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## **Stakeholder Research 2009**

**A research report prepared for  
The Competition Commission  
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**Provided by:** GfK NOP Business and Technology

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## 1 Executive Summary

### Background and Methodology

- This report covers the findings from the 2009 Stakeholder Perception Survey which was conducted to measure the performance of the Commission and track changes since the previous survey conducted in 2007.
- A total of 303 interviews with stakeholders were conducted by telephone for this study during September-October 2009. Stakeholders included individuals from businesses, government departments, trade associations, consumer advocacy organisations or professional advisors who had either been involved in an inquiry or had a longer term relationship with the Commission during the period since the 2007 survey.

### Key Satisfaction Results

- Overall satisfaction with the Competition Commission was highly positive with two-fifths (41%) of stakeholders giving a high satisfaction rating (8-10 out of 10) and this was a significant increase on the previous survey when the equivalent figure was 34%. The average satisfaction rating in 2009 is very similar to 2007 (6.8 versus 6.7) reflecting the fact that around half of respondents rated the Competition Commission in the middle scoring range of between 5 and 7.
- Those involved in a merger inquiry were more satisfied than those involved in a market investigation (43% versus 34% highly satisfied) and these scores were also higher than in 2007. 30% of those involved in a merger inquiry in the 2007 survey gave a high satisfaction rating and whilst the sample size was very small for those involved in a market investigation in 2007 (26), the equivalent figure was 15%.
- Business Main Parties were the least positive about the Commission with just 9% giving a high rating and 31% giving a low score (1-4).



- Outcome was a key factor in determining satisfaction despite stakeholders being asked to focus on service elements, but still a quarter of stakeholders for whom the outcome was bad, gave the Commission a high rating on overall satisfaction.

### **Satisfaction with Competition Commission Performance in relation to an Inquiry**

- Stakeholders who were involved in either a merger inquiry or a market investigation were asked to rate the Competition Commission's performance on a number of service elements in relation to the inquiry. The areas the Commission performed highest in were; *'Sticking to the timetable it set or providing reasons for any changes'* and *'Clearly explaining its decisions in plain language'* and satisfaction on virtually all statements had improved since 2007.
- Statistical analysis was conducted to understand what drives stakeholders' satisfaction with the Commission and it was found that *'Clarity and thoroughness'*, followed by *'transparency and being up-to-date'* were the top two factors driving satisfaction.
  - The Commission is generally performing well in terms of *'Clarity and thoroughness'*, although *'making well-reasoned decisions based on sound analysis'* within this factor was rated less well, performing below average.
  - In terms of *'transparency and being up-to-date'*, the Commission is performing well on *'having transparent processes'*, but *'being up-to-date on policies and practices in your industry and market sector'* is an area where action is required.
- *'Understanding the impact on the organisation'* was the third highest factor driving satisfaction and within this factor, there are three statements which scored below average and are therefore action areas:
  - *'Taking into account the burden that their processes and decisions put on your organisation'*
  - *'Giving you enough time to submit all the information they asked for'*
  - *'Being sensitive to the commercial context of the inquiry or investigation'*



## Satisfaction with the Competition Commission as an organisation

- Stakeholders were asked to rate the Competition Commission as an organisation on a number of attributes. The highest level of agreement was with '*The Competition Commission consults in an open and fair way*' with over four-fifths (84%) agreeing. Over three-fifths of stakeholders disagreed that '*The Commission pre-judges a market investigation outcome*' (65%) or a '*mergers outcome*' (62%) and a similar proportion agreed that '*The amount of contact is about right*' (61% agreed).
- The only statement where the balance of opinion was more negative than positive was for '*Despite making provisional findings public the Commission finds it easy to modify these views*' (44% disagreed and 31% agreed).

## Outcome of Inquiry

- 'Main' and 'Third' parties were the least likely to consider the decision of the inquiry was 'good' for their business (27%), compared with 'Professional Advisors' (48%) and 'Government bodies/Associations/Advocates' (72%) when answering about their clients or the industry as a whole.

## Number of Man days spent on Inquiry

- Stakeholders involved in market investigations spent significantly more time on the investigation than those involved in a merger inquiry. A quarter of stakeholders involved in a market investigation claimed to have spent at least a year in terms of man days on the investigation compared with 12% for those involved in mergers.



## 2 Introduction

### 2.1 Research Objectives

GfK NOP was commissioned to undertake a market research survey to assess stakeholder perceptions of the Competition Commission's performance against its corporate plan in line with work previously carried out in 2007.

The specific aims of the research were to monitor, independently of the Competition Commission, stakeholders' levels of satisfaction with the Commission from 2007 to 2009 and, where possible, comparisons were made with the 2007 results. It should be noted that, some question wording changes were made in the 2009 survey, but comparisons are still possible for overall satisfaction and the majority of service elements included in the 2007 survey. A comparison of the question wording for both surveys can be found in the appendix.

The specific information objectives for the survey were similar to those in 2007:

- To provide objective and reliable measurements of stakeholders' current experiences and perceptions of the Commission's performance over the last two years.
- To gain meaningful, complete verbatim responses from the open-ended questions and to report these qualitative findings succinctly within this report.



## 2.2 Research Design

The Competition Commission's stakeholders consist of a diverse group, which can be broken down by both type of business/body and level of interest in the Commission. The sample design for this study needed to be representative of the Competition Commission's stakeholders and the following table shows the specific subgroups which were used to define the population.

Type of business/body	Level of interest	
	Inquiry specific parties	Interested parties
Business – Main Parties	The main businesses directly involved in a specific inquiry	Not applicable
Business – Third Parties	Businesses which are not directly involved in a specific inquiry, but could be affected by the outcome, such as customers or competitors of a main party	Not applicable
Business - Interested Parties	Not applicable	Businesses which are not involved in a specific inquiry, but have an interest in the workings of the Commission
Professional Advisors	Professional advisers such as lawyers, economic consultants and individuals representing legal bodies working on a specific inquiry	Professional advisers such as academic economists and accountants who have an interest in the Commission and are not involved in a specific inquiry
Government and Associations or Advocacy groups	Government and Associations or Advocacy groups which have been directly involved in a specific inquiry	Government and Associations or Advocacy groups which have an interest in the Commission and are not involved in a specific inquiry



The following table shows the total sample provided which included all stakeholders who had been involved with the Commission since 2007, and the achieved number of interviews in each sub-group.

Type of business/body	Inquiry specific		Interested		Total	
	Sample	Achieved	Sample	Achieved	Sample	Achieved
Business – Main Party	102	35	Not applicable	Not applicable	102	35
Business – Third Party	427	100	Not applicable	Not applicable	427	100
Business – Interested	Not applicable	Not applicable	87	11	87	11
Professional Advisor	98	43	218	62	316	105
Government & Association or Advocacy	100	35	113	17	213	52
<b>TOTAL</b>	<b>727</b>	<b>213</b>	<b>418</b>	<b>90</b>	<b>1145</b>	<b>303</b>

Within the inquiry specific group of stakeholders, there were two further categories of stakeholders, namely:

- those involved in a merger inquiry
- those involved in a market investigation



The following table shows the split between stakeholders involved in a merger inquiry and those involved in a market investigation for the sample as a whole and the number of interviews achieved in the survey.

Type of business/body	Merger Inquiry		Market Investigation	
	Sample	<i>Achieved</i>	Sample	<i>Achieved</i>
Business – Main Party	29	7	73	28
Business – Third Party	341	72	86	28
Professional Advisor	54	23	44	20
Government & Association or Advocacy	44	20	56	15
<b>TOTAL</b>	<b>468</b>	<b>122</b>	<b>259</b>	<b>91</b>

It should be noted that the period covered by the 2009 study included 7 market investigations compared with just 1 in the 2007 study. Only 4 'Main Party' businesses who had been involved in a market investigation were included in the initial sample for the 2007 study whereas the 2009 study included 73 of these businesses. The sample is representative of the population being surveyed at any particular time, but differences in composition may affect the overall results. For instance the time taken to conduct a market investigation is significantly longer than a merger inquiry, which is likely to impact on satisfaction.

### 2.3 Methodology

The research was carried out in various phases, as follows:

#### 1. Opt-out

Firstly, an email or written letter was sent to all relevant stakeholders, as identified by the Competition Commission, asking whether or not they wished to participate in the survey. An opt-out response option was required if the respondent did not wish to participate and in this case respondents were required to call GfK NOP and provide their name, organisation and unique respondent number. This opt out was sent to 1,145 stakeholders in total and of these, 91 (8%) opted out of the research. Those



opting out were then removed from the sample prior to fieldwork to ensure they were not contacted.

## **2. Telephone Interviewing**

Interviewing was conducted using Computer Aided Telephone Interviewing (CATI). This methodology takes much of the decision-making away from the interviewer, and allows them to concentrate on the key skills of building rapport with the respondent. CATI also ensures that all routing is correctly followed, and only answers within the correct ranges are allowed. The use of CATI also removes almost all – if not all – of the need for post-survey editing, thus speeding up the supply of the final data once interviewing has finished.

The sample was controlled by our Sample Management System (SMS) which handles all appointments and controls when numbers are re-attempted after a failed attempt, according to algorithms based on experience.

In recognition of the need to capture verbatim responses as fully as possible, we tape-recorded all interviews (with respondent permission) so that the full verbatim text could be typed up after the interview for analysis purposes. This removed the need for interviewers to type in text during the interview and ensured we could capture the full flavour of all open-ended responses.

A small pilot was undertaken on the telephone to test understanding of the questionnaire and ensure it was fit for purpose. A total of 15 pilot telephone interviews were completed. Minor amendments were made to the script following the pilot, but no major issues were reported.

A further 288 telephone interviews were then conducted for the main stage of the research among the different sub-groups outlined above resulting in 303 telephone interviews in total.



The questionnaire from 2007 was used as a starting point for the 2009 survey. It was thought, however, that the questionnaire needed to be simplified and condensed to be easier to understand and respond to with an emphasis on making the language easier to understand and be more conversational and less bureaucratic. Some questions were also thought to be irrelevant and were therefore removed. The interview was on average 13 minutes in length, although it should be pointed out that some interviews were far longer when respondents gave substantial feedback at open-ended questions.



### 3 Respondent profile

A total of 303 stakeholders were interviewed; 213 of these were involved in a merger inquiry or market investigation since 2007 and 90 were 'Interested Parties'. Of those involved in a case, 122 were involved in a merger inquiry and 91 in a market investigation.

35 stakeholders interviewed were 'Business Main Parties' and 100 were 'Business Third Parties'.

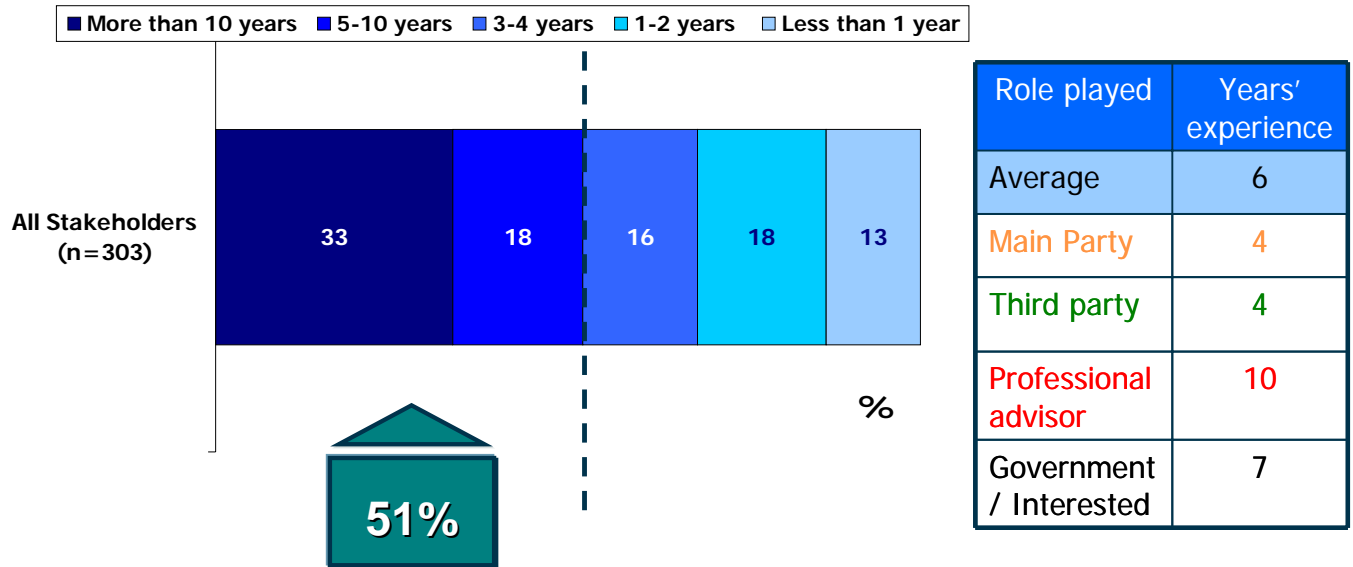
105 stakeholders were 'Professional Advisors' of whom 63 were 'interested parties' and 42 were involved in a specific inquiry.

52 stakeholders were Government Bodies, Associations or Advocacy groups, of whom 35 were involved in a specific inquiry and 17 were 'interested parties'.

11 businesses interviewed were interested parties rather than related to a specific inquiry. In order to generate a large enough group for analysis purposes, these businesses were combined with the 52 Government Bodies, Associations or Advocacy groups to form a group called 'Government/Interested'.

In terms of experience with the Competition Commission, a third of all stakeholders had more than 10 years experience of working with the Commission and just over one in ten (13%) had less than one year's experience.

