2021. The new Regulation will significantly impact four horizontal product safety regimes within the CCPC's remit. This Regulation will provide the CCPC and other market surveillance authorities in Ireland with increased minimum market surveillance powers, as well as enhancing and strengthening the cooperation mechanisms between customs and market surveillance authorities across Europe. The Regulation also introduces new obligations for economic operators as it seeks to modernise the market surveillance framework to cover new supply chains and address online sales. In 2020, the CCPC established a cross-divisional project team to understand and prepare for the impact of the EU Regulation on the CCPC's role and remit. The project team has worked closely with our parent Department, DETE, and other key stakeholders such as the Health and Safety Authority, to propose legislative amendments required to give effect to the new EU Regulation.
- **Digital Services Act and Digital Markets Act**
The CCPC is engaging with our parent Department, DETE, on the negotiation of two separate EU proposals that aim to create a safer and more open digital space and to establish a level playing field to foster innovation, growth and competitiveness in the Single Market. The draft Digital Services Act contains wide-ranging proposals to address the dissemination of illegal content online (including products and services), through the proposed imposition of obligations on the providers of certain online services. It could also provide a basis for consumers and businesses to seek redress, the removal of content, and to increase transparency on the operation of the business models of online platforms. The draft Digital Markets Act aims to ensure contestable and fair markets in the digital sector by imposing harmonised, directly applicable obligations on a small number of digital gatekeepers. Both proposals could affect a number of markets, businesses and consumers in Ireland, and have potential implications for the CCPC's mandate of enforcing competition, consumer protection and product safety law.

Significant meetings	
Topic	Stakeholder
Insurance	– Tánaiste and Minister for Enterprise, Trade and Employment – Minister of State for Trade Promotion, Digital and Company Regulation – Minister of State with responsibility for Financial Services, Credit Unions and Insurance – Department of Enterprise, Trade and Employment – Department of Finance
Waste	– Department of Environment, Climate and Communications
Retail Credit	– Department of Finance
Bid-rigging	– Office of Government Procurement
Brexit	– Department of Enterprise, Trade and Employment (Brexit Co-ordination Group; Brexit Liaison Unit)
Financial Education	– Department of Finance – Department of Enterprise, Trade and Employment
Digital Issues	– Department of Enterprise, Trade and Employment – European Commission – Economic Regulators Network

A snapshot of our advocacy work in 2020

The CCPC promotes competition and highlights the interests of consumers in a number of different ways. In 2020, we responded to eight formal consultation processes and held 10 significant meetings with Government, regulators and law makers. Our consultation responses covered a wide variety of policy areas including: advocating for the inclusion of financial education in the primary school curriculum, on the content of a New Consumer Agenda for the EU, and on the development of the EU Digital Markets proposals. We also engaged with government departments in relation to the detection of bid-rigging in public procurement and as a member of the Waste Action Plan Advisory Group for a new National Waste Policy we advocated for changes to the regulation of the household waste sector.

A summary of our advocacy actions is detailed below:

International engagement

2020 was a busy year for the CCPC in terms of international engagement. The number of international meetings attended by CCPC staff rose significantly, from 105 in 2019 to 204 in 2020 (+94%)³. The increase reflects the stated commitment of the CCPC to engage more actively in international fora and to increase our presence on the international stage.

An important factor behind the sharp rise in attendance was the impact of the COVID-19 pandemic. As the pandemic resulted in the curtailment of international travel, the move to online meetings from March 2020 made it easier and more cost effective for CCPC staff to avail of opportunities to attend a greater number of international meetings and to engage with new organisations or working groups. The pandemic also gave rise to a significant number of webinars and virtual meetings focused on the impact of, and response to, COVID-19. Another contributory factor was the increased staffing in the CCPC's Product Safety Division which allowed for greater participation in cross-European product safety groups and committees.

Summary of key submissions/consultation responses:	
Sector	Stakeholder
Digital Sector	– European Commission
Investment Screening	– Department of Enterprise, Trade and Employment
Consumer Protection/ Product Safety	– European Commission
Financial Education	– National Council for Curriculum and Assessment – SOLAS
Departmental Statements of Strategy	– Department of Enterprise, Trade and Employment – Department of Further and Higher Education, Research, Innovation and Science – Department of Environment, Climate and Communications

³ The figures for 2020 are not directly comparable with those for 2019, due to changes in reporting procedures resulting from the switch to virtual meetings in 2020.

During 2020 we attended the following international meetings	Number of meetings attended 2020
European Competition Network	45
Consumer Protection Cooperation Network	31
Organisation for Economic Cooperation and Development	26
Product Safety Meetings	34
International Competition Network	11
International Consumer Protection and Enforcement Network	12
United Nations Conference for Trade and Development	5
Other Conferences	40
Total	204

The CCPC participates in a large number of international competition, consumer protection and product safety organisations, both at EU level and beyond. EU organisations which are central to our work include the European Competition Network (ECN), the Consumer Protection Cooperation Network (CPC) and several product safety networks, including RAPEX, the Consumer Safety Network (CSN), and four DG GROW Administration Cooperation (Adco) working groups relating to toys, low voltage, gas appliances and personal protective equipment. We also actively participate in global organisations, including the Organisation for Economic Co-operation and Development (OECD), the International Competition Network (ICN) and the International Consumer Protection and Enforcement Network (ICPEN).

2020 saw a significant increase in participation in all of our mainstream international organisations (ECN, CPC, OECD, ICN and product safety groups). There was a sharp jump in the number of product safety meetings attended – from 14 to 34 – as above, reflecting the scaling up of that division in the CCPC in response to Brexit. There was renewed engagement with ICPEN and, in a new departure, several of our operational divisions attended United Nations Conference for Trade and Development (UNCTAD) meetings for the first time. Finally, there was an increase in the number of one-off conferences and webinars attended in 2020, many of them exploring specific aspects of the impact of COVID-19.

The CCPC represents the interests of consumers, and promotes competition, in the international arena by making submissions, giving speeches or presentations, completing questionnaires and surveys and making other contributions to international bodies. In 2020, we responded to 32 international surveys and questionnaires and made nine submissions or presentations to international organisations on the review of important EU instruments in the fields of competition law, consumer protection law, financial literacy and product safety. We also responded to a number of surveys and submissions in 2020 which related specifically to the impact of COVID-19 on various aspects of our work.

An important aspect of the CCPC's international engagement is bilateral engagement with other National Competent Authorities (NCAs) and EU institutions. In 2020, we had substantive meetings with a number of NCAs including Sweden, the Netherlands, Denmark, the US, Canada, Australia, and New Zealand, as well as with the European Commission. We also worked to further develop and strengthen our relationships with UK authorities such as the Office of Product Safety and Standards (OPSS) and the Northern Ireland Consumer Council which we are working closely with in the post-Brexit environment.

Enhancing relationships with stakeholders and sharing perspectives on market issues



European Consumer Summit

In February, staff members from the CCPC travelled to Brussels for the European Consumer Summit. The Summit was attended by over 500 consumer protection and product safety regulators, policy makers, legislators and lawyers, academics, consumer groups and industry. The theme of the event was *'Consumers in the Green and Digital Transition: Challenges and Solutions for a new Consumer Policy'* and sessions focused on the future of consumer protection and product safety policy. Other key topics discussed included the increased focus on sustainability in consumer protection and the greater product safety obligations online platforms have.



Competition law conference

In February, Member of the Commission, Pat Kenny gave the keynote address alongside Eddy de Smijter, Head of International Relations

at DG Comp, at the European Commission at the 'EU Competition Law' conference in Dublin. Pat's keynote address focused on Brexit and the potential impact it will have on mergers and competition, the ECN+ Directive and areas where changes need to be made to ensure cartel behaviour can be better detected. Laura McGovern, Deputy Director of Legal Services in the CCPC, also participated in a panel discussion with Lisa Arsenidou from the European Commission about the changes to the competition law enforcement regime which will be introduced by the ECN+ Directive.

International fraud prevention conference

In March 2020, staff members from the CCPC's Consumer Crime Unit attended the International Fraud Prevention Conference at Croke Park in Dublin. The conference brought together top international experts and speakers in this field to address the problem of fraud in the private and public sectors.

Digital market control to detect competition infringements

In March, Martin Ryan, Head of the CCPC's Digital Investigations Unit attended a workshop hosted by the Catalan Competition Authority. The theme of the workshop was *"Digital Market Control to Detect Competition Infringements"*. Discussions at the event focused on how to best monitor economic online activity ranging across aspects such as algorithms, price discrimination and public tender analysis.

OECD Competition Week



In June, Chairperson, Isolde Goggin and other staff members from

across the CCPC virtually joined delegates from over 50 countries for the OECD '2020 Competition Committee Week'. The aim of the event was to promote regular exchanges of views and analysis on competition policy issues. The proceedings from these discussions, including submissions from countries and invited experts, were published within the Best Practice Roundtables on Competition Policy series. Topics discussed included conglomerate effects on mergers, killer

acquisitions and merger control thresholds, criminalisation of cartels and consumer data rights and its impact on competition. A session was also added to the agenda to allow competition agencies to share perspectives on competition policy in times of COVID-19 and the possible challenges they may face.

Exchanging insights internationally

In September and December, the CCPC's Criminal Enforcement Division hosted a Criminal Investigations Group webinar with a number of international competition authorities that either prosecute cartel cases criminally, or are interested in moving to a criminal regime. In September over 42 representatives attended from 14 different countries across six continents. A number of important topics were discussed over the course of the webinar, including; obtaining third party communications, confidentiality of document requests to third parties, jurisdiction issues with data located in different countries, as well as encrypted messaging services.

In December 2020, members from 10 countries and four continents attended the last international Criminal Investigation Group meeting of 2020. The discussion centred on issues and solutions to balancing the right of companies to maintain their commercial secrets against the right of competitor companies for complete disclosure of evidence gathered by the authority. Representatives from Canada, New Zealand, Israel, Austria, the UK's Competition and Markets Authority and the U.S. Department of Justice Antitrust spoke at these virtual events.