**Figure 1: Number of Years' Experience of Competition Commission**

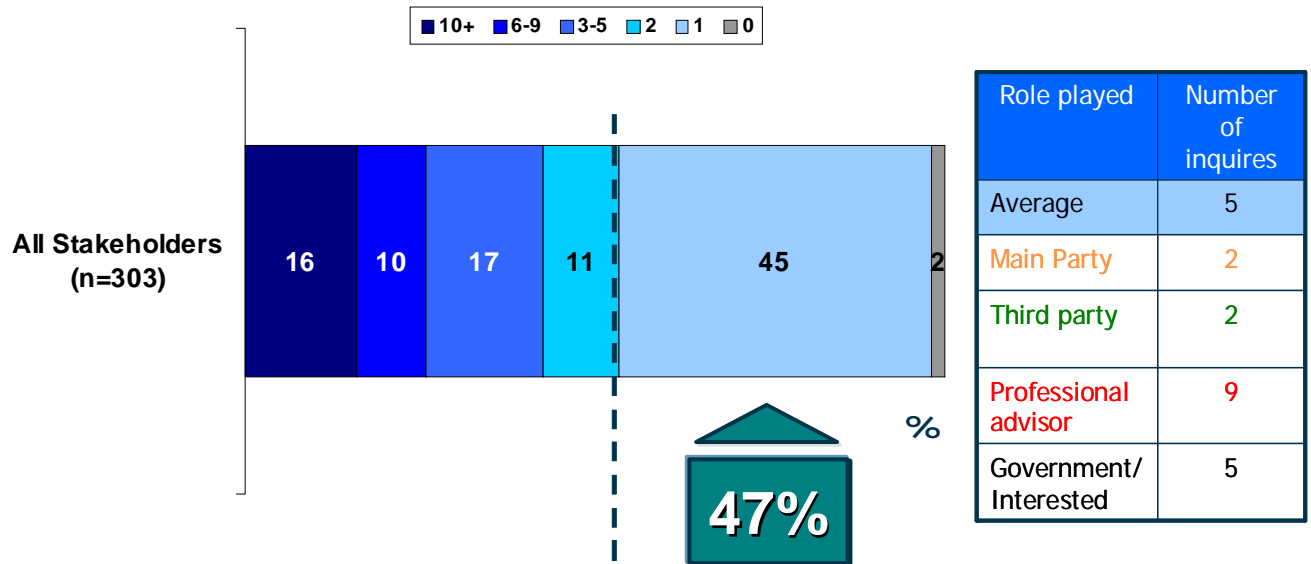


Base: All respondents (Q1)

The 'Government/Interested' stakeholders were much more likely to have had over ten years experience with the Commission than those who were part of a specific inquiry or investigation, 58% versus 23%. Almost a fifth (17%) of those involved in an inquiry or investigation had less than a year's experience of the Commission. In 2007 no stakeholders had been involved in more than 9 inquiries or market investigations, with just 4% being involved in between six and nine.

Most stakeholders (45%) had only been personally involved in one completed inquiry or investigation, whilst 16% had been involved in ten or more. Again, those involved in ten or more inquiries or market investigations were mainly the 'Government/Interested' stakeholders (36%), the majority of inquiry related stakeholders (61%) had only been involved in one inquiry.

Figure 2: Number of Completed Merger Inquiries and Market Investigations



Base: All Stakeholders (Q2)

## 4 Key Findings

### 4.1 Overall Satisfaction

All stakeholders were asked to provide an overall rating of satisfaction with performance, based on a scale of 1 to 10, where 1 was very dissatisfied and 10 was very satisfied.

Stakeholders were far more likely to give a high score of between 8 and 10 for overall satisfaction with the Commission compared with a low score of between 1 and 4. 41% of stakeholders gave a high score compared with 13% giving a low score. A significantly higher proportion gave a rating of 8-10 in 2009 than in 2007 when 34% gave a high score.

However, at the lower end of the scale, more stakeholders gave a poor rating (1-4) in 2009 relative to 2007 (11% versus 8%), although this is not a statistically significant difference.

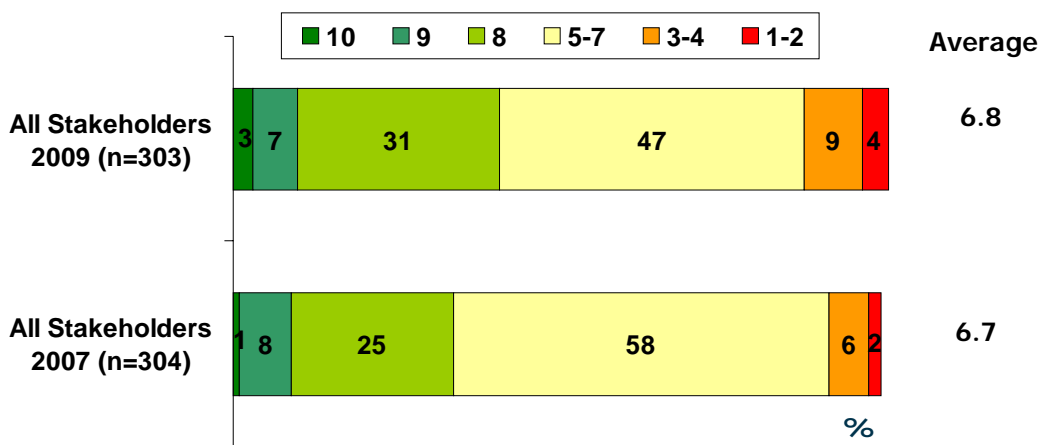
The average score given in 2009 is very similar to 2007 (6.8 versus 6.7) and although the distribution of responses is different year on year, this does reflect the fact that around half



of respondents rated the Competition Commission in the middle scoring range of between 5 and 7.

The chart below summarises the top level findings from 2007 to 2009:

**Figure 3: Overall Satisfaction with the Competition Commission’s Performance**



Base: All stakeholders, Q6

Those involved in a merger inquiry were more satisfied than those involved in a market investigation (43% vs. 34% highly satisfied). Both those stakeholders involved in a merger inquiry and a market investigation were more satisfied this year compared to 2007. Whilst over two-fifths of stakeholders involved in a merger inquiry in the 2009 survey were highly satisfied (43%), the equivalent figure in 2007 was 30%. The base size is low for those involved in a market investigation in 2007 (26), but still just 15% gave a high rating compared with 34% in 2009.

‘Business Main Parties’ were less likely than other stakeholders to rate the Commission highly. Just 9% gave a high rating and nearly a third (31%) gave a rating of 1-4.

Inevitably in satisfaction research when customers are affected by a negative or positive outcome, this does have an impact on satisfaction ratings, despite asking respondents to assess the service rather than this outcome. In this research we found that over half (54%) of those who considered the outcome of the inquiry to be good from *‘their business’*



*perspective / their client's perspective / the industry's perspective* were 'highly satisfied' compared with just under a quarter (23%) of those who considered the outcome of the inquiry to be 'bad'. Whilst it is clear that outcome is having an effect on the results, it is interesting that despite feeling the outcome was bad, still a quarter did rate the Commission highly. This is clearly illustrated by the comment from this stakeholder:

*"I think it was clear and open with us, exactly what it is doing and I thought that went very well. We did not like the outcome, probably like most of the industry"*

Third party, Market Investigation

There were no significant differences in terms of satisfaction depending on the outcome of the inquiry in relation to whether the outcome was 'completely cleared' or 'remedies' were to be put in place.

Time spent on the inquiry was clearly a factor in determining satisfaction with those spending a high amount of time being less satisfied. Approximately a quarter of stakeholders (26%) who had spent more than 6 months on an inquiry were highly satisfied compared with just under half (45%) who had spent less than 6 months.

#### **4.2 Reasons for liking and disliking the Commission and the way it works**

Stakeholders were asked to spontaneously mention what they like and dislike about the way the Competition Commission works. The responses given were extremely varied and as a result similar views were coded together. The chart below shows the responses given for all stakeholders.



Figure 4: Main Reasons for liking the Competition Commission.



Base: All Stakeholders (303), Q7a

The main reasons for liking the Commission were *open / transparent / transparency of process*, *thorough rigorous work / thorough service investigation* and *fairness / see all sides / impartial / balanced / objective*. 7% of stakeholders stated that they liked 'nothing' about the Commission.

**Open/Transparent comments:**

*"It is open, transparent, analytical."*

Business, Interested

*"Their openness and their availability to talk and discuss cases."*

Professional Advisor, Interested

*"I like the openness and I think the willingness to consider all arguments rather than go down a particular agenda. The use of economics and the quality of the overall decisions."*

Professional Advisor, Interested



*"I think they have a transparent approach to inquiries and they demonstrate intellectual rigor."*

Professional Advisor, Merger

*"It is an open and democratic way of expressing views and opinions."*

Association/Advocacy group, Market Investigation

**Thorough comments:**

*"I think they certainly give a very thorough service."*

Main Party, Market Investigation

*"It is very thorough, methodical and there is good consultation."*

Association/Advocacy group, Market Investigation

**Impartial / Fair comments:**

*"I think their professionalism - they act independently and are very impartial in their dealings."*

Professional Advisor, Market Investigation

A number of stakeholders commented on the **personnel** they dealt with at the Competition Commission.

*"The individuals we have dealt with have been accommodating and professional"*

Third Party, Merger



*“Professionalism, timeliness, understanding, courteousness. Intellectual capability. All of the staff from the case officer through to the members of the panel themselves are always intellectually rigorous and polite and understanding.”*

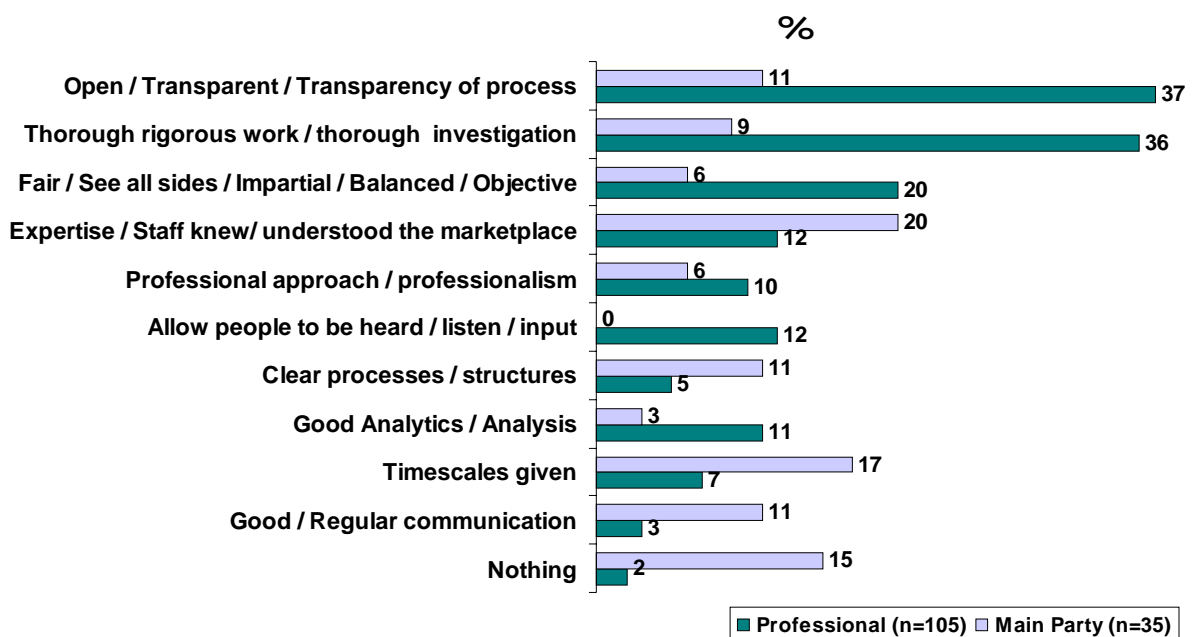
Third Party, Merger

*“I think the openness of the senior staff that I have dealt with, the Chairman, the CEO, the legal Counsel's office are very professional and very open and straightforward to deal with.”*

Business, Interested

'Professional Advisors' were more likely to like the Commission due to its openness, rigorous approach and fairness, whilst 'Main Parties' were more likely to mention staff expertise, timescales and regular communication as can be seen in the following chart, although it should be noted that the base size of 'Main Parties' is small and therefore caution should be taken when reporting these figures.

**Figure 5: Top reasons for liking the Competition Commission by Professional Advisors and Main Parties**



Base: All Stakeholders, Q7a



Main Parties were also the most likely to say they liked *'nothing'* about the Commission, mentioned by 15% of these respondents.

When stakeholders were asked what they disliked about the Competition Commission, the main mentions for **disliking the Commission** were *'time taken / length of inquiry was too long'*, *'Don't listen to our views / arguments / ignore evidence / dismiss valid points'*, *'Timeframes / Response time is too short / not enough time'* and *'They ask too much from us / require too much work'*.

Nearly a fifth of stakeholders claimed there was *'nothing'* they disliked about the Commission.

The chart below outlines these reasons in a little more depth:

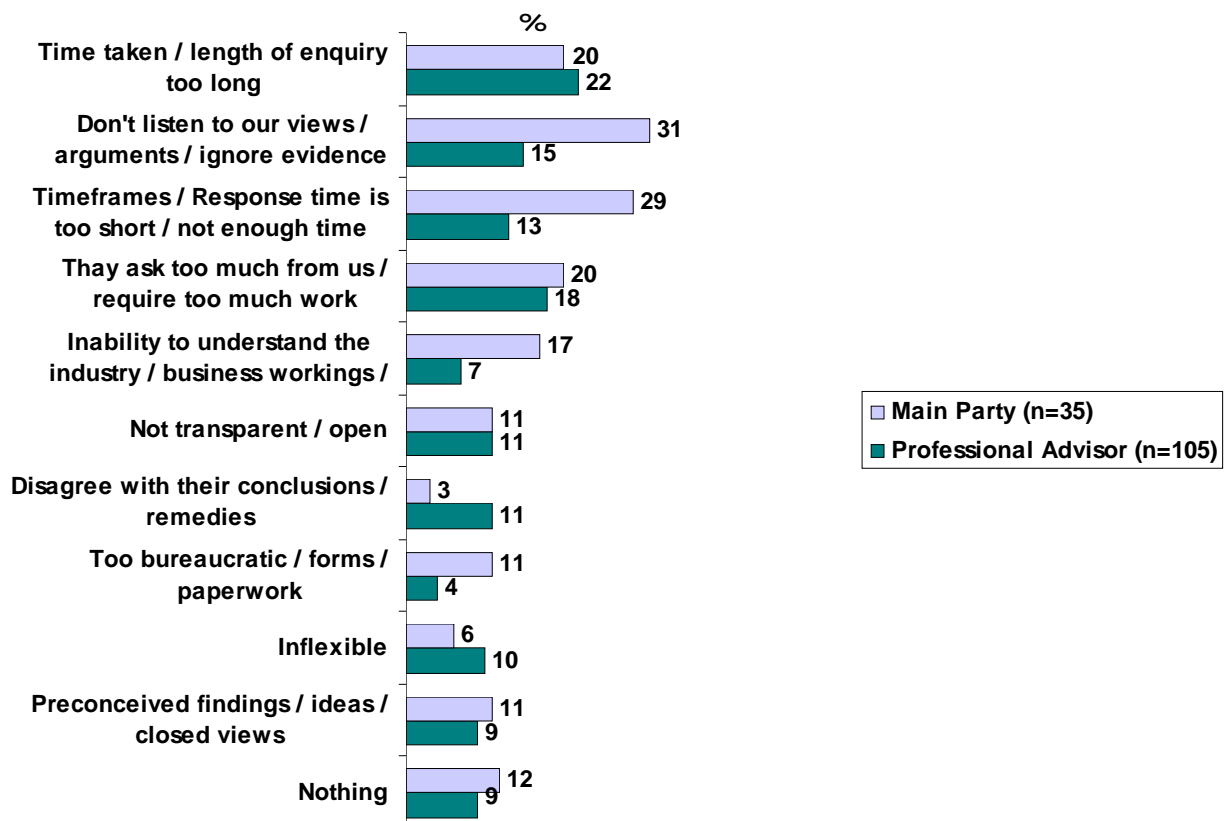
**Figure 6: Main Reasons for disliking the Competition Commission**



Base: All Stakeholders (303), Q7b

There were also some key differences in opinion amongst 'Main Parties' and 'Professional advisors' in terms of what they disliked about the Competition Commission as shown in figure 7 below. 'Main Parties' were most likely to say they disliked the Commission because they *'don't listen to our views/ignore evidence/dismiss valid points'* and the *'timeframes/response times being too short'* and to a greater extent than 'Professional Advisors'.

**Figure 7: Main Reasons for disliking the Competition Commission by Professional Advisors and Main Parties**



Some stakeholders viewed the Commission as too bureaucratic and formal:

*"I think it is a nineteenth century organisation trying to survive in the 21<sup>st</sup> Century."*

Professional Advisor, Market Investigation

*"It is a cumbersome, expensive and bureaucratic process."*



Professional Advisor, Interested

*"I do not think that the overall gentlemen and players arrangements of having members and staff works very well"*

Professional Advisor, Market Investigation

Some were also unhappy with the responses given to questions:

*"Their failure to answer specific questions. The delays, they appear to be unwilling to listen to the views of industry or they listen but do not take account of them"*

Main Party, Market Investigation

*"They appoint experts who have, in fact, no knowledge of the field in which they are working. They do not often answer questions that they do not want to"*

Main Party, Market Investigation

While some question the calibre of members:

*"I think the turnover of staff is too great and the competence of individual members mixed to say the least."*

Professional Advisor, Market Investigation

#### **4.3 Satisfaction with the Competition Commission's Performance in relation to an Inquiry**

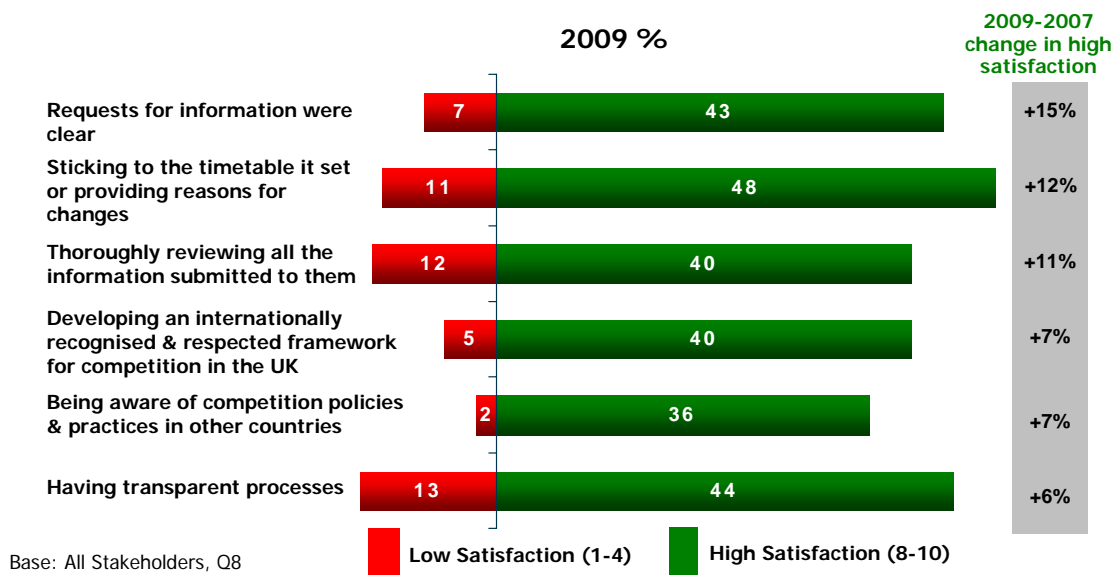
Stakeholders were then asked to rate 16 different statements about the performance of the Competition Commission when conducting a merger inquiry or market investigation on a scale of 1 to 10, where 1 means a 'very poor performance' and 10 means a 'very good performance'. Based on these scores, highly satisfied relates to those who scored an 8, 9 or 10 out of 10. The statements with the highest levels of satisfaction this year were *'Sticking*

*to the timetable it set or providing reasons for any change to it', 'Clearly explaining its decisions in plain language' and 'Having transparent processes'.*

More in-depth analysis of the Competition Commission's performance in relation to inquiries and their importance for stakeholders is covered in section 4.4.

The chart below illustrates the main improvements in high satisfaction since 2007:

**Figure 8: Main Improvements in High Satisfaction since 2007**

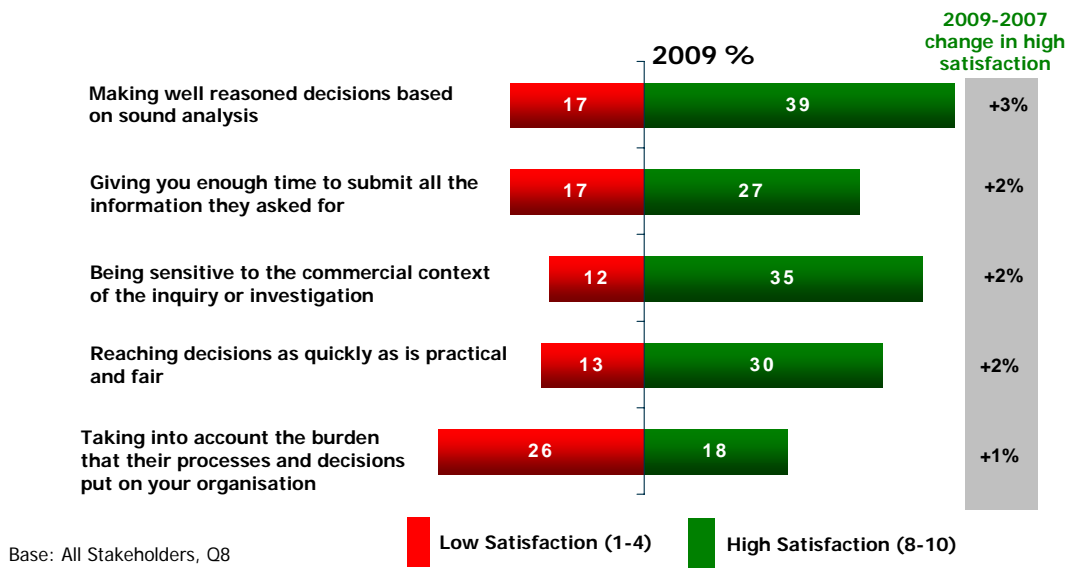


The chart above shows that the largest improvements since 2007 were for *'Requests for information were clear'*, *'Sticking to the timetable it set or providing reasons for any change to it'* and *'thoroughly reviewing all the information submitted to them'*. All three statements have increased by over 10% since 2007. It should be noted that there are some wording changes since 2007 which could impact on the ability to compare accurately, although the intention was to ensure the meaning of statements remained the same. The comparison of both sets of statements for 2007 and 2009 can be found in the appendix.



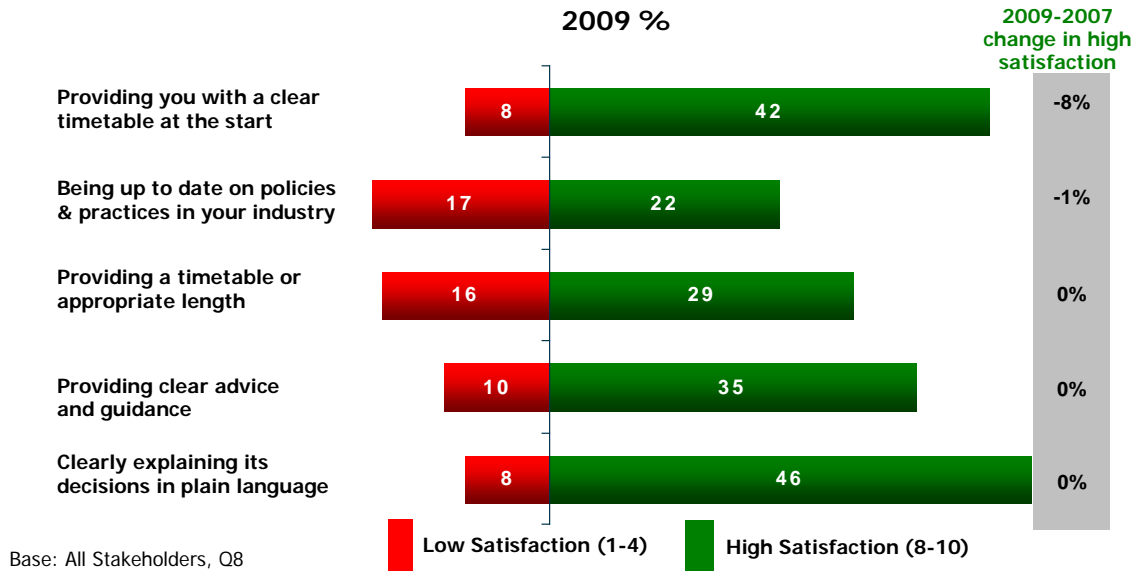
The following chart shows the statements where slight improvements in high satisfaction since 2007 have been achieved.

**Figure 9: Slight Improvements in High Satisfaction since 2007**



Nearly all statements saw an increase in high satisfaction since 2007. Only two statements saw a decline in stakeholders rating them highly; *'Being up to date on policies and practices in your industry or market sector'* and *'Providing you with a clear timetable at the start.'* The next chart overleaf highlights these statements along with those for which satisfaction has not changed over the last two years.

Figure 10: Declining or No Changes in High Satisfaction since 2007



Stakeholders who rated the Competition Commission very poorly (score of 1 or 2) on any statement were asked for their reasons for giving this rating.

The statement with the most ratings of 1 or 2 was *'Taking into account the burden that their processes and decisions put on your organisation'*. 5% of stakeholders gave a rating of 1 or 2 for this statement and some of the verbatim comments are shown below.

*"They expected us to be able to turn up to London for a meeting at very short notice, without understanding commercial pressures and other obligations"*

Main Party, Market Investigation

*"There was no regard to the opportunity cost or the fees incurred in responding to the inquiry"*

Main Party, Merger



*"Because the requests for information often required a massive amount of work in a very, very short period of time"*

Main Party, Merger

*'Making well reasoned decisions based on sound analysis'* was the statement which achieved the next highest number of 1 or 2 ratings, albeit only 3%, along with *'Being up to date on policies and practices in your industry and market sector'*.

**'Making well reasoned decisions based on sound analysis'**

*"the data they based their decisions on was out of date by the time they got to their final conclusion"*

Main Party, Merger

*"It fails to properly evaluate evidence in an objective way"*

Main Party, Merger

**'Being up to date on policies and practices in your industry and market sector'**

*"...even in the very final stages of the investigation, there were members of the panel who clearly did not have a clue what they were talking about"*

Main Party, Merger



#### 4.4 Drivers of Overall Satisfaction

A key element of this research is establishing what drives stakeholders' satisfaction with the Competition Commission. Satisfaction will be determined by a number of aspects of the stakeholder's relationship and dealings with the Commission, and we have used data modelling techniques to calculate how important each of the service measures are to stakeholders, and therefore which have the most influence on predicting overall satisfaction.