ICN merger working group

In November, Ibrahim Bah, Director of Competition Enforcement and Mergers, spoke at an ICN merger working group webinar. The theme of the event was *'Merger Control in Times of Crisis'*. During the webinar, Ibrahim shared the experience of the CCPC in reviewing mergers during COVID-19 including our Temporary Merger Notification Procedure and practical steps undertaken by the CCPC to ensure the seamless review of mergers. Over 90 participants attended the webinar from around Europe and the USA. Other speakers at the event included the UK's Competition and Markets Authority (CMA), Spain's Comisión Nacional de los Mercados y la Competencia, the

OECD, and a partner from Latham & Watkins, France.

EU-India Competition Week

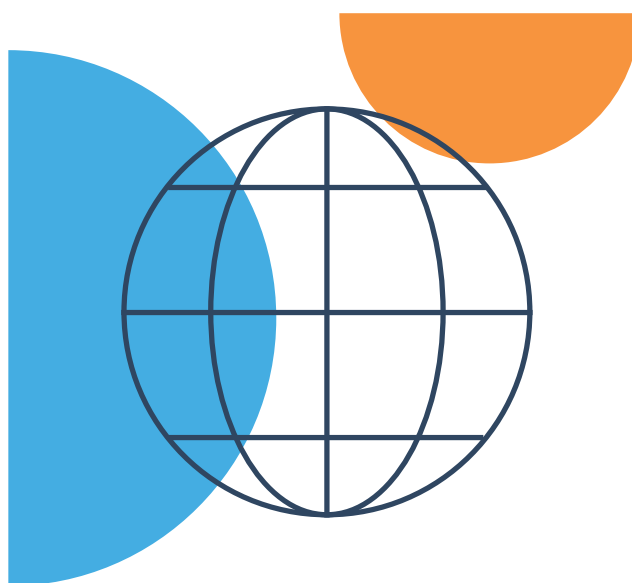


In December, Ibrahim Bah, Director of Competition Enforcement and Mergers, spoke at the EU-India

Competition Week virtual workshop. During the workshop, Ibrahim shared the experience of the CCPC in designing, negotiating and formulating remedies in mergers to address competition concerns during the *'Merger Remedies Session & Overview of India's Merger System'*. Other speakers at this workshop include the European Commission and the Competition Commission of India.

International Network on Financial Education

The CCPC is a member of the OECD's International Network on Financial Education (INFE). In May and October 2020, the CCPC's Financial Education Team virtually attended the two INFE meetings. In May the updates were provided to INFE on Ireland's response to COVID-19 and the changes that had been made to the CCPC's personal finance information and financial education programmes to adapt to the situation. Our Financial Education Team also joined numerous webinars on financial education-related topics organised by INFE throughout the year.



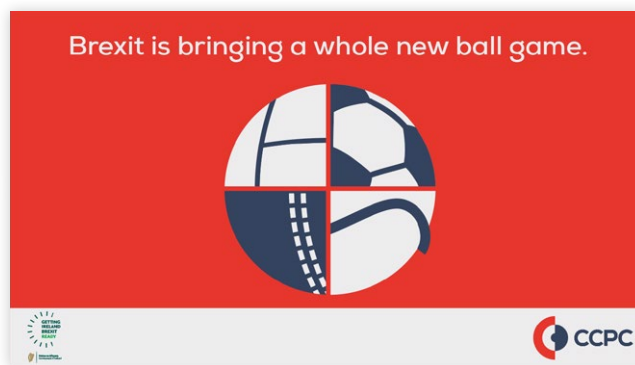
Case study:

Preparing businesses and consumers for Brexit

The UK's departure from the EU has had implications for all aspects of the CCPC's work, from consumer protection to merger control and market surveillance. Throughout 2020, we continuously monitored developments, identifying the impact of changes and ensuring that we were in a position to meet the challenges it posed for Irish businesses and consumers. As part of our preparation, we attended regular high-level meetings of the Brexit Co-Ordination Group chaired by our parent Department, the Department of Enterprise, Trade and Employment (DETE). This inter-agency group played an important role in identifying emerging issues and feeding them into the wider Governmental preparations on Brexit.

Product safety

Under product safety law, Brexit has particular implications for distributors and retailers in Ireland that source non-food consumer products from manufacturers or suppliers in the UK. From 1 January 2021, EU rules relating to product safety no longer apply to the UK (with the exception of Northern Ireland). This means that businesses importing products from the UK are considered "importers" rather than "distributors" for the purposes of product safety law. Importers have more stringent legal obligations than distributors so businesses' obligations therefore increase. Brexit also significantly impacts the CCPC's responsibilities in the area of product safety and market surveillance, and so we worked closely with Customs Authorities and Market Surveillance Authorities (MSAs) here, in Northern Ireland and in the UK, to ensure consumers continued to remain safe from dangerous, faulty or counterfeit products post-Brexit. We also published guidance to assist businesses in understanding the impact of Brexit on businesses' product safety obligations.



Research

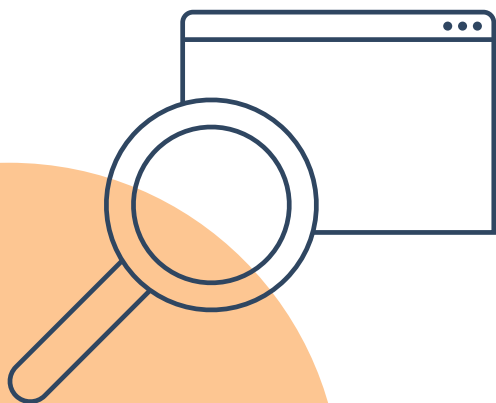
We commissioned research into SME preparedness for Brexit, particularly those businesses trading in areas that fall under the remit of the CCPC through product safety legislation. The research was conducted across a nationally representative sample of 500 businesses between August and September 2020. The results showed that most businesses that trade with the UK were aware that goods solely transited to Ireland from the UK would have to comply with European product safety rules after Brexit. However, 67% of businesses reported that they had no procedures in place to assess the compliance of goods sourced outside of the EU with product safety legislation.

To prepare businesses for the changes ahead, we ran a four-week Brexit business campaign in October to remind SMEs to take action to prepare for a change in their legal obligations and remain compliant with product safety laws. Our awareness campaign ran on radio, YouTube, LinkedIn and Twitter.



Brexit research on online shopping

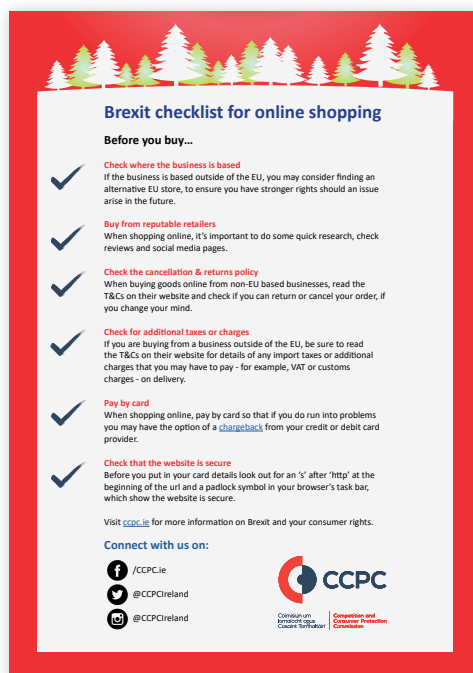
We commissioned research into online shopping behaviours and how consumer behaviour changed in response to Brexit. This research was conducted across a nationally representative sample of 1,000 consumers. The results showed that over half (53%) of consumers in Ireland who shop online have purchased goods from UK-based businesses in the previous 24 months. There were large differences between the behaviours of different ages, with 39% of under 25s reporting that they had made more than five purchases online from the UK during the past two years. In contrast, 66% of those aged 55 or older reported not having bought anything from the UK. The study also highlighted how only 1 in 10 (15%) consumers were aware that there are higher taxes and tariffs when buying from businesses outside of the EU. A similar cohort of just 18% were aware that returns policies differ when shopping online from within the EU versus non-EU countries.



Helping consumers

Informed by our research, we launched a Brexit public information campaign to make consumers aware that the strong consumer protections that are in place when buying from an EU website may not apply post-Brexit if they buy from a UK-based company. This messaging had added significance due to the considerable increase in online shopping as a result of COVID-19. The campaign ran for four weeks and consisted of ads on radio, digital audio and YouTube, digital display, Gmail and social media. The campaign landing page on our website received 6,276 page views during the campaign.

In December, we also launched a nationwide consumer campaign urging online shoppers to be Brexit-aware over Christmas. For this campaign, we created a checklist to help consumers be Brexit-aware when shopping online.



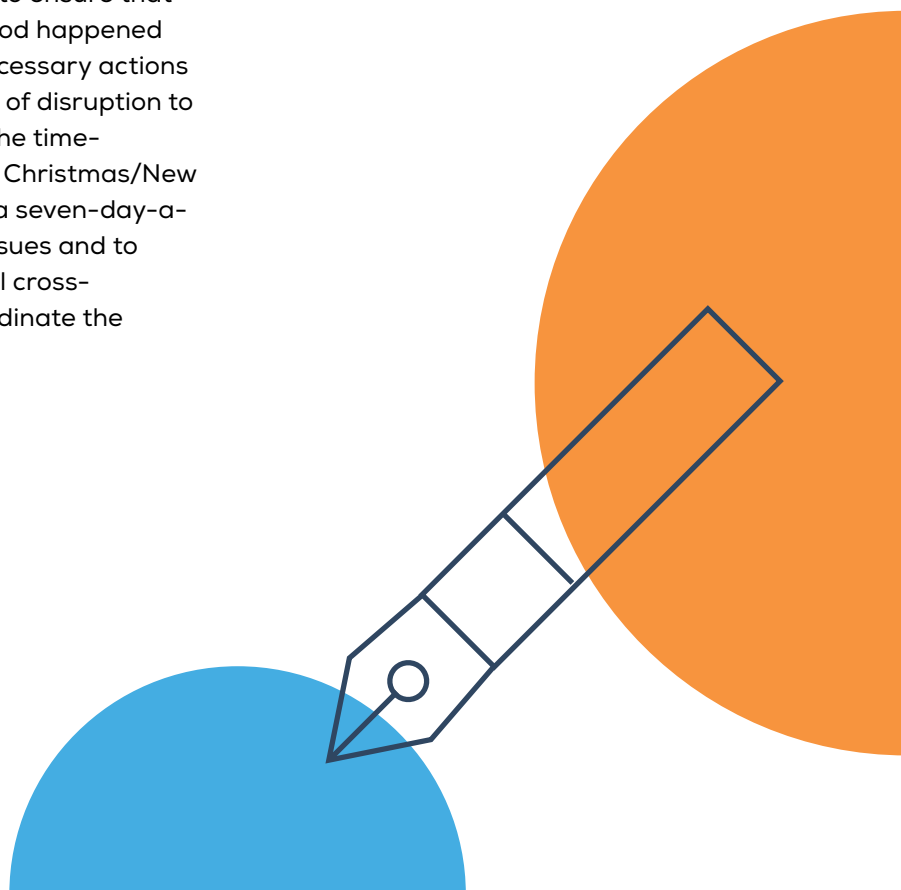
Briefing with our legal stakeholders on merger control

In December, we invited stakeholders in the legal community to a virtual briefing. This event marked our third annual briefing with our legal stakeholders. During the webinar, Brian McHugh, Member of the Commission and Ibrahim Bah, Director of Competition Enforcement and Mergers, discussed recent developments in merger control and the likely impact of events domestically, particularly Brexit, on the future of merger reviews in Ireland. Over 60 participants took part in the virtual event.



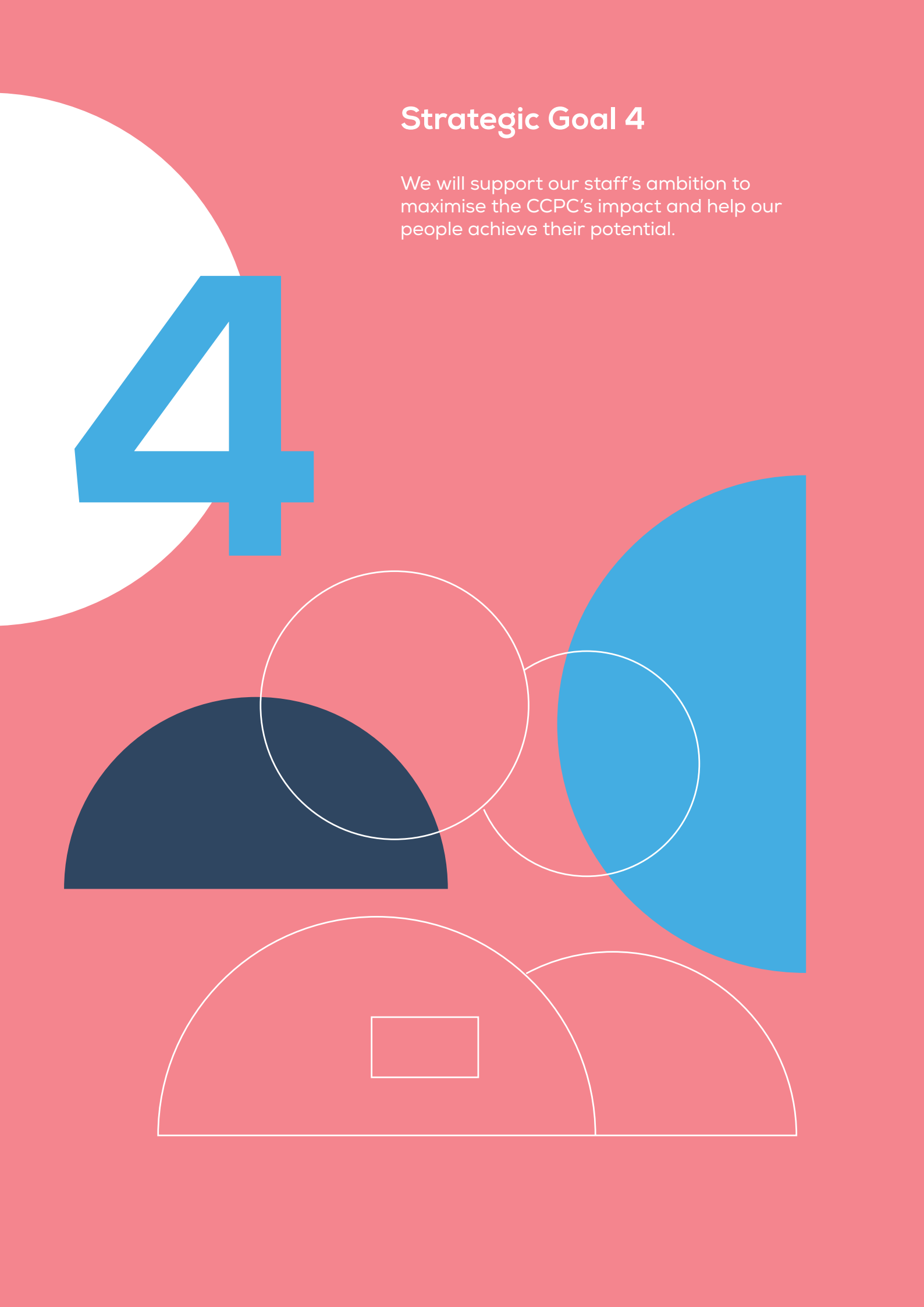
Director of Competition Enforcement and Mergers, Ibrahim Bah and Member Brian McHugh

Throughout 2020, the CCPC assisted the Government in its intensive efforts to ensure that the end of the Brexit transition period happened as smoothly as possible and the necessary actions were taken to minimise the amount of disruption to consumers and businesses. Given the time-sensitive nature of events, over the Christmas/New Year period, the CCPC maintained a seven-day-a-week presence to assist with any issues and to provide daily reports to a high-level cross-Departmental group set up to coordinate the Government's response to Brexit.



Strategic Goal 4

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



4

Supporting our people during COVID-19

The COVID-19 pandemic severely affected every aspect of life in 2020. In March, the CCPC quickly moved to remote working. We worked to support our people during a period of huge uncertainty and to help them adjust to the changes to their working environment. The CCPC's wellbeing programme was adapted and we explored new ways to help staff's mental, physical and emotional wellbeing. This was also supported by the leadership decision to provide as much flexibility as possible during periods where there were childcare and other carer challenges.



Move to remote working

At the end of 2019, the CCPC conducted an internal audit of our ICT Disaster Recovery and Business Continuity Plan and in January 2020 we began implementing a revised Business Continuity Plan. Based on this revised plan, each Division in the CCPC completed a review of their critical functions. During the same period, our ICT Unit began implementing new devices (primarily rolling out laptops) for all staff. This work in the early part of 2020 assisted the CCPC to be ready to move to working remotely, with 115 laptops rolled out in a short period of time.

We also implemented a protocol on dealing with suspected cases of COVID-19 in the office and by 12 March 2020, we had facilitated anyone in the vulnerable category to work remotely. Over the following days we were able to facilitate the same for all staff.

As remote working continued for all of 2020, the CCPC sought to ensure staff had sufficient support to work from home. The CCPC's ICT Unit managed a 60% increase in ICT helpdesk queries. We developed resources to help staff in the areas of managing our new workspace and workload, managing people, managing probation remotely and taking care of our wellbeing. Staff also received regular communications on COVID-19 and a dedicated information hub was created on the CCPC's intranet to provide easy access for staff to support materials, guidance, policies and procedures. All staff were provided with access to Microsoft Teams to connect visually with colleagues. This enabled the CCPC's Organisation Development (OD) Unit to brief staff through virtual team meetings and to ensure that staff felt supported. We recognised that many staff members were working at temporary desks and locations, so we delivered ergonomic assessments to all staff virtually and provided them with additional equipment to ensure they were set up for working from home.



Looking after our people's wellbeing

Throughout 2020, the CCPC's Wellbeing Committee organised over 20 initiatives and events, under the three pillars of 'life', 'mind' and 'body'. As the pandemic progressed, we were acutely aware of the impact on people's mental wellbeing. We provided supports and initiatives specifically aimed at positive mental health. We focused on open and honest dialogue in line with the principles advocated by the Green Ribbon Campaign and the Healthy Ireland agenda. In late May, we conducted a staff survey to assess the effects of working remotely, to identify areas for improvement and to test if staff's welfare had been maintained.

Sharing our knowledge and experience with others

In October, the CCPC's Head of Organisational Development, Janet Buckley, took part in the *Work Well* podcast with Workplace Wellbeing Ireland.

During the podcast Janet spoke to Brian Crooke, Director of the Trinity College Post-Graduate Programme on Workplace Wellbeing, about debunking the myths behind workplace wellbeing, particularly, the myth that wellbeing is time consuming and expensive to do well. Janet also discussed the importance of the CCPC's Wellbeing Strategy and some of the impactful initiatives we have run throughout the years and during COVID-19 in particular. These initiatives all aligned to the World Health Organisation's global model for action for healthy workplaces.



CIPD HR awards

In December, the CCPC was shortlisted for a Chartered Institute of Personnel Development (CIPD) HR Award. This award recognised organisations of any size, who demonstrated how they excelled in their response to COVID-19 or travelled on a significant change journey, and supported managers and staff through the transition.

The CCPC was shortlisted in the new category of 'Flexible and Remote Working' and of the 57 final places across a number of HR areas, the CCPC was among only nine public and civil service bodies to make the final.

Priorities and resources

Work planning and personal performance and capabilities

2020 was the final year of our 2018-2020 Strategy Statement. Throughout the year we continued with our collaborative work planning which we established in 2018 to connect each staff member's work to our strategic goals and vision. A core priority for us is employee development, improving their skills and capability and, in turn, enhancing and recognising performance. We do this through continuous manager-employee engagement, performance management and our learning and development (L&D) programme. More than ever, due to the COVID-19 pandemic, continuous manager-employee dialogue ensured that we were able to deliver on our strategy in such unprecedented times.