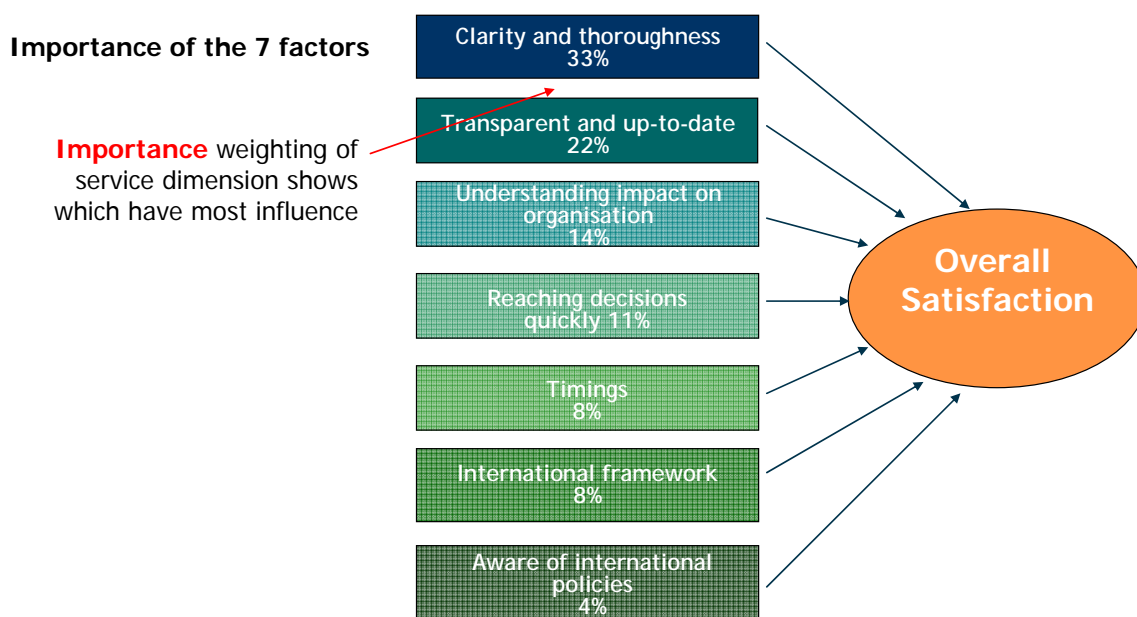
The first stage of the analysis involved a factor analysis of the statements. Factor analysis was used as a data reduction exercise to identify a smaller number of factors, which explained most of the information observed in the larger number of variables. These factors are essentially the underlying or latent dimensions that exist in the battery of attitudinal questions. The following table shows the 7 factor solution, which was selected due to the level of correlations between various statements and the rationale of the factors being produced.

The seven factors and the statements that make up each factor are as follows:

<b>1</b>	<b>Clarity and thoroughness</b>	<ul style="list-style-type: none"><li>- Making well reasoned decisions based on sound analysis</li><li>- Thoroughly reviewing all the information submitted to them</li><li>- Providing clear advice and guidance</li></ul>
<b>2</b>	<b>Timings</b>	<ul style="list-style-type: none"><li>- Providing you with a clear timetable at the start</li><li>- Sticking to the timetable it set or providing reasons for any changes to it</li><li>- Providing a timetable of appropriate length</li></ul>
<b>3</b>	<b>Understanding impact on organisation</b>	<ul style="list-style-type: none"><li>- Giving you enough time to submit all the information they asked for</li><li>- Requests for information were clear</li><li>- Taking into account the burden that their processes and decisions put on your organisation</li><li>- Being sensitive to the commercial context of the inquiry or investigation</li></ul>

4	<b>Transparent and up-to-date</b>	- Having transparent processes - Being up to date on policies and practices in your industry and market sector
5	<b>Reaching decisions quickly</b>	- Reaching decisions as quickly as is practical and fair
6	<b>Aware of international policies</b>	- Being aware of competition policies and the practices of competition authorities in other countries
7	<b>International framework</b>	- Developing an internationally recognised and respected framework for competition in the UK

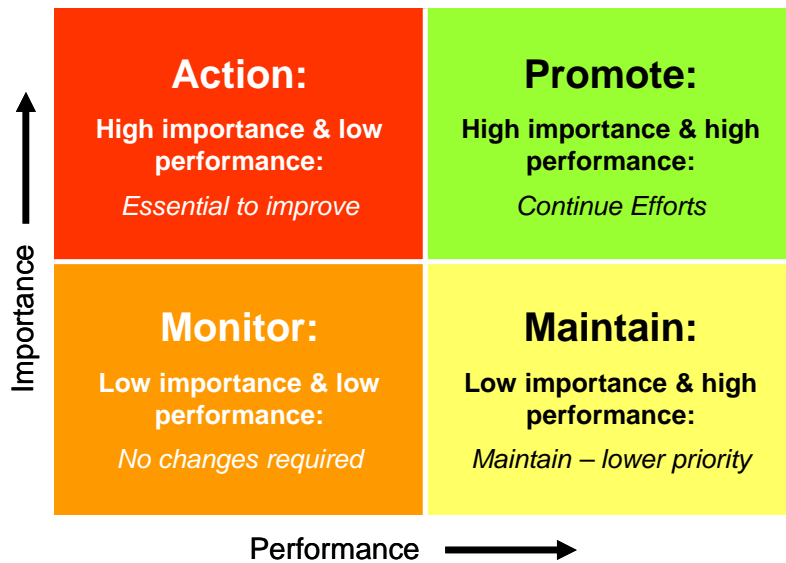
The next stage is the key driver analysis which determines how highly correlated each of the factors are in driving satisfaction and the following chart shows the results of the analysis.



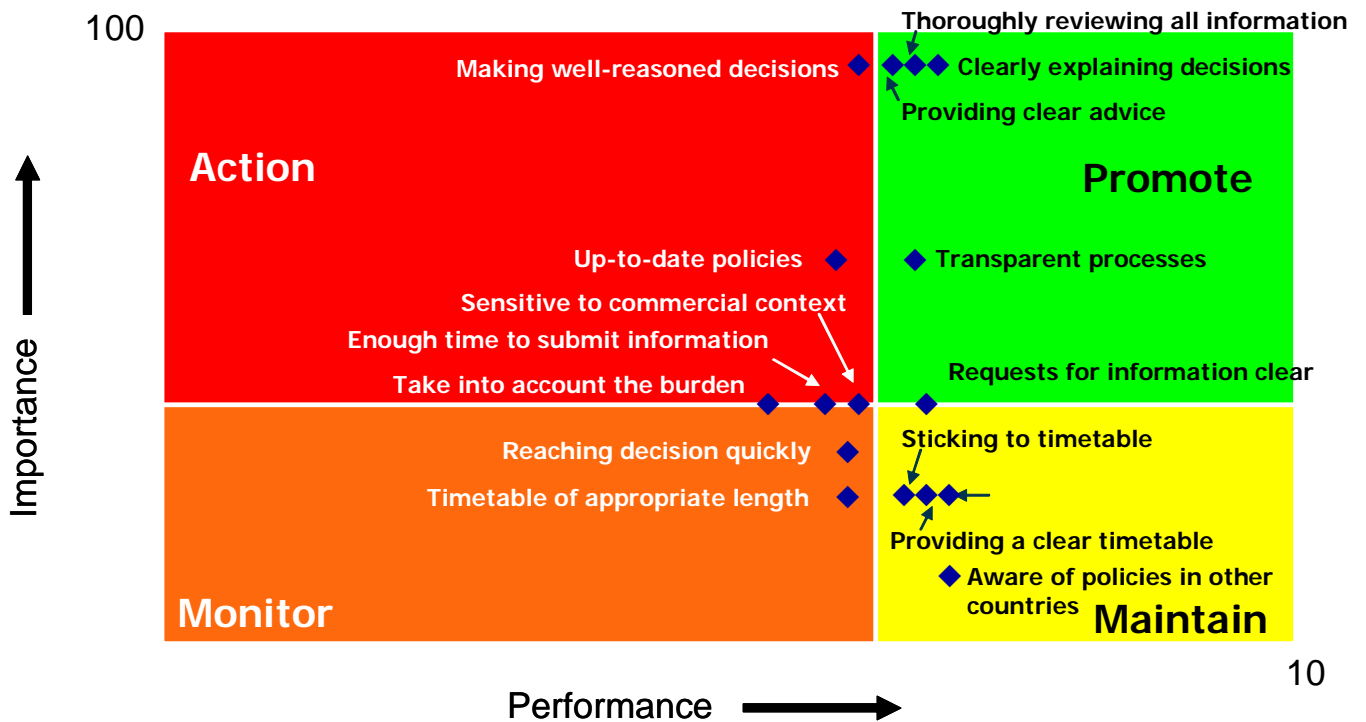
The key driver analysis can then be used to identify areas of concern for the Competition Commission and areas in which performance is meeting expectations in terms of stakeholders' requirements. The following chart shows how the key driver analysis is used to plot importance by performance to identify 4 key areas which can then be used to help the Commission understand where resources would be best utilised to improve overall service. Action areas are where service elements are considered important in the key driver analysis, but score below average when respondents rate the performance on those



attributes. Where satisfaction ratings are high and importance is high, these are the aspects of service which should be promoted and efforts continued to ensure service standards are maintained as they are important to stakeholders.



Using this model, the Competition Commission data can then be plotted resulting in the following chart.



The key action areas are:

- Taking into account the burden that their processes and decisions put on your organisation
- Giving you enough time to submit all the information they asked for
- Being up-to-date on policies and practices in your industry and market sector
- Being sensitive to the commercial context of the inquiry or investigation
- Making well-reasoned decisions based on sound analysis

Each of the seven factors is now examined in more detail in their order of importance within the key driver analysis.

**(i) Clarity and Thoroughness**

*'Clarity and thoroughness'* is the factor which is the highest driver of stakeholder satisfaction with an importance weighting of 33%. Looking at figure 11, it can be seen that three out of the four statements are 'promoters', meaning they are areas in which the Commission is



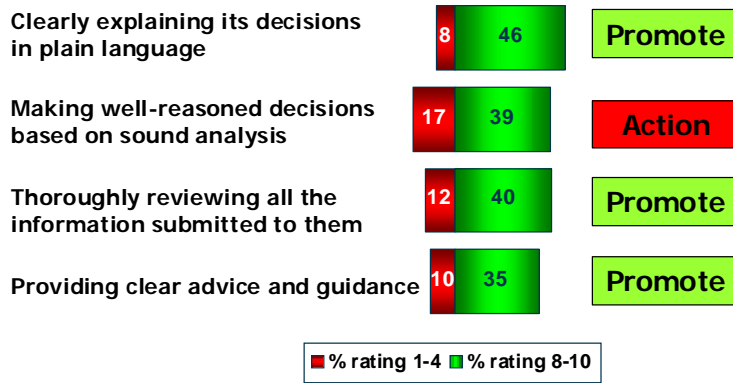
performing well and are important to stakeholders. In particular, *'Clearly explaining decisions in plain language'* (46%) and *'Thoroughly reviewing all the information submitted to them'* (40%) perform well with at least two-fifths of stakeholders rating performance highly (score of 8-10).

Interestingly, there is an action point here in the form of the statement, *'Making well-reasoned decisions based on sound analysis'*. This would suggest the messages are clear but there are question marks over the actual content of the information, which is an area the Commission is recommended to address. One of the main dislikes mentioned by 13% of stakeholders was that the Commission *'don't listen to our views/ignore evidence/dismiss valid points'* and it could be this issue which is highlighting this statement as an action point. It also needs to be taken into account that outcome of the inquiry is a factor determining stakeholder's rating for this statement. Amongst those stakeholders who considered the outcome to be good, 65% gave a high rating compared with 18% who considered the outcome bad.

There is also a lower performance rating overall for *'Clarity and thoroughness'* from 'Main Party' respondents where around one in four (23%) gave a performance rating of 8-10 compared with exactly half of 'Government/Interested Parties'. It is an overriding trend across all the results for this study that 'Main Parties' give the Competition Commission a lower rating than other stakeholders.

Figure 11 shows the positive and negative responses for the statements included in the *'Clarity and thoroughness'* factor. The table on the right hand side of the graph shows the average percentage of stakeholders giving a score out of 8-10 across all statements included in the factor at the overall level and then broken down by role played in the inquiry.

**Figure 11: Clarity and Thoroughness**



Clarity and thoroughness	
Role played	% 8-10 Average
Total	40
Main Party	23
Third party	40
Professional advisor	39
Government /Interested	50

Base: All stakeholders

To illustrate the poorer performance ratings, here is a selection of verbatim comments regarding the lack of clarity, understanding and reporting:

*"I felt that the language used was archaic and the questions asked were not pertinent to the field in which they were investigating"*

Third Party, Market Investigation

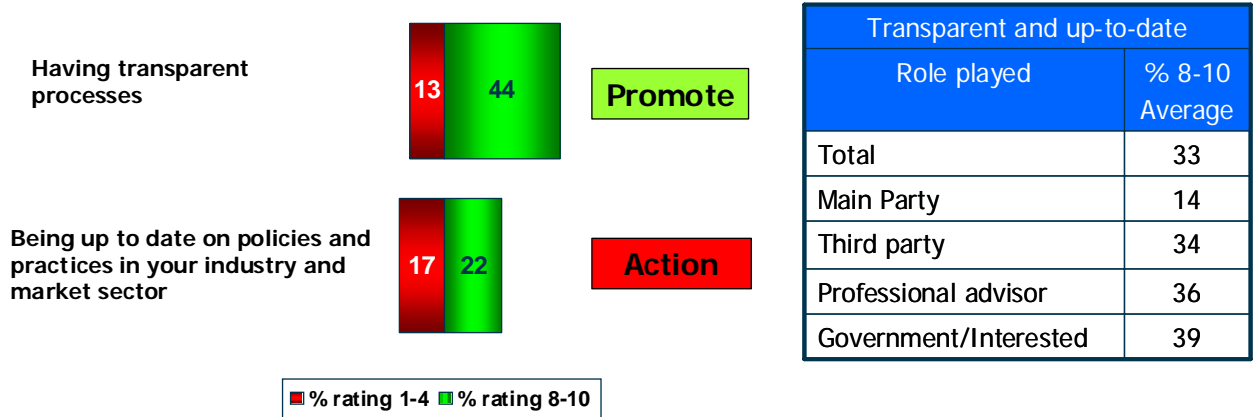
*"I think that the report is really difficult and very confusing, and really does not set out the reasoning and the conclusions properly"*

Main Party, Merger

**(ii) Transparent and up-to-date**

There are only two statements here, but combined they drive 22% of stakeholder satisfaction – the second most important factor overall. *'Having transparent processes'* is considered a 'promoter', with over two-fifths (44%) giving a rating of 8-10 for this. However, there is an action point here with only half as many respondents (22%) giving the Commission a performance rating of 8-10 for *'Being up to date on policies and practices in your industry and market sector'*.

**Figure 12: Transparent and up-to-date**



Base: All stakeholders

Just 14% of 'Main Parties', on average, gave a high rating (8-10) on the statements included in this factor, namely *'having transparent processes'* and *'being up-to-date on policies and practices'*, compared with more than a third of all other stakeholders, as shown on the table on the right hand side of figure 12 above.

Some verbatim comments from 'Main Party' stakeholders who gave a negative rating on either of these statements are shown below.

*"...because they are completely unclear on the basis to which they make their decisions"*

Main Party, Market Investigation

*"...they appointed consultants who had no background in the industry therefore it took them a while to catch on, even then understanding was indifferent"*

Main Party, Merger

**(iii) Understanding the impact on organisation**

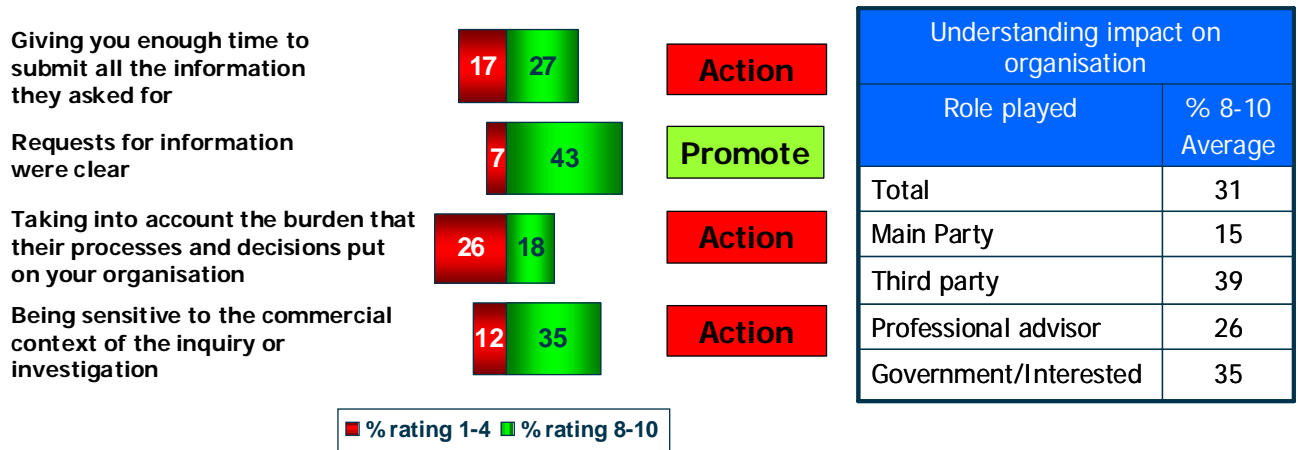
This is the third most important driver of stakeholder satisfaction at 14%, and has three 'action' statements. In particular, the Commission has to look at *'Being sensitive to the commercial context of the inquiry or investigation'*, because only around a third (35%)



believe this to be currently the case. Around one in eight (12%) gave a performance rating of this statement between 1-4.

Those respondents in the 'Main Party' role score lower than their counterparts, with just 15% providing a performance rating of 8-10 with regards to understanding the impact on the organisation. 'Third Parties' and 'Government/Interested Parties' score 39% and 35% respectively.

**Figure 13: Understanding the impact on organisation**



Base: All stakeholders

Here is a selection of verbatim comments describing the reasons for poor performance ratings:

*"It goes back to the over-riding criticism which is that they decide the answer they want and they pick and choose evidence to suit"*

Professional Advisor, Market Investigation

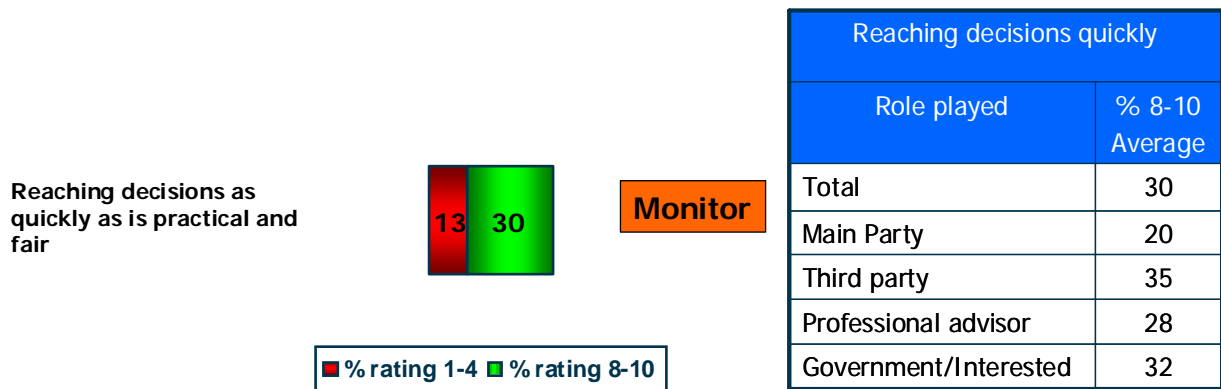
*“They generally take as long as they need to do their part of the task even though that may mean that their own timetable slips but they do not accord the parties the same flexibility”*

Professional Advisor, Merger

**(iv) Reaching decisions quickly**

There is only one statement here – *‘Reaching decisions as quickly as is practical and fair’* – which drives 11% of stakeholder satisfaction. This is a statement that is considered an area to ‘monitor’, which is of low importance and no changes are required.

**Figure 14: Reaching decisions quickly**



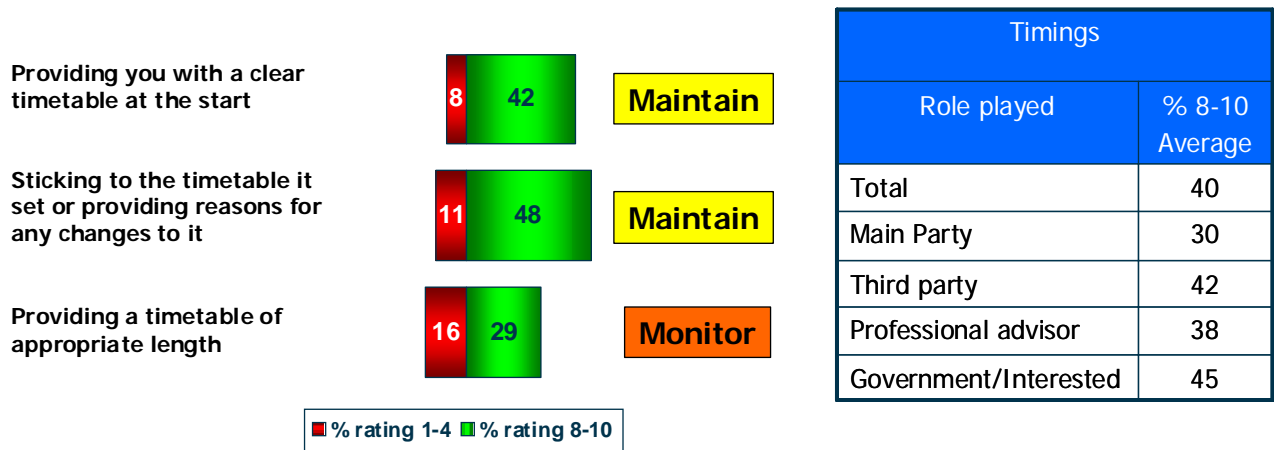
Base: All stakeholders

**(v) Timings**

*‘Timings’* drive 8% of stakeholder satisfaction, and this factor contains three statements. Nearly half (48%) provide a performance rating of eight to ten for believing the Commission, *“Sticks to the timetable set or providing reasons for changes to it”* and around two in five (42%) gave this rating for *“Providing you with a clear timetable at the start”*. The final statement, *“Providing a timetable of appropriate length”* has over a quarter (29%) providing a rating of eight to ten. ‘Government/Interested Parties’ (45%) are more likely to provide a higher rating than the ‘Main Parties’ (30%) and ‘Professional Advisors’ (38%).

All the statements within this factor fall into the ‘monitor’ or ‘maintain’ categories.

Figure 15: Timings



Base: All stakeholders

Here is a selection of verbatim comments highlighting ratings for poor performance with regards to the timetable:

*"The timetable they gave was breached repeatedly. So it would almost have been better not to have given us one at all at the start because we rely on it and that it is kept to."*

Main Party, Merger

*"They took us completely by surprise, we made a timetable and the telephone call was half an hour later than they said it would be"*

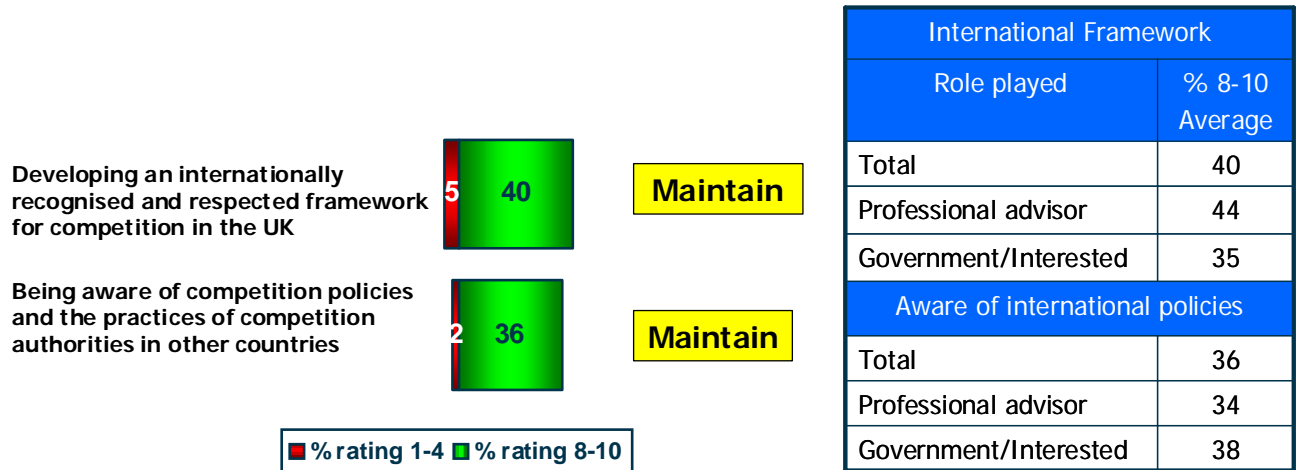
Main Party, Market Investigation

**(vi & vii) International framework and Awareness of international policies**

'International framework' and 'Awareness of International Policies' drives 8% and 4% of stakeholder satisfaction respectively. Both are classified as 'maintain' factors, of low importance and high performance. The statements were only asked of 'Professional Advisors' and 'Government/Interested Parties' on the basis that 'Main and Third Parties' were unlikely to have a view on this aspect of the Commission. As can be seen below, there is little difference between roles with regards to "Awareness of international policies". However 'Profes-

sional Advisors' (44%) are more likely to give a higher rating than 'Government/Interested Parties' (35%) concerning "International framework".

**Figure 16: International framework and Awareness of International policies**

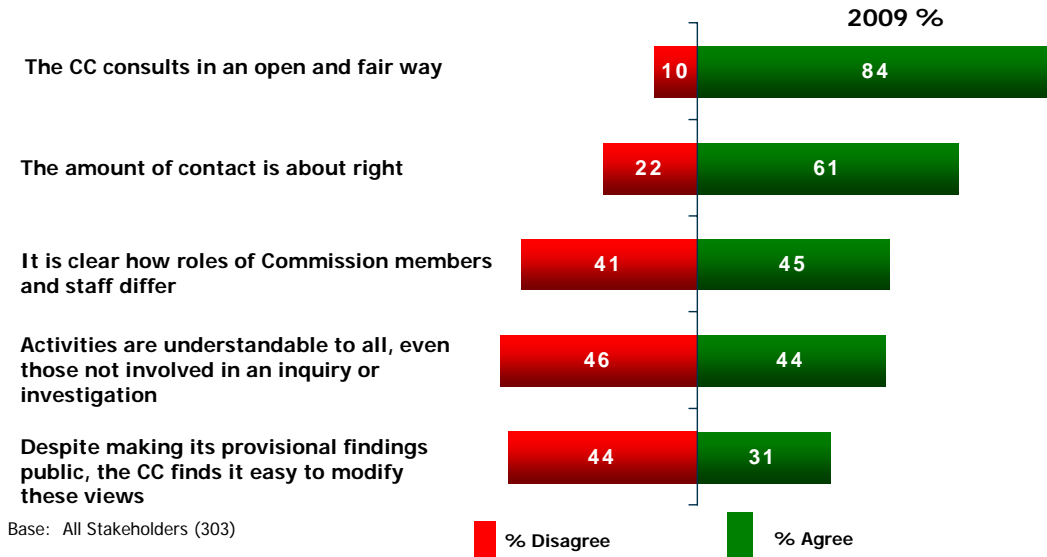


Base: All stakeholders

#### 4.5 Satisfaction with the Competition Commission as an organisation

Stakeholders were then asked to rate the Competition Commission overall, and not just on their most recent inquiry. They were asked to rate nine statements on a five-point scale from 'agree strongly' through to 'disagree strongly'. The first chart below shows the statements which were worded positively and therefore the higher the level of agreement the more positively stakeholders rated the Commission. The second chart then shows the statements which were worded negatively and for these statements, the higher the level of disagreement the more positively stakeholders rated the Commission.