In 2020, we developed our new Strategy Statement, which will guide us in the period from 2021-2023. This strategy draws on our experience and knowledge of emerging issues for consumers and markets and focuses on how the CCPC can

OUR STRATEGIC GOALS FRAMEWORK 2021 – 2023



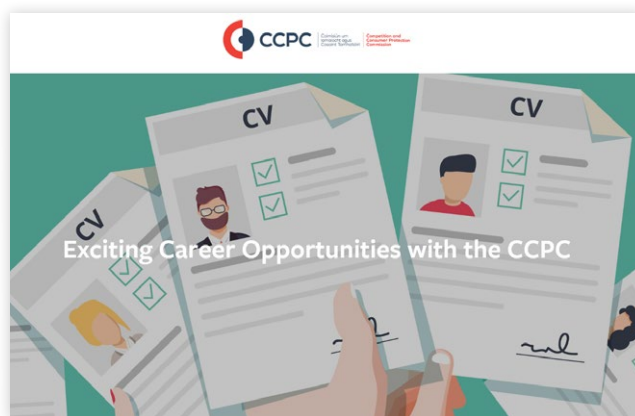
achieve our vision of open and competitive markets where consumers are protected and businesses actively compete. The new strategy, which took effect from 1 January 2021, will drive the activities of the CCPC through three crucial years. During this time, important EU legislation will take effect which will have significant implications for the future of both competition and consumer protection law and their enforcement in Ireland. The organisation is set to grow and develop to deliver on increased legislative responsibilities including stronger measures to tackle white collar crime. Our new Strategy Statement sets out four strategic goals which span the CCPC's broad remit and work. Each goal is supported by clear actions setting out how we will achieve them, along with defined measures that will demonstrate our effectiveness.

The full Strategy Statement is available to download on [ccpc.ie](https://www.ccpc.ie)

Increasing staff capacity to fulfil our broad remit

Throughout 2020, we continued our recruitment drive to build and develop our capacity. Very early on in the pandemic, having regard for our 2020 recruitment strategy and targets, the CCPC's recruitment and on-boarding moved online. Through recruitment, internal promotions and moves, we filled 32 positions across the organisation in multiple disciplines including law, economics, digital investigations, organisational development, analytics and communications. At the end of 2020, the CCPC had 115 staff.

We continued to prepare for the impact of Brexit and the implementation of the ECN+ Directive on our remit. 2021 will see us maintain robust recruitment strategies to ensure that the CCPC has the capacity to support consumers and business in the changes arising from Brexit and ECN+.



Diversity and inclusion



To continue our commitment to our obligations under the Disability Act 2005, we provided support and access to services and facilities for persons with disabilities in line with HR best practices. The CCPC strives to be a diverse and inclusive workplace and continually seek ways to promote and evolve this identity and support the employment of people with disabilities. In 2020, our staff Disability Liaison Officer (DLO) played an active role in supporting staff with disabilities in light of the COVID-19 pandemic and the move to remote working. The DLO proactively supported our staff and advised managers in providing a healthy and safety workplace as a matter of priority.

To mark the United Nations International Day of Persons with Disabilities, the DLO promoted awareness to all staff on diversity and inclusion focusing on the theme 'All Human, All Equal'. The CCPC teamed up with the National Disability Authority (NDA) to deliver an e-learning module on disability equality awareness training. This provided for CPD credit and certification was given to staff on completion.

As a public sector body, we want our workforce to reflect the diversity in the Irish population and our multicultural society. By the end of 2020, 13 nationalities were represented in the CCPC.

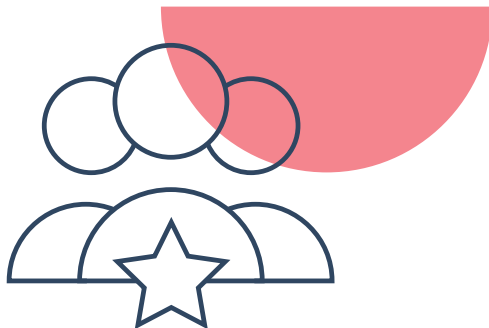
Gender balance

The CCPC is committed to gender equality, and at the end of 2020 we had an organisational gender balance ratio of female to males of 52.3 to 47.7. This compares with 50.05 to 49.95 in 2019. The CCPC is also among the 7% of Irish organisations that have a female Chairperson (Central Statistics Office, 2019).

Reaching our best

Learning and development goals

Our learning and development (L&D) programme was adapted to allow us to maintain our ambitious L&D agenda. Using our evaluation methodology and cross-organisational collaboration, we designed and delivered further bespoke L&D initiatives in 2020 to support our people in the performance of their roles and to enhance their knowledge, skills and competence. In addition to the standard offering in project management, writing skills and governance, we ran our Certificate in Enforcement Practices, and investigative interview programme.



Continual personal and professional development

Throughout the year, our people were supported in availing of an average of 32 CPD hours each. We also continued to support further formal learning under our Advance of Fees Scheme sponsoring over one-quarter of our people in areas of leadership and management, competition law, business and governance.

Our commitment to peer-to-peer and on-the-job learning continued with initiatives such as cross-divisional projects. To increase on-the-job self-learning we developed a knowledge hub which enables staff to readily access all learning and knowledge materials in one place. We ran

our comprehensive Certificate in Enforcement Practices programme. This underpinned the CCPC's Enforcement Guidelines and increased the knowledge, skills and the competence of enforcement teams and all authorised officers, ensuring the transfer of tacit knowledge from more experienced staff members.

We continued the evaluation of our programmes and have detailed analysis to bring forward into 2021 to improve how we help our people grow and learn.



Organisational projects

To enable our people to access what they need, when they need it and to ensure staff have access to the CCPC's vast amount of institutional knowledge, in 2020, we completed the second, final phase of a document management project. The first phase, the reorganisation of file structures and introduction of a new document management policy, was completed in 2019. The second phase was to implement an electronic document and records management system. After some consideration, the eDocs application was chosen. This application has been implemented in a number of Civil Service Departments and public bodies under the 'Build to Share' objective in the Government's Public Service ICT Strategy. CCPC staff worked alongside staff from the Office of the Government Chief Information Officer and their ICT development partners to prepare the CCPC file structures, implement eDocs and provide our staff with appropriate support and training on the new system.

Innovation

Some of our people attended various innovation events organised by the Department of Public Expenditure and Reform. The CCPC also has a permanent representative on the Public Service Innovation Network. In 2020, the CCPC's innovation was rooted in our response to COVID-19 both internally and externally. **(see pages 22 and 47 for more information).**

Leadership, coaching and mentoring

In 2020, we launched our Executive Leadership programme for senior management. This programme consisted of five modules as well as 360 degree and executive coaching sessions focused on enhancing senior leadership competencies.

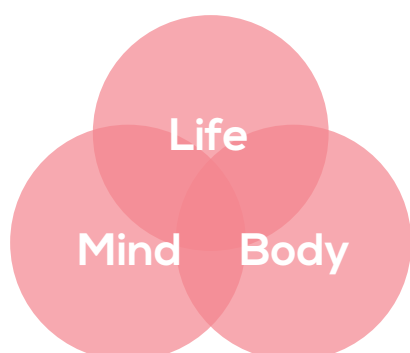
Our 'Foundations in Leadership' programme which focuses on leading and managing in a coaching and collaborative style continued in 2020 and all new people managers were provided with an opportunity to attend. We supplemented this with both formal and informal supports for managing teams remotely including practical virtual workshops.

The CCPC is committed to providing a core group of leaders who lead with purpose, values and integrity; leaders who will continue to build an enduring organisation and leaders who motivate our staff to deliver superior service and create long-term value at an individual and team level.

We continued our mentoring programme in 2020 with a total of 12 new pairings of mentors and mentees from different divisions and levels across the organisation. We also engaged with external mentors.

Employee wellbeing

Increasingly organisations across the public and private sector recognise the importance of employee wellbeing and good mental health. Our people are fundamental to the delivery of the



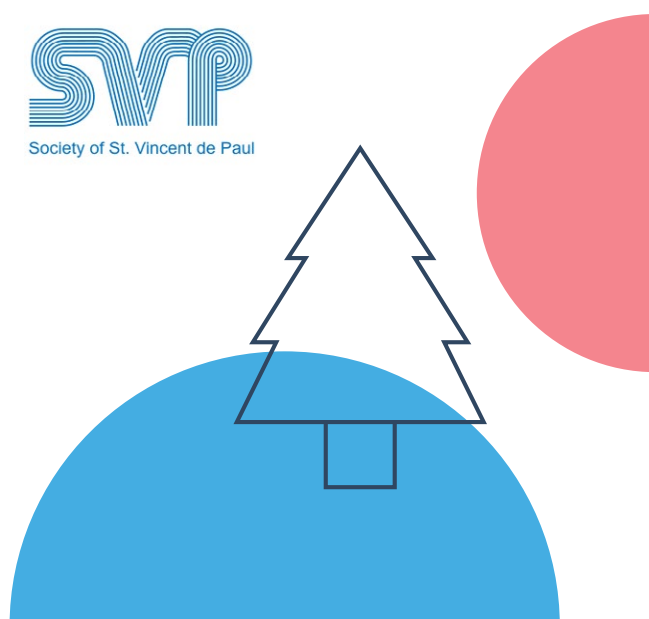
CCPC's vision and, when they are healthy and motivated, their experience and outcomes in the workplace improve. 2020 was the third year of our Wellbeing Strategy. The aim of the strategy is to provide our staff with the supports and services they need to help them maintain and improve their health and wellbeing and overall staff engagement. There were over 20 wellbeing events and initiatives under the pillars; 'Life', 'Mind' and 'Body'.

See pages 47 and 48 for more information on the CCPC's wellbeing work in 2020.

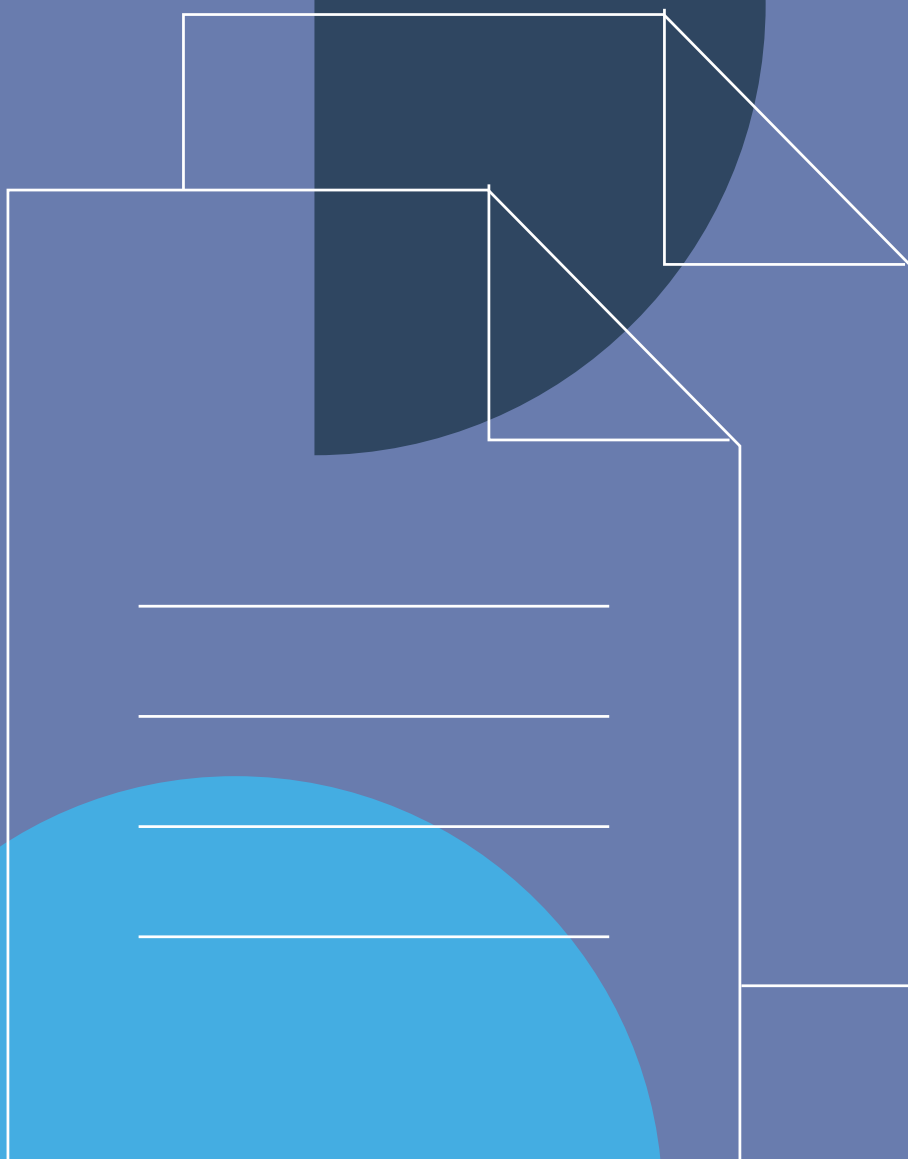
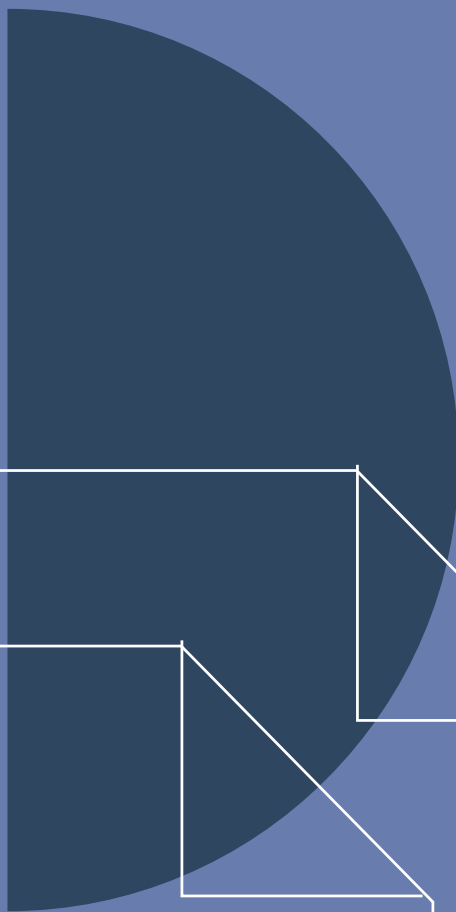
Corporate Social Responsibility

Working with the local community

Each year, our Wellbeing Committee organises a number of community-based initiatives in the local area. Due to COVID-19, we could not continue some of our community Corporate Social Responsibility (CSR) initiatives. However, at Christmas, in support of our neighbours on Railway Street, we created a Virtual Giving Tree and set up an online fundraiser that CCPC staff could contribute to. Our initial goal was to raise €250 for SVP, but thanks to the generosity of our staff we more than tripled this target by raising a total of €830. This was our biggest collection to date for SVP. All of the funds went towards helping families to buy simple things like food, fuel and toys for their children for Christmas.



CCPC Corporate Information



The CCPC is governed by a Commission which consists of a Chairperson and three full time Members. The Chairperson is responsible for the running of the organisation and for its corporate governance. The Chairperson is assisted in the leadership and management of the CCPC by the Members and other senior executives. The Chairperson and Members form a collegiate decision making Commission for key statutory decisions, in addition to having whole time executive responsibilities.

The Commission

The Commission is appointed by the Minister for Enterprise, Trade and Employment following an open Public Appointments Service competition for a term not exceeding five years. The Commission conducted a self assessment evaluation of its own performance in 2020.

Board Member	Role	Date Appointed
Isolde Goggin	<i>Chairperson</i>	1 October 2016 (date renewed)
Patrick Kenny	<i>Member</i>	9 January 2017 (date renewed)
Fergal O Leary	<i>Member</i>	18 July 2016 (date appointed)
Brian McHugh	<i>Member</i>	1 September 2017 (date appointed)

The Commission meets at least twice monthly to:

- Review CCPC activities.
- Provide direction and strategic guidance in particular areas.
- Make formal decisions.

Each Member and the Chairperson has a vote, and the Chairperson can cast a deciding vote where necessary. The vast majority of decisions are made on a consensus basis without the need for formal votes. The following is a non-exhaustive list of matters reserved for decision by the Commission:

3. Major investments and capital projects.
4. Delegated authority levels, financial policy and risk management policies.
5. Approval of terms of major contracts, annual budgets and corporate plans.

6. Assurances of compliance with statutory and administrative requirements in relation to the approval of the appointment, number, grading and conditions of all staff, including remuneration and superannuation.
7. Approval of annual reports and financial statements.
8. Making a determination following a full investigation that a merger may/may not be put into effect.
9. Initiating civil proceedings in the Circuit Court or High Court in respect of a breach of section 4 or 5 of the Competition Act 2002 or Articles 101 or 102 of the Treaty of the Functioning of the European Union.
10. Initiating a prosecution in relation to an offence under section 47 of the Consumer Protection Act 2007.
11. Referring a file to the DPP for involvement in an alleged cartel.
12. Making a recommendation to the DPP to grant or revoke conditional immunity in relation to involvement in a cartel.
13. Exercising functions in relation to S.I. No. 35/2016 Consumer Protection Act 2007 (Grocery Goods Undertakings) Regulations 2016.

Day to day organisational matters are progressed through informal meetings, discussions and consultation between the Chairperson and the Members. As far as practical, operational decision making is delegated to individual Members, Directors and other staff. The CCPC's organisational and governance structure is designed to enable us to deliver our strategic goals, deliver our business programmes cost effectively, and meet our statutory requirements.

Managing risk

The Commission has overall responsibility for risk management, including determining the nature and extent of significant risks that it is willing to accept in pursuit of its strategic and operational objectives. To address this, risk management policies and procedures have been implemented and are reviewed periodically to provide for the continuous identification, assessment, monitoring and reporting of significant risks within the CCPC.

Risk is managed in the CCPC through formal reviews and approval by the Commission of changes to the Corporate Risk Register, which identifies the principal risks to the organisation. These reviews take place quarterly, or more frequently, if required. In addition, the CCPC requires each Division to keep an up to date register of its risks and to inform the Chief Risk Officer of any significant changes to these risks. The Chief Risk Officer reports to the Commission every month on any significant changes to divisional risk registers or reports of risk incidents, as appropriate.

In 2020, the CCPC also had to consider the environment which was emerging from the response to COVID 19 and any associated risks. An early risk assessment was made of the risks facing the CCPC, including risks to business as usual operations, supported by a summary of the impact of COVID 19 on divisional risk registers. As a result, the Commission articulated a number of new risks on the Corporate Risk Register which continue to be managed closely. Risk management across the CCPC continued without impact with monthly reviews of divisional risk registers, continued reporting of risk incidents/near misses, in accordance with the relevant policies, and increased reviews of the Corporate Risk Register by the Commission, which moved from quarterly to monthly.

Audit and Risk Committee

The role of the Audit and Risk Committee is to support the Commission in relation to its responsibilities for issues of risk, control and governance, and associated assurance. The Audit and Risk Committee is independent in the performance of its functions and is not subject to direction or control from any other party. The roles and responsibilities of the CCPC's Audit and Risk Committee are set out in its Charter and Terms of Reference, as approved by the Chairperson of the CCPC. Its work programme is guided by the obligations laid down under the 2016 Code of Practice for the Governance of State Bodies (2016 Code). In particular, the Committee ensures that the internal control systems, including audit activities, are monitored actively and

independently. The Audit and Risk Committee reports to the Commission after each meeting and formally, in writing, annually.

Membership of the Audit and Risk Committee during 2020 comprised of: Conor Blackwell (Chairperson), Fergal O'Leary, Jimmy Murphy and Carmel Foley.

The Committee met four times in 2020, detailed in the table below. Three of these meetings were held remotely, as a result of COVID 19, and were conducted with the use of tele and videoconferencing technology.