**Figure 17: Satisfaction with the Competition Commission: Positively worded statements**



In terms of the positively worded statements, the statement agreed with the most was *'The Competition Commission consults in an open and fair way'* (84%), followed by *'The amount of contact is about right'* (61%).

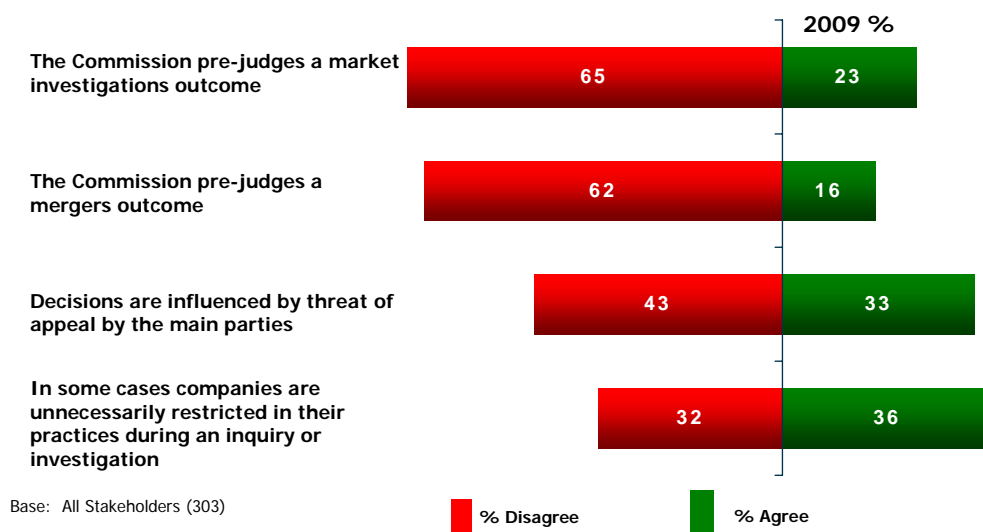
Stakeholders are more split in their opinions in terms of *'It is clear how roles of Commission members and staff differ'* and *'Activities are understandable to all, even those not involved'*.

Both 'Main Parties' and 'Third Parties' were the most likely of all stakeholders to disagree that *'It is clear how roles of Commission members and staff differ'*, but also a high proportion of stakeholders who have had a long relationship with the Commission still disagreed on the clarity of this differential. Just over two-fifths of stakeholders (42%) who have had a relationship lasting 10 or more years with the Commission disagreed that they knew the difference between members and staff.

The one statement where the balance is more negative than positive is that *'Despite making its provisional findings public, the Commission finds it easy to modify its views.'* (44% disagree, 31% agree).

In terms of the negatively worded statements, stakeholders were most likely to *disagree* that 'the Commission pre-judges outcomes' for either market investigations (65%) or mergers (62%). These are the second and third most 'positive' of all the statements for the Commission.

**Figure 18: Satisfaction with the Competition Commission: Negatively worded statements**



Across the negatively worded statements, stakeholders were more split in their opinions in terms of 'Decisions are influenced by the threat of appeal from the main parties' and 'in some cases companies are unnecessarily restricted in their practices during an inquiry or investigation'.

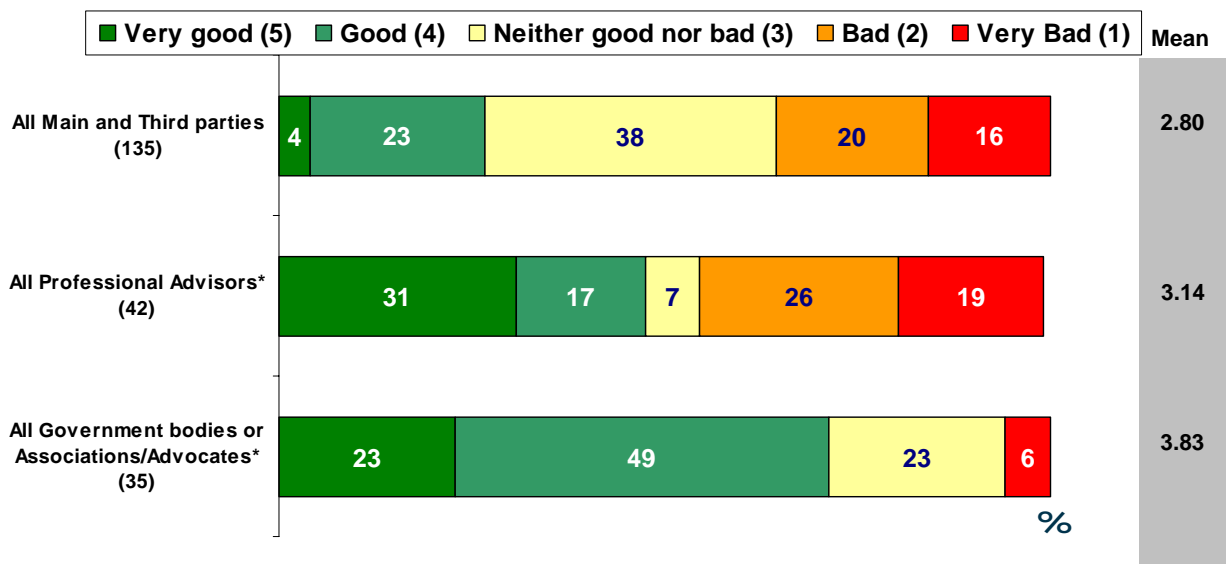
'Professional Advisors' were the most negative about the Commission being 'influenced by the threat of appeal by the Main Parties', with nearly half (46%) agreeing with this statement.

#### 4.6 Outcome of Inquiry

All inquiry respondents were asked whether the decision from the inquiry was good or bad for the business, or their client in the case of 'Professional Advisors', or their industry in the

case of 'Government and Associations or Advocacy groups'. As can be seen from the chart below; 'Government and Associations or Advocacy groups' are the most positive (72% rated the outcome as good) followed by 'Professional Advisors' (48% rated the outcome as good). However, 'Professional Advisors' were also the most likely of all stakeholders to claim the outcome was bad for their client (45%). 'Main' and 'Third' parties were the least positive about the outcome with just over a quarter rating it as good (27%). Over a third (36%) of this group thought the outcome was bad/very bad for their business, but also a similar proportion (38%) thought the decision was neither good nor bad.

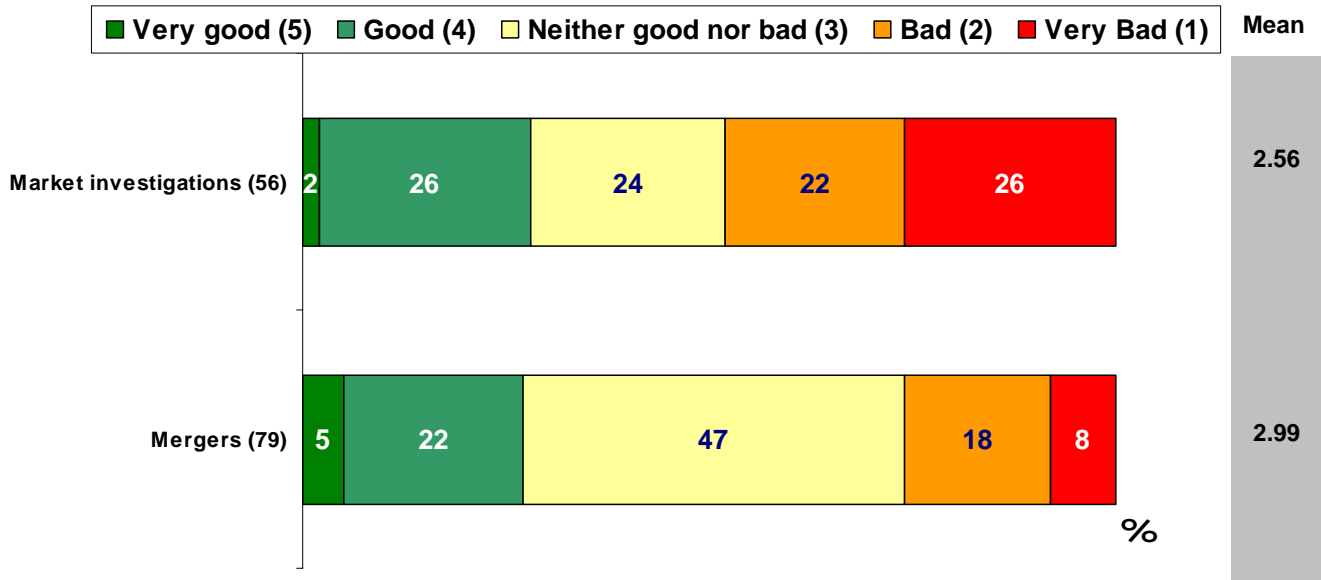
**Figure 19: Outcome of Inquiry by role of stakeholder**



Base: All Inquiry Stakeholders, Q18

Stakeholders' perception of the outcome of the inquiry also differed by type of inquiry. Although approximately a quarter of stakeholders involved in either a merger inquiry or a market investigation thought the outcome was good, those involved in a market investigation were more likely to consider the outcome to be bad. Nearly half (48%) felt the outcome was bad in the case of a market investigation compared with a quarter (26%) amongst those involved in a merger as can be seen in figure 20.

Figure 20: Outcome of Inquiry by type of inquiry



Base: All main and third parties answering about outcome in relation to their business

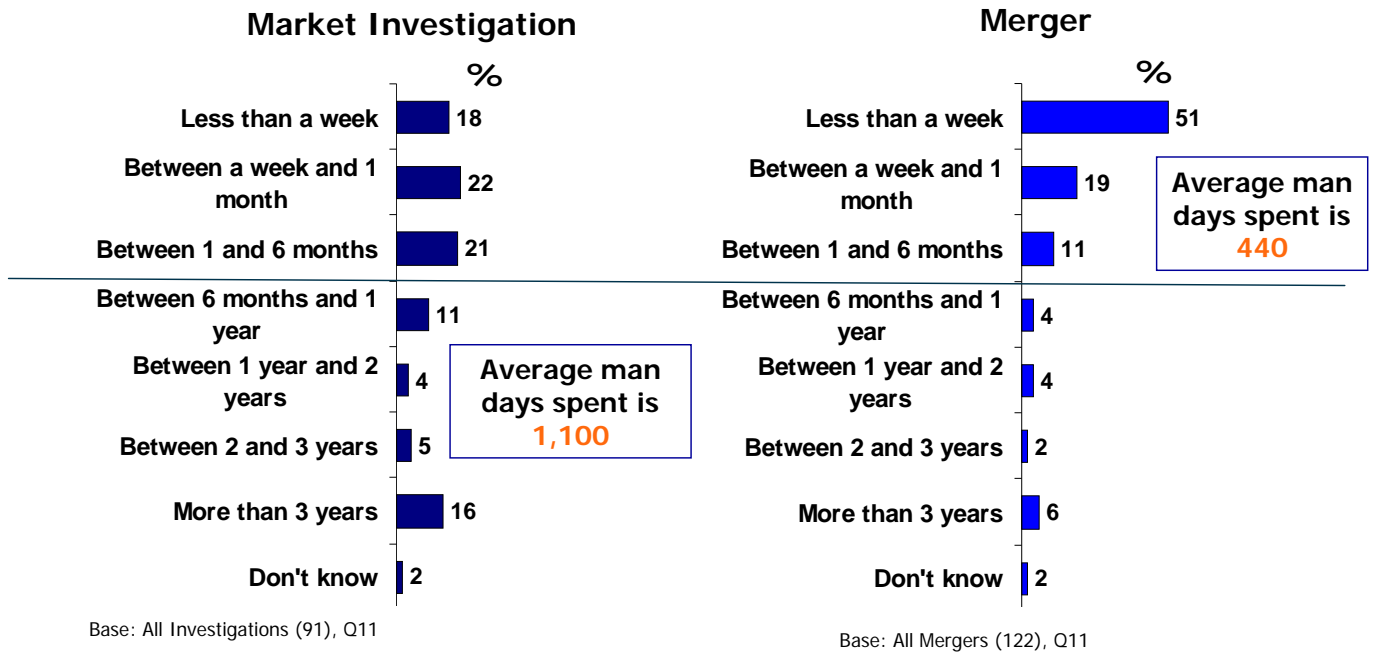
#### 4.7 Number of man days spent on Inquiry

In terms of the number of man days spent on the inquiry there are significant differences between stakeholders; dependent on whether the inquiry was a merger inquiry or a market investigation. Just under two-fifths of all inquiry stakeholders (37%) spent less than a week on the inquiry, but amongst those involved in a market investigation this figure drops to 18% and rises to 51% amongst those involved in a merger inquiry. A quarter of stakeholders involved in a market investigation claimed their business had spent at least a year or more on the inquiry compared with 12% for those involved in mergers.

The next chart shows in more detail the ranges and average length of time spent on inquiries for markets and mergers.



Figure 21: Number of man days spent on Inquiry



Differences were also apparent amongst the different stakeholder roles. On average, 'Main Parties' spent 2,400 man days per inquiry, by far the most, with 'Professional Advisors' next on 1,900 days. 'Third Parties' and 'Government and Associations or Advocacy groups' spent much less time, with averages of 50 and 40 days respectively, bringing down the average for all groups to 700.

In line with the average number of man days, 'Third Parties' spent less time than other stakeholders, with over half (54%) stating that their time spent on the inquiry lasted for less than a week. A similar number of 'Government and Associations or Advocacy groups' (46%) stated that their inquiry lasted less than a week. In contrast, over a third (37%) of 'Main Parties' spent over three years on average for the inquiry, with around a quarter (23%) of 'Professional Advisors' claiming to have spent between one and six months. In total, over half (57%) of all stakeholder groups on average spent less than a month completing the inquiry.



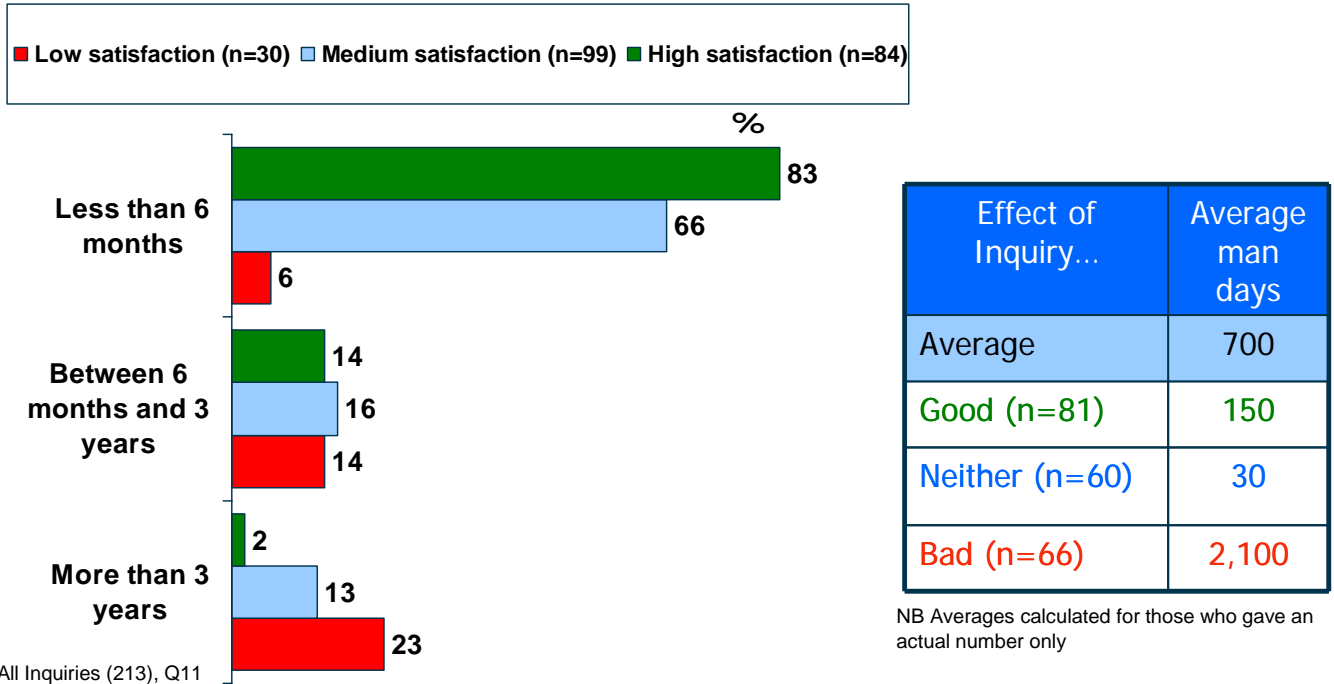
The following table shows the ranges and average length spent on the inquiry split by the different stakeholder roles.

**Number of man days spent on Inquiry by role of stakeholder**

% shown	Main Parties	Third Parties	Professional Advisors	Government/ Associations/ Advocacy groups
<b>Number of stakeholders</b>	<b>35</b>	<b>100</b>	<b>43</b>	<b>35</b>
Less than a week	11	54	9	46
Between 1 week to 1 month	3	30	5	29
Between 1 month – 6 months	20	10	23	17
Between 6 months – 1 year	9	3	16	6
Between 1 - 2 years	6	0	16	0
Between 2 - 3 years	9	0	9	3
More than 3 years	37	1	19	0
Don't know	6	2	2	0
<b>Average number of days</b>	<b>2400</b>	<b>50</b>	<b>1900</b>	<b>40</b>

Interestingly, the number of man days involved in the inquiry does not determine the satisfaction or perception of outcome but there is a relationship, as shown in the next chart.

Figure 22: Man days by outcome of inquiry

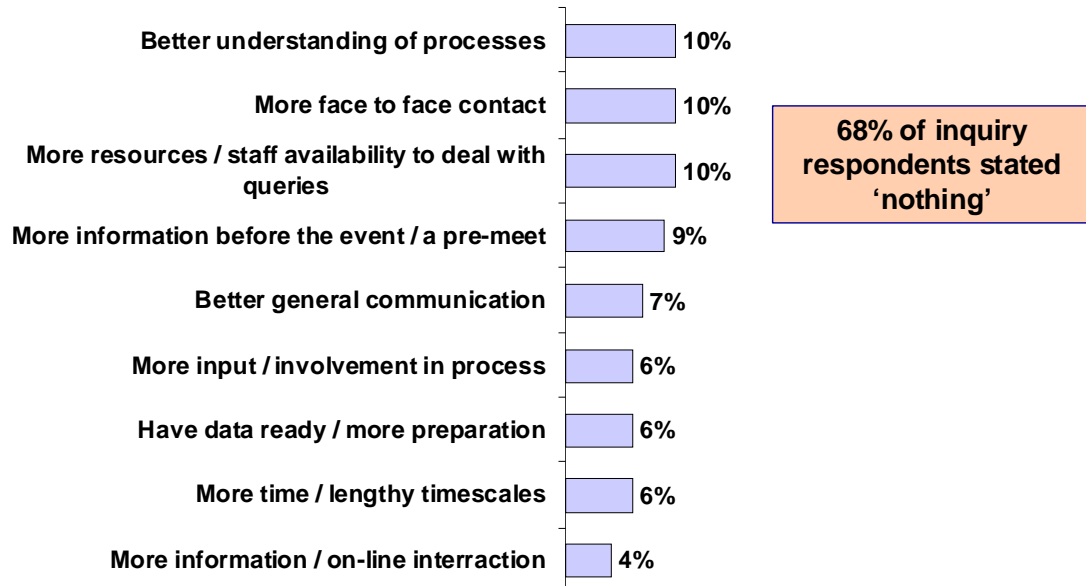


As can be seen, those stating the inquiry was 'bad/very bad' for the business/client, have on average the highest number of man days spent completing the work. Over four-fifths (83%) of inquiries regarded as good for the business/client took less than 6 months to complete. Only 2% of inquiries with a 'good outcome' took more than three years, whereas almost a quarter (23%) of inquiries with 'bad outcomes' took this amount of time.

#### 4.8 What organisation and Competition Commission could do to improve experience

When stakeholders were asked what they felt their organisation could have done to make their involvement in the inquiry better, the majority (68%) stated there was nothing more they could have done. Of those who gave an answer, 1 in 10 stated *'Better understanding of the process'*, *'More face to face contact'* and *'More resources / staff availability to deal with queries'*.

Figure 23: What organisation could do to improve experience



Base: All Inquiry Respondents that had an opinion (69)

Below are some verbatim comments stakeholders gave in relation to how their organisation could improve the experience.

*"Perhaps if we had been able to speak to people who had previously gone through the process before that would have been helpful"*

Association/Advocacy group, Market Investigation

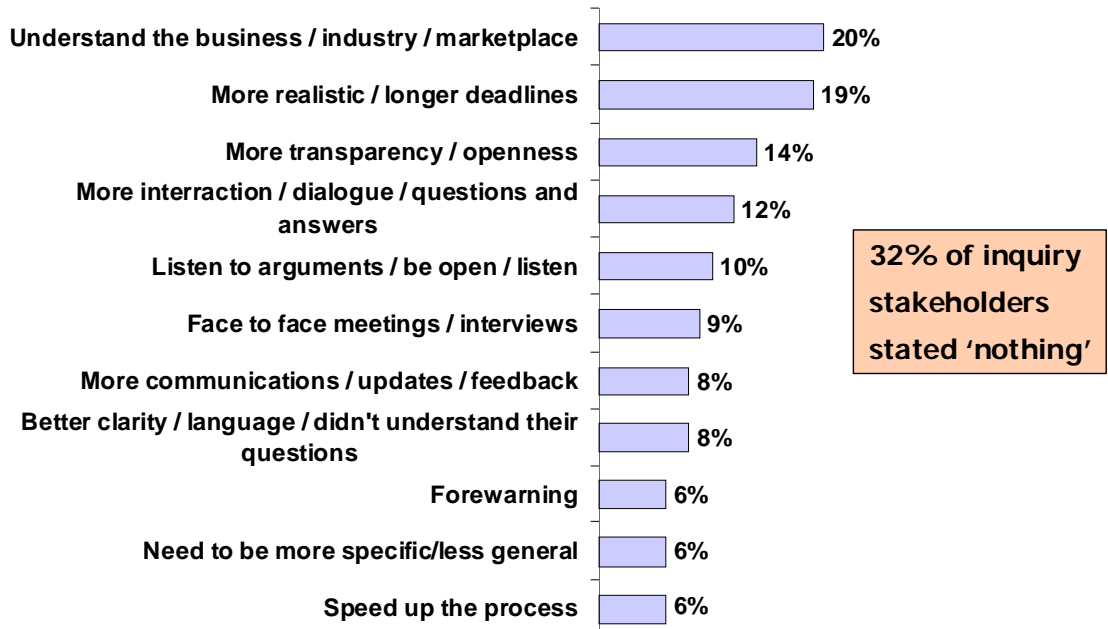
*"... could possibly have proposed more face to face meetings with the Commission. There was a lot of email and document exchange and I think some of the proposals got lost in translation so face to face meetings may have been more efficient."*

Main Party, Market Investigation

Fewer stakeholders thought that the Commission could have done nothing more to make the process better (32%). A fifth of respondents stated that the Commission could have *'Understood the business / industry / marketplace' better* and make *'More realistic / longer deadlines'*.



Figure 24: What Competition Commission could do to improve experience



Base: All Inquiry Stakeholders that had an opinion (145)

Below are some verbatim comments stakeholders gave in relation to how the Competition Commission could improve the experience.

*"By having open discussions with the individuals concerned. I have put in a lot of comments and commentary and they did not respond to anything. They did not ask me what I meant by certain things and certain comments that I made"*

Third Party, Market Investigation

*"Given us more exposure to the panel. I think earlier release of information and working papers. The fact that the decision is made by people you only meet twice in the process and there is no explanation from the panel after the event"*

Main Party, Merger

*"Taken account of our detailed and rigorous explanation of the workings of the industry initially...."*

Main Party, Market Investigation



*"Giving us longer deadlines"*

Main Party, Market Investigation

*"Get involved at the floor level of it actually instead of the amount of paperwork that was going back and forth and the man hours that they probably spent and the money that was spent"*

Main Party, Market Investigation

*"...possibly not taking account of different organisation sizes. We are only a small company and what resources we can put to it and also what we would look to get out of it, maybe different from a big company with different market power"*

Third Party, Market Investigation

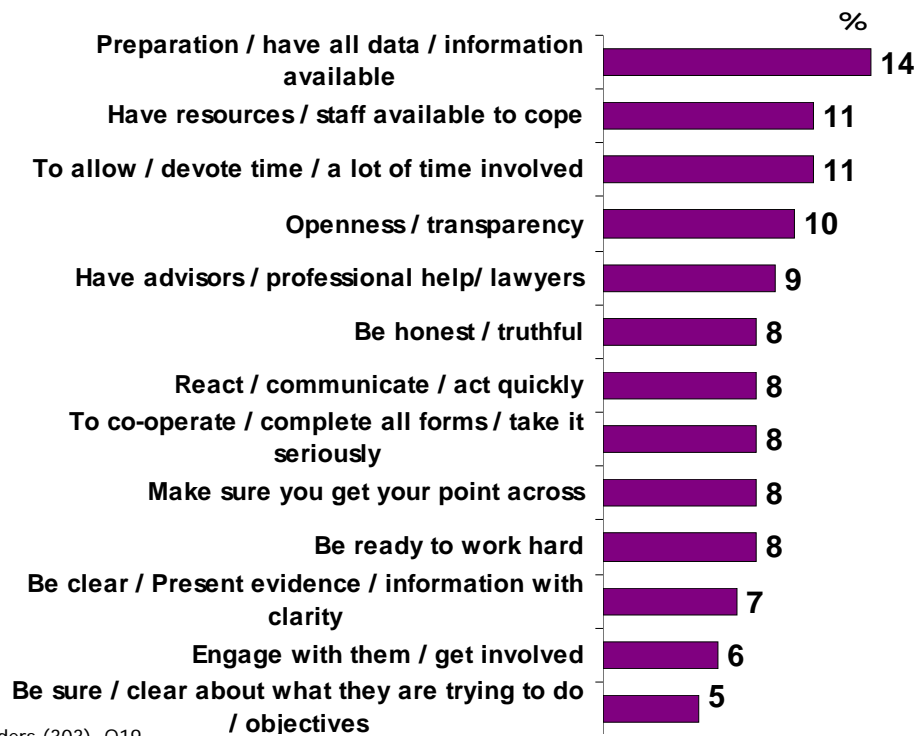
#### **4.9 One essential piece of advice to give to another organisation**

At the end of the survey, all stakeholders were asked what one essential piece of advice they would give another organisation taking part in a market investigation or merger inquiry. The key message stakeholders are sending out is to 'be prepared' in terms of information, resource and time required.