Committee Member	Meeting took place in:				
	Feb	May	Sept	Dec	Total
Conor Blackwell <i>Chairperson</i>	x	x	x	x	4/4
Fergal O Leary <i>Commission Member</i>	x	x	x	x	4/4
Carmel Foley <i>External Member</i>	x	x	x	x	4/4
Jimmy Murphy <i>External Member</i>	x		x	x	3/4

Internal audit

The CCPC has a properly constituted internal audit function which reports to the Audit and Risk Committee. The internal audit function operates in accordance with the 2016 Code. The following reviews were carried out in 2020:

- Review of Effectiveness of Internal Controls.
- Value for Money – Campaigns.
- Review of Legal Services Division.
- COVID-19 Business Response.
- Consumer Helpline.
- Payroll Review – Levy and Exchequer Cost Centre Coding.
- Review of Consumer Protection Division.
- A follow up review in respect of the recommendations made in previous internal audit reviews.

Corporate governance

The CCPC conducts its activities in a manner consistent with its underpinning legislation, the Competition and Consumer Protection Act 2014, and other statutory responsibilities. As a public body, the CCPC has a duty to comply with a range of legislation. Some examples of legislation the CCPC complied with throughout 2020 include:

Freedom of information

The CCPC continues to meet its obligations in relation to the Freedom of Information Act 2014. In 2020, 19 Freedom of Information requests were received by the CCPC and one was carried over from 2019. Of these, 10 were part granted, six were refused, one was transferred and two were withdrawn/handled outside the Freedom of Information legislation. One was carried into 2021.

Data protection

The CCPC is committed to protecting the integrity of personal data supplied by those who contact us and third parties. The CCPC monitors all methods of personal data processing with a view to ensuring ongoing compliance with the Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR). In addition to a suite of internal policies which are reviewed regularly, the CCPC has published detailed privacy notices on its website so that all who engage with us can understand how we treat any personal data that we process, and understand how they can exercise their data protection rights. To assist with ongoing compliance, workshops on data protection and GDPR were delivered to staff in early 2020. The Data Protection Officer was involved in the CCPC's response to COVID 19 and endeavoured to ensure that data protection was given appropriate consideration in the development of related policies and procedures.

Ethics, standards and behaviour

The provisions of the Ethics in Public Office Act 1995 – 2001 and the Standards in Public Office Act 2001 are implemented in the CCPC. In 2019, all CCPC staff who held designated directorships or occupied designated positions of employment, prescribed by regulation for the purposes of the Ethics Legislation (i.e. the Ethics in Public Office Acts 1995 and 2001), submitted Statements of Interest as required by the legislation. In addition, the CCPC has a Code of Conduct that sets out the principles, standards and values that CCPC staff are expected to adhere to. All staff were required to attend briefing sessions on the Code of Conduct in early 2020.

Protected disclosures

As a public body, the CCPC is required under section 22 of the Protected Disclosures Act 2014 to publish an annual report in relation to the number of protected disclosures made to it in the preceding year, and the action taken in response to any such protected disclosures. Two such disclosures were received and were duly investigated in accordance with the CCPC's protected disclosures policy.

Health and safety

The CCPC complies with its statutory responsibilities under the Health, Safety and Welfare at Work Act 2005 and all relevant regulations under this Act. The CCPC has appointed a Safety Officer and Representative to promote a safe and healthy work environment. As a result of COVID 19, and in accordance with the guidance set out in the Government's Return to Work Safely Protocol, the CCPC appointed three COVID 19 Lead Worker Representatives during 2020. Standard on-site safety measures were broadened to incorporate additional safety measures associated with COVID 19.

The CCPC introduced a COVID 19 Response Plan and other related policies and procedures in line with Government guidance, and delivered COVID 19 induction training to all staff. This

Response Plan is reviewed on an ongoing basis in line with evolving Government advice. To promote the safety of our staff while working remotely, ergonomics support was delivered virtually and office equipment was provided upon request. Any required PPE to keep our staff safe both in the office and when participating in work off site (e.g. inspections, searches etc.) was also provided.

Energy consumption

The CCPC reports its energy management and performance data to the Sustainable Energy Authority of Ireland (SEAI) on an annual basis, as required by Statutory Instrument 426 of 2014. The provisional 2020 SEAI data shows that we have delivered 75.2% in energy savings since the baseline year (2009) which is well in excess of the initial 33% target set for public bodies.

Prompt payments

The CCPC complies with the Prompt Payment of Accounts Act 1997 and the European Communities (Late Payment in Commercial Transactions) Regulations 2002. Our Prompt Payment Returns are published on our website. In 2020, 91% of all payments were made within 15 days and a further 9% were made within 30 days. Payments made outside of 30 days accounted for less than 1% of total payments. The payments made over 30 days were under query and no interest or penalties were paid.

Other governance matters in 2020

Throughout 2020, the CCPC continued a programme of work to ensure its ongoing compliance with the Code of Practice for the Governance of State Bodies (2016).

A written Oversight and Performance Delivery Agreement (OPDA) was put in place between the CCPC and our parent Department, DETE, which clearly defined the terms of the relationship. In 2020, four formal OPDA meetings between the CCPC and DETE officials took place.

A three year Governance and Oversight Protocol was agreed with the European Consumer Centre (ECC), in line with Department of Public Expenditure and Reform Circular 13/2014 -

Management of and Accountability for Grants from Exchequer Funds.

Customer Service Charter

The CCPC has a Customer Service Charter, available in the 'About Us' section of our website, ccpc.ie. The charter sets out our commitment to a high-quality customer service and provides information on the quality of service customers can expect when they interact with the CCPC. Any complaint regarding the services of the CCPC is investigated as a matter of priority. The CCPC continued to adhere to its customer service commitments during 2020 and can report that no complaints were lodged in relation to our commitments under the charter. We employ a range of measures to ensure that we continue to improve the overall quality of our service. Our Customer Action Plan lists the actions we intend to take to continuously progress our commitments. These actions have associated performance indicators and the CCPC performed effectively against them in 2020.

During the second half of 2020, a customer survey was conducted which fed into a new three year Customer Charter and Action Plan for 2021-23.

Financial Statements 2020

The CCPC's budget allocation in 2020 was €14,966,000, of which €12,336,000 was provided from Exchequer funding and €2,630,000 came from a financial services industry levy, in respect of specific personal finance information and education functions in the financial sector.

At the time of writing, the annual draft financial statements for the year 1 January 2020-31 December 2020, report expenditure of €11,301,711 for grant-assisted activities and €2,215,353 for levy funded activities. The Office of the Comptroller and Auditor General will audit the financial statements. The financial statements are prepared on the accruals basis of accounting, except in respect of the Oireachtas Grant, which is prepared in accordance with generally accepted accounting principles.

Levy on financial service providers

The CCPC has the power to impose levies on regulated financial service providers under the powers conferred on it by section 24B of the Consumer Protection Act 2007 (as inserted by the Central Bank Reform Act 2010). Levies were imposed by regulations made under this section. A rate of over 99% of the total 2020 levy amount imposed was successfully collected from approximately 400 financial services companies.

Chairperson and Commission Member expenses (1 January 2020–31 December 2020)

Isolde Goggin: €814

Patrick Kenny: €0

Fergal O'Leary: €0

Brian McHugh: €199

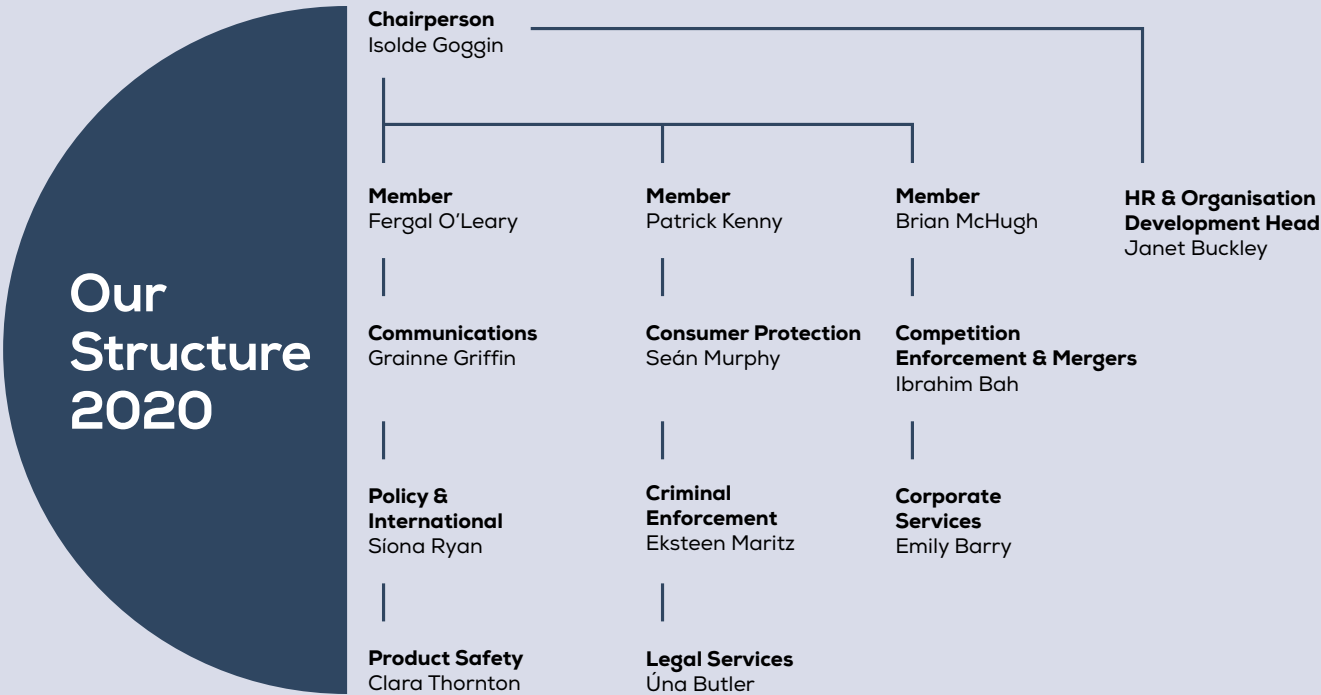
Remuneration

The Chairperson is a member of an unfunded defined benefit public sector scheme and her entitlements are in accordance with the terms of the relevant Public Service defined benefit superannuation scheme.

Appendix 1:

Organisational chart

The CCPC is governed by a Chairperson and Commission. Isolde Goggin is the Chairperson and during 2020 there were three Members – Patrick Kenny, Fergal O’Leary and Brian McHugh. Each Member oversaw a number of Divisions in the CCPC on behalf of the Commission.



Appendix 2: Consumer protection list

Consumer protection enforcement concluded in 2020

1. Fines, Penalties and Compensation Orders imposed by a Court

Total number of convictions: 1

Relevant legislation

- Engaging in a prohibited commercial practice as described by section 55(1)(x)(i) and contrary to section 56 of the Consumer Protection Act 2007.
- Engaging in a misleading commercial practice prohibited under section 42 and as described by section 43(1) and section 43(3)(b)(vii) contrary to section 47 of the of Consumer Protection Act 2007.

Mr. James Hughes, Carramore, Manulla, Castlebar, County Mayo, who is active in the automotive parts trade. The CCPC opened an investigation following an allegation by a consumer that the odometer on a vehicle they had purchased from Mr. Hughes had been tampered with and did not show the correct mileage. The consumer also alleged that Mr. Hughes presented himself as a private seller of a vehicle when he was acting as a trader. On 16 June 2020 at Castlebar District Court, Mr. James Hughes, Carramore, Manulla, Castlebar, County Mayo was convicted of three counts of engaging in a prohibited commercial practice as described by section 55(1)(x)(i) and contrary to section 56 of the Consumer Protection Act 2007.

Mr Hughes was also convicted on one count of engaging in a misleading commercial practice by providing false information to a consumer in relation to a vehicle's mileage as described by section 43(1) and section 43(3)(b)(vii) contrary to section 47 of the Consumer Protection Act 2007. At a sentencing hearing on 16 July 2020, Mr Hughes received a four months sentence of imprisonment, suspended for two years.

2. Undertakings pursuant to section 73 of the Consumer Protection Act 2007

Total number of undertakings: 2

Relevant legislation

- Engaging in a misleading commercial practice prohibited under section 42 and as described by section 43(2) and 43(3)(b)(i) & (vii) contrary to section 47 of the of Consumer Protection Act 2007.

Gintas Kundrotas and G.E.R Car Sales, 17 Windtown, Navan, County Meath, who is active in the motor trade. On 21 August 2020, following an investigation relating to the provision of false and misleading information to a consumer in relation to the usage and prior history of a car, Gintas Kundrotas and G.E.R Car Sales trading at 17 Windtown, Navan, County Meath (formally trading at Balmoral Industrial Estate, Navan, County Meath) gave an undertaking, pursuant to section 73 of the Consumer Protection Act 2007. Gintas Kundrotas and G.E.R Car Sales undertook to:

- comply with the prohibition of engaging in a misleading commercial practice as provided by section 42 of the Consumer Protection Act 2007.
- refrain from engaging in a misleading commercial practice as described by section 43(2) and 43(3)(b)(i) & (vii) and contrary to section 47 of the Consumer Protection Act 2007.
- compensate the consumer.

Relevant legislation

- Engaging in a misleading commercial practice under section 42 and as described by section 43(1) and section 43(3)(b)(vii) contrary to section 47 of the of Consumer Protection Act 2007.

Paul Byrne and Paul Byrne Car Sales Limited trading at Athy Road, Timolin, County Kildare, who is active in the motor trade. On 16 September 2020, following an investigation relating to the provision of false and misleading information to a consumer in relation to the usage and prior history of a car, Paul Byrne and Paul Byrne Car Sales Limited trading at Athy Road, Timolin, County Kildare gave an undertaking, pursuant to section 73 of the

Consumer Protection Act 2007. Paul Byrne and Paul Byrne Car Sales Limited undertook to:

- comply with the prohibition on engaging in misleading commercial practices as provided by section 42 of the 2007 Act;
- refrain from committing or engaging in misleading commercial practices in the course of its business, as described by sections 43(2) and 43(3)(b)(vii) of the 2007 Act, to wit, in respect of a vehicle's usage or prior history;
- compensate the consumer.

3. Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Total number of Compliance Notices that took effect: 5

Relevant legislation

- Engaging in a prohibited commercial practice contrary to section 42(1) of the Consumer Protection Act 2007 as described by section 43(2) and section 43(3)(j) and thus committing an offence contrary to section 47 of the Consumer Protection Act 2007.

Dalton Flynn, Swift IT Solutions, trading at 75 Inis Cláir, Kildysart Road, Ennis, Co. Clare, V95 DNY6, who is an online trader operating the website www.whatadeal.ie, selling consumer goods including hand sanitiser products. During an inspection of the website, the CCPC found that the trader provided information that misled consumers as to their rights.

On 2 December 2020, the CCPC served a Compliance Notice on Dalton Flynn, Swift IT Solutions, directing him to do the following:

- To cease engaging in the prohibited commercial practice as described by section 43(2) and section 43(3)(j) and contrary to section 47 of the Consumer Protection Act 2007.
- To provide to consumers with whom he concludes distance contracts, information with respect to consumers' rights, in accordance with the CRD Regulations.

Zipcore Limited, trading at Nesta Building, 4-5 Burton Hall Road, Sandyford, Dublin, D18 A094, who is an online trader operating the website irelandsstore.com, selling consumer goods including electronic goods such as mobile phones. During an inspection of the website, the CCPC found that the trader provided information that misled consumers as to their rights.

On 4 December 2020, the CCPC served a Compliance Notice on Zipcore Limited, directing it to do the following:

- To remedy the instances of information provided to consumers on the website irelandsstore.com, as identified.
- To provide to consumers with whom it concludes distance contracts, information with respect to consumers' rights, in accordance with the CRD Regulations.

Relevant legislation

Failing to provide the information requirements set out in paragraph (1)(a) of Regulation 10 of the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013 (S.I. No. 484 of 2013) ("CRD Regulations")

Dalton Flynn, Swift IT Solutions, trading at 75 Inis Cláir, Kildysart Road, Ennis, Co. Clare, V95 DNY6, who is an online trader operating the website www.whatadeal.ie, selling consumer goods including hand sanitiser products. The trader was required to provide certain information to consumers on his website, in compliance with the CRD Regulations. During an inspection of the website, the CCPC found the trader to be in breach of certain requirements under the CRD Regulations.

On 2 December 2020, the CCPC served a Compliance Notice on Dalton Flynn, Swift IT Solutions, directing him to do the following:

- Cease contravening paragraph 1(a) of Regulation 10 of the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013 (S.I. No. 484 of 2013).
- When undertaking activities involving the conclusion of distance contracts, to give or make available to consumers before such consumers are bound by a distance contract, the information requirements for distance

contracts as set out in Regulation 10 of S.I. No. 484 of 2013.

- Comply with all the requirements laid down in S.I. No. 484 of 2013, which relate to his trading activities on the and www.whatadeal.ie any and all other websites/domain names owned and operated by him.

4. Fixed Payment Notices pursuant to section 85 of the Consumer Protection Act 2007

Total Number of Fixed Payment Notices (FPNs) paid: 5

Relevant legislation

Failing to indicate the selling price of a product, in contravention of Regulation 4(1) and thus committing an offence contrary to Regulation 4(3) of the European Communities (Requirements to Indicate Product Prices) Regulations 2002.

Number of FPNs – 3

Tesco Ireland Limited trading at Tesco Express, 98 South Circular Road, Leonards Corner, Dublin 8, D08 H9X7, who is a trader operating a supermarket. The trader was required to display the selling price of goods offered for sale. During an inspection at their premises, the CCPC found the trader to be in breach of this requirement.

Tesco Ireland Limited trading at Tesco Extra, Clearwater Shopping Centre, Finglas Road, Dublin, D11 XY4E, who is a trader operating a supermarket. The trader was required to display the selling price of goods offered for sale. During an inspection at their premises, the CCPC found the trader to be in breach of this requirement.

Tesco Ireland Limited trading at Tesco, Merrion Shopping Centre, Merrion Road, Dublin 4, who is a trader operating a supermarket. The trader was required to display the selling price of goods offered for sale. During an inspection at their premises, the CCPC found the trader to be in breach of this requirement.

Relevant legislation

Failing to display a notice as required by Article 3 of the Retail Price (Beverages in Licensed Premises) Display Order 1999.

Number of FPNs – 1

Corrib View Taverns Limited trading at The Universal, 9 William St West, Galway, is a

gastropub selling food and drinks. The trader was required to display a price list for drinks that are for sale. During an inspection, the CCPC found the trader to be in breach of this requirement.

Relevant legislation

Failing to give or make available to consumers before binding them to a distance contract, where a right to cancel the contract existed, the cancellation form set out in Part B of Schedule 3 of the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013 (S.I. No. 484 of 2013) ("CRD Regulations").

Number of FPNs – 1

Dalton Flynn, Swift IT Solutions trading at 75 Inis Cláir, Kildysart Road, Ennis, Co. Clare, V95 DNY6, who is an online trader operating the website www.whatadeal.ie, selling consumer goods including hand sanitiser products. The trader was required to make a cancellation form available to consumers before they were bound to a distance contract, in compliance with the CRD Regulations. During an inspection of the website, the CCPC found the trader to be in breach of this requirement.

Appendix 3:

Statement on internal control

Scope of responsibility

On behalf of the Competition and Consumer Protection Commission, we acknowledge the Commission's responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

Purpose of the system of internal control

The system of internal control is designed to manage risks to a tolerable level rather than eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions are authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely period.

The system of Internal Control, which accords with the guidance issued by the Department of Public Expenditure and Reform has been in place in the CCPC for the year ended 31 December 2020 and up to the date of approval of the financial statements.

Capacity to handle risk

The Audit and Risk Committee comprises a Chairperson and three members (two of whom are external / independent). The ARC met four times in 2020.

The Commission has a properly constituted internal audit function which is adequately resourced and conducts a programme of work agreed with the ARC. The internal audit function operates in accordance with the Code of Practice for the Governance of State Bodies (revised 2016). The Commission's monitoring and review of effectiveness of the systems of Internal Control is informed by the work of the outsourced internal auditor and the Audit and Risk Committee. The following external reviews were carried out in 2020:

- Review of Effectiveness of Internal Controls.
- Value for Money – Campaigns.
- Review of Legal Services Division.
- COVID-19 Business Response.
- Consumer Helpline.
- Payroll Review – Levy and Exchequer cost centre coding.
- A follow up review in respect of the recommendations made in previous internal audit reviews.

The Commission has developed a risk management policy which sets out its risk appetite, the risk management processes in place and details the roles and responsibilities of staff in relation to risk. The policy has been issued to all staff to make management aware of emerging risks and control weaknesses. This policy is reviewed by the Commission periodically and, where revisions are approved, is presented to the CCPC's Audit and Risk Committee for review.

Risk and Control Framework

The CCPC has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks.

A corporate risk register is in place which identifies the key risks facing the CCPC and these have been identified, evaluated and graded according to their significance. The register is normally reviewed and updated by the Commission on a quarterly basis, however, the review of this register currently occurs on a monthly basis as a result of the response to the COVID-19 pandemic. The risk register details the controls and actions needed to mitigate risks and responsibility for operation of controls assigned to specific staff.

The most up-to-date Corporate Risk Register is provided in advance of each Audit and Risk Committee meeting along with a memo detailing any changes, including the reasoning for such changes.

The systems of internal control are based on a framework of regular management information, a system of delegation and accountability, a set of financial procedures, administrative procedures including segregation of duties and rigorous ongoing checks by the finance function.

We confirm that a control environment containing the following elements is in place:

A comprehensive budgeting system with an annual budget, which is reviewed and approved by the Members of the Commission;

- Authorisation limits are set for the disbursement of the Commission's funds.
- Regular review by the Members of the Commission of periodic and annual financial information and reports (including management accounts), which indicate financial performance against budgets;.
- There are clearly defined management responsibilities, including financial responsibilities which have been assigned with corresponding accountability.
- There are policies and procedures for all key business processes, which are reviewed regularly.
- Monitoring and reporting on internal control processes, including an Annual Assurance Statement completed by Directors/Heads of Unit.
- There are mechanisms and systems aimed at ensuring the security of the Information and Communication Technology (ICT) systems.
- There are formal procedures to monitor the activities and safeguard the assets of the organisation.
- Payment of CCPC's salaries is conducted through the National Shared Services Office (NSSO) and is covered by an Employee Services Management Agreement between the NSSO and the CCPC's parent Department, DETE.

Impact of COVID-19 pandemic to the control environment

The onset of the COVID 19 pandemic in early 2020, and the resulting public health advice and safety measures, rapidly and fundamentally changed the working practices of the CCPC with remote working becoming the norm for CCPC staff.

The Commission monitored developments closely, with a view to mitigating the risks that could affect the CCPC's business operations, staff and stakeholders. These actions allowed us to largely continue delivering our functions while maintaining strong standards of control. Actions taken include:

- Initiated the CCPC's Business Continuity Plan and transitioned the CCPC's business operations to a remote working environment where most business processes could continue as normal.
- Transitioned many paper-based forms and procedures to an electronic format.
- Ensured that the CCPC's business response to the pandemic was steered and guided by the Commission with input from Divisional Directors.
- Continual assessment of significant risks pertaining to the COVID-19 pandemic and the agility of CCPC to respond effectively, including in the management of new work arising from the pandemic. This included adding COVID-19 related risks to the Corporate Risk Register and moving the review of the register to a monthly basis from a quarterly basis.
- Ensuring robust segregation of duties remains.
- Ensuring all existing policies and procedures continue to apply in the remote working environment and are monitored and reported on as normal.
- Updating procedures to allow for (i) access to the office (ii) interviews (iii) inspections, in a safe and public health compliant manner where such work was essential to deliver our functions.
- Ensuring that staff members access CCPC's network using CCPC's approved ICT equipment and that all staff members working remotely have been equipped with the necessary ICT equipment.
- Assessing potential for weaknesses in internal controls resulting from COVID-19 and taking measures to monitor and update internal controls where necessary.
- Undertook an Internal Audit on CCPC's business response to COVID 19 in 2020. The Internal Audit found that the existing controls are generally sound and can provide a satisfactory level of assurance regarding the effective and efficient achievement of CCPC's objectives

Ongoing Monitoring and Review

Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to senior management and the Commission, where relevant, in a timely manner. We can confirm that the following ongoing monitoring systems are in place:

- Key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies.
- Reporting arrangements have been established at all levels where responsibility for financial management has been assigned.
- There are regular reviews by the Commission and senior management of periodic and annual performance and financial reports which indicate performance against budget and forecasts.

Procurement

We confirm that during 2020 the CCPC has procedures in place to ensure compliance with current procurement rules.

Review of effectiveness

We confirm that the CCPC has procedures to monitor the effectiveness of its risk management and control procedures. The Commission's monitoring and review of the effectiveness of the system of internal control is informed by the work of the internal and external auditors, the Audit and Risk Committee which oversees their work, and the senior management within the CCPC responsible for the development and maintenance of the internal control framework.

We confirm that the Commission conducted an annual review of the effectiveness of the internal controls for 2020. The Statement on internal control has been reviewed by the Audit and Risk Committee and the Commission to ensure it accurately reflects the control system in operation during the reporting period.

A review of Internal Controls in 2020 was carried out and signed off by the Commission in February 2021.

The Commission is reasonably assured that the system of Internal Control instituted and implemented in the CCPC for the financial year ended 31 December 2020 is effective.

Internal Control Issues

No weaknesses in internal control were identified in relation to 2020 that require disclosure in the financial statements.

On behalf of the Competition and Consumer Protection Commission:



Isolde Goggin

Chairperson



Brian McHugh

Member

Appendix 4: Public Sector Duty

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.

Equality of access to information

Equality of access to information is fundamental to the services the CCPC provides. The CCPC is committed to diversity and will ensure that the right to equal treatment as established by equality legislation is upheld. The CCPC aims to ensure equality of access through services provided by phone and online. In 2020, our helpline worked with the Sign Language Interpreting Services to prepare for the introduction of the Irish Sign Language Act, 2021. On request, the CCPC uses voice and screen reader technology for those who are visually impaired. We also communicate in Irish and Irish Sign Language, on request and publish major documents, such as our annual report, in Irish and English. The CCPC's Access Officer arranges supports for people with disabilities who access our information and services and our website ccpc.ie has been designed to achieve a high level of accessibility.

Disability Liaison Officer

The CCPC's Disability Liaison Officer (DLO) acts in confidence and plays a key role in supporting and advising staff and management on work supports that may be required following a declaration of a recognised Disability as set out in section 47(1)(a) of the Disability Act 2005. All staff are encouraged to disclose their disability at induction where the services of the DLO are highlighted. To enable the provision of an effective and efficient Disability the Liaison Service the DLO:

- Acts as a point of contact for employees with disabilities, their managers and the CCPC's Organisational Development Unit.
- Provides reasonable workplace accommodations, advice, suggestions, guidance, necessary information and appropriate contacts.
- Assists in the implementation of best HR practices in line with equality legislation including the collection, maintenance and reporting of data in compliance with Part 5 of the Disability Act, 2005.
- Facilitates increased awareness of disability throughout the CCPC.
- Advertises the DLO supports to employees every six months.
- Keeps disability to the fore at meetings.
- Ensures DLO contact details are available for induction.
- Promotes self-disclosure.
- Attends DLO Network meetings and training sessions.
- Provides an annual account of qualitative and quantitative data relating to this service to the National Disability Authority.
- Assists a staff member coming back from a serious illness or anyone that may acquire a disability and need support.

Annually the CCPC promotes disability and celebrates the UN International Day of Persons with Disabilities.

Promoting equality and human rights in the workplace

The CCPC has a number of policies and procedures in place to promote equality and human rights and to support our staff. If requested, accommodations are provided at recruitment stage and continue through the induction process and continually through the employee's working cycle. The CCPC's staff induction pack contains detailed policies and procedures relating to dignity and respect in the workplace including bullying and harassment, performance, as well as safety, health and welfare and wellbeing. The CCPC offers flexibility with its family-friendly leave policies assisting working parents in work-life balance.

Safety Statement

The CCPC is committed to protecting its staff, contractors and subcontractors while working in the CCPC. The CCPC aims to achieve this commitment through the implementation of effective safety management initiatives and the application of this Safety Statement. The objectives of this Statement are to promote standards of safety, health and welfare within the CCPC that comply with the provisions and requirements of the Safety, Health and Welfare at Work Act 2005 ("the 2005 Act"), the Safety, Health and Welfare at Work (General Application) Regulations 2007 (the 2007 Regulations) and all statutory provisions and codes of practice in the safety and health area, to provide staff with sufficient information to allow them to work safely and efficiently and to enhance safety awareness and to define the responsibilities of all staff for safety and health matters.

Employee Assistance Program

The CCPC supports staff by offering an Employee Assistance Programme through Abate Counselling & EAP Services. This service specialises in all aspects of counselling and stress management for CCPC staff. This provides support for staff who may be suffering from illness, as well as professional support for staff wishing to progress in their career.

Wellbeing supports

The CCPC's Wellbeing Committee oversees, shapes and steers the delivery of the CCPC's Wellbeing Strategy through collaboration with other staff throughout the CCPC and external organisations. The CCPC's Wellbeing Committee led by the CCPC's Organisational Development Unit is made up of representatives from different divisions across the organisation. The diverse membership of the Committee provides a support across the CCPC and each member advocates for positive mental health. The Committee is provided with learning and development opportunities in the area of workplace wellbeing to ensure that they have the skills to aid the delivery of this programme change. In 2020, the CCPC's Wellbeing programme provided supports and initiatives specifically aimed at positive mental

health with a focus on open and honest dialogue in line with the principles advocated by the Green Ribbon Campaign and the Healthy Ireland agenda.

Training and development supports

The CCPC provides Disability Awareness and Equality training online through the National Disability Authority. We also offer an Executive Leadership programme which instils confidence, builds agility and enhances awareness for our employees. In 2020, people managers in the CCPC received coaching skills training and training on *'how to manage teams remotely'*. All staff have access to resilience workshops and the CCPC's *'Advance of fees'* programme promotes life-long learning.