The top response was *'preparation/have all the data/information available'*, mentioned by 14% of stakeholders. The next highest mentions were related to the time and resource involved. Approximately 1 in 10 mentioned *'have resources/staff available to cope'* *'allow/devote time/a lot of time involved'*, followed by *'openness/transparency'* and *'have advisors/professional help/lawyers'*.



Figure 25: One essential piece of advice to give to another organisation



Base: All Stakeholders (303), Q19

Below are some verbatim comments stakeholders gave to this question.

*"To put aside significant time, resource and management structure to deal with the inquiry"*

Professional Advisor, Interested

*"I do not know if I have any essential advice apart from the fact that co-operate with them fully. I found the whole process very simple and beneficial, so work with them I think would be the best advice"*

Third Party, Merger

*"Just to be honest and transparent"*

Third Party, Market Investigation

*"Obtain good lawyers, with experience of Commission inquiries and devote sufficient internal resources to a very demanding task."*

Professional Advisor, Merger



**GfK NOP**

*“Do not expect that the Competition Commission will make any effort to understand your business, you have to explain everything to them and do not assume that they will read the documents that you put in to them.”*

Main Party, Market Investigation



## 5. Conclusions and Recommendations

Stakeholders are generally happy, particularly 'Third Parties' and 'Interested businesses', with high scores generally increasing. This is tempered by some increases in low scores too, reducing the overall net improvements.

'**Professional Advisors**' and '**Main Parties**' are the key stakeholders to focus on in terms of improving satisfaction. **Professionals** are potentially the 'softer target' as they are not directly affected by the outcome of inquiries and the Commission will have had a longer relationship with many of these advisors. The key here would be to move them from the neutral position of being 'fairly satisfied' to 'very satisfied'.

In terms of driving satisfaction, the only factor that **Professional Advisors** have a below average high score (8+) on is '*understanding the impact on your organisation*' which is the third most important factor. The time taken by stakeholders to collate and submit information to the Competition Commission is a recurring theme throughout the research and further consideration as to how this element of the process can be improved would be welcomed by many stakeholders.

'Professional Advisors' have a higher agreement than other stakeholders that the Competition Commission is influenced by the threat of appeal from the Main Parties and therefore the need to change their views in this area is clearly a challenge. In addition, there is clearly confusion amongst this group about the differing roles of Commission staff and members (shared by other stakeholders) and ensuring roles are clearly defined is a key area for improvement.

**Main Parties** are a much harder target in terms of increasing satisfaction as inevitably they are influenced by the outcome of the decision and many of these businesses will only have involvement with the Commission for one inquiry. It is probably more realistic to move them from a low scoring position to a more neutral viewpoint.

Main parties are consistently the lowest scoring stakeholder group across all aspects; therefore efforts should be focused on improving their opinion of aspects of service in



the most important factor: *clarity and thoroughness*. In addition, understanding the impact on the organisation is a key action area as scores are very low in this area.

**Third Parties**, whilst more positive than the Main Parties, gave poorer ratings on similar areas to the Main Parties. The areas to focus on for these stakeholders are understanding the impact on the organisation and clarity and thoroughness.

**Government and Associations or Advocacy groups' and 'Interested businesses'** are generally the most positive of all the stakeholders. However, they still gave low ratings for understanding the impact on the organisation, in line with other stakeholders. This is therefore an area which needs to be universally addressed.

## **APPENDIX 1 – Questionnaire**



**COMPETITION COMMISSION STAKEHOLDER Q'AIRE**

**INFORMATION TO BE INCLUDED ON FRONT SCREEN**

- Name
- Organisation
- Type of Party
- Inquiry or Investigation involved in

**INTRODUCTION TO RECEPTION**

QA Good morning/afternoon, my name is \_\_\_\_\_, from GfK NOP, an independent research agency. Please may I speak to NAMED CONTACT

**WHEN THROUGH TO CORRECT PERSON:**

Good morning/afternoon, my name is \_\_\_\_\_, from GfK NOP, an independent research agency. We are conducting a survey on behalf of the Competition Commission amongst organisations involved in recent inquiries or investigations or who are generally interested in its work and you should have received an email or letter from the Chief Executive David Saunders about this project in the last few weeks. The aim of this important study is to understand opinions of the Competition Commissions performance and the results will be used to review future procedures and strategy.

Please note we have only been given your name and contact details and have no other information about your dealings with the Competition Commission. The interview should take no more than 10-15 minutes, depending on your answers. Would now be a convenient time to go through the survey?

All the work we carry out is governed by the Market Research Society's Code of Conduct, which means that everything you say will be treated in the strictest confidence, and neither you nor your organisation will be identified in any way. The interview will be recorded but this is for our own quality assurance purposes and will not be kept.

IF RESPONDENT SAYS THEY HAVE NOT HAVE CONTACT FOR A LONG TIME SAY: We are interested to talk to you if you have had contact with the Competition Commission in the last 2 years so even if you feel it has been a long time, we are still interested to know your overall opinions.

IF RESPONDENT SAYS THEY HAD LITTLE CONTACT WITH CC AND SUGGEST WE SPEAK TO SOMEONE IN ANOTHER ORGANSATION WHO HAD MORE CONTACT (EG LAWYER) SAY:

*We are interested in talking directly to people about their own experiences, even if other organisations had more dealing with the competition commission on their behalf*

OK to continue	1	S1
Arrange Call-back	2	} Return to SMS and code
Others, cannot continue	3	} appropriately



ASK ALL INQUIRY RESPONDENTS (from 'Inquiry/Interested' field on sample)  
**S1** For this interview we would like you to base your answers on the INQUIRY (INSERT FROM 'INQUIRY FIELD' SAMPLE).

SAY TO ALL 'MAIN PARTY, THIRD PARTY OR INTERESTED PARTIES FROM 'OVERALL ROLE' FIELD ON SAMPLE Can I just confirm that in this inquiry you were a .....?RESPONDENT TYPE (INSERT FROM 'OVERALL ROLE' FIELD ON SAMPLE)?

SAY TO ALL 'PROFESSIONAL ADVISORS, GOVERNMENT OR ASSOCIATION' FROM 'OVERALL ROLE' FIELD ON SAMPLE Can I just confirm that in this inquiry you represented a .....?RESPONDENT TYPE (INSERT FROM 'OVERALL ROLE' FIELD ON SAMPLE)?

Yes ----- 1      **Go to Q1**  
No -----2      **Ask S1b**

**S1b** Which of the following would describe your role in the INQUIRY (**INSERT FROM 'OVERALL ROLE FIELD ON SAMPLE**) or your involvement with the Commission? Were you a... ? **READ OUT**

(PROGRAMMER LIST ALL OPTIONS EXCEPT ONE REJECTED AT S1)

1. **Main party**, ie your organisation was the focus of the inquiry
2. **Third party**, ie your organisation was affected by the outcome of this inquiry (for example you are or were a customer of the main parties)
3. **Professional advisor** e.g. lawyers, accountants or an individual with specific expertise representing an organisation involved
4. **Interested party**, ie you're not directly involved in the inquiry but interested in the outcome on a more general level
5. **Government or public body**
6. **Association or advocacy group** such as a trade union

(PROGRAMMER USE RESPONDENT DEFINITION OF THEIR INVOLVEMENT FOR REST OF INTERVIEW)

**WE PROPOSE TO TEST S1 AND S1B IN THE PILOT TO SEE IF THERE ARE ANY MAJOR DIFFERENCES BETWEEN WHAT THE CC HAVE IN THE SAMPLE AND WHAT RESPONDENTS CLASSIFY THEMSELVES. WE CAN THEN DECIDE IF WE NEED TO CLARIFY THIS WITH RESPONDENTS OR JUST TAKE SAMPLE INFORMATION**



**ASK ALL**

Q1. How many years **overall** have you personally had experience of the Competition Commission?

- Less than 1 year----- 1
- 1 – 2 years -----2
- 3 – 4 years -----3
- 5 – 6 years -----4
- 7 – 8 years -----5
- 9 – 10 years-----6
- 10+ years -----7
- Don't know -----8

**ASK ALL**

Q2. And how many **completed** inquiries and investigations have you personally been involved in during this time?

**WRITE IN NUMBER – ALLOW ZERO**

**IF DON'T KNOW, PROBE WITH THE FOLLOWING**

- 1 .....1
- 2 .....2
- 3-5 .....3
- 6-9 .....4
- 10-14 .....5
- 15-19 .....6
- 20 or more .....7

**ASK ALL**

Q6. Based on your knowledge and understanding of the Commission and its processes, how would you rate your **overall satisfaction** with their performance?

Please give your answer using a scale of 1 to 10 where 1 means you were very dissatisfied and 10 means you were very satisfied

- 1 very dissatisfied----- 1
- 2 -----2
- 3 -----3
- 4 -----4
- 5 -----5
- 6 -----6
- 7 -----7
- 8 -----8
- 9 -----9
- 10 very satisfied----- 10
- No experience of the Commission----- 11



**IF NO EXPERIENCE AT Q6 CLOSE – MONITOR RATES CLOSELY**

**ASK ALL**

Q7a. What would you say you like most about the Commission and the way it works? **PROBE FULLY**

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**ASK ALL**

Q7b. And what would you say you dislike most about the Commission and the way it works? **PROBE FULLY**

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**ASK ALL**

**SAY TO ALL INQUIRY RESPONDENTS (FROM 'INQUIRY/INTERESTED' FIELD ON SAMPLE)**

Q8. I'd like you to think about the Competition Commission in relation to the Inquiry XXX.....

**SAY TO ALL INTERESTED RESPONDENTS (FROM 'INQUIRY/INTERESTED' FIELD ON SAMPLE)**

Q8. I'd like you to think about the Competition Commission in relation to your involvement with them.....

I'll read out a list of statements and for each one I'd like you to tell me how you rate the Commission's performance. Again please give your answer on a scale of 1 to 10, where 1 means you think they gave a very poor performance and 10 means you think they gave a very good performance.

So, how do you rate the Commission's performance in terms of....**READ OUT. PROMPT WITH SCALE IF NECESSARY.**

- 1 very poor performance----- 1
- 2 ----- 2
- 3 ----- 3
- 4 ----- 4
- 5 ----- 5
- 6 ----- 6
- 7 ----- 7
- 8 ----- 8
- 9 ----- 9
- 10 very good performance----- 10
- Don't know ----- 11
- No experience ----- 12

**PROGRAMMER ROTATE STATEMENTS**

1. Providing you with a clear timetable at the start



2. Sticking to the timetable it set or providing reasons for any changes to it
3. Requests for information were clear
4. Thoroughly reviewing all the information submitted to them
5. Giving you enough time to submit all the information they asked for
6. Having transparent processes
7. Taking into account the burden that their processes and decisions put on your organisation
8. Being up to date on policies and practices in your industry and market sector
9. Being sensitive to the commercial context of the inquiry or investigation
10. Providing clear advice and guidance
11. Reaching decision as quickly as is practical and fair
12. Making well reasoned decisions based on sound analysis
13. Clearly explaining its decisions in plain language
14. Timetable was too slow for my business
  
15. ASK 'INTERESTED PARTIES, PROFESSIONAL ADVISORS', GOVERNMENT BODIES AND ASSOCIATIONS/ADVOCACY GROUPS (**FROM 'OVERALL ROLE' FIELD ON SAMPLE**) Being aware of competition policies and the practices of competition authorities in other countries.
16. Developing an internationally recognised and respected framework for competition in the UK.

**AFTER Q8 ASK FOR ANY STATEMENT GIVEN A SCORE OF 1 OR 2 – LIMIT TO 3 STATEMENTS IF MORE THAN 3 POOR SCORES GIVEN. RANDOMISE WHICH STATEMENTS ARE ASKED.**

Q9. Why do you feel the Commission gave a poor performance in terms of INSERT STATEMENT? **PROBE FULLY**

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ASK ALL INQUIRY RESPONDENTS (from 'Inquiry/Interested' field on sample)

Q11. And how many man-days do you estimate were spent **across your organisation** on the INQUIRY (INSERT FROM SAMPLE)? Please include all man days across your entire organisation

**PROBE FOR BEST ESTIMATE IN TERMS OF WORK DAYS. WRITE IN**

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**IF DK PROMPT WITH BANDS**

Q11b. Would you say it was ... ? READ OUT Please remember to include all man days within your organisation and not just the days you personally spent on the inquiry.

- Less than a week ----- 1
- Between a week and 1 month ----- 2
- Between 1 and 6 months ----- 3
- Between 6 months and 1 year ----- 4
- Between 1 year and 2 years ----- 5
- Between 2 and 3 years ----- 6
- More than 3 years ----- 7
- DK ----- 8

ASK ALL INQUIRY RESPONDENTS (from 'Inquiry/Interested' field on sample)

Q15a. What, if anything, do you feel **your organisation** could have done to make your involvement in the INQUIRY (INSERT FROM SAMPLE) better? **PROBE FULLY**

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Q15b. And what do you think the **Commission** could have done to make your involvement to the INQUIRY (INSERT FROM SAMPLE) better? **PROBE FULLY**

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**ASK ALL**

Q16. I'd now like you to think about the Commission overall, not just your most recent experience of it I'm going to read out some statements that others have made about the Commission and its work and for each one I'd like you to tell me if you agree or disagree with it. So do you agree or disagree that ..... INSERT STATEMENT? **PROMPT** Is that strongly or slightly agree / disagree?

- Disagree strongly ----- 1
- Disagree slightly ----- 2
- Neither agree nor disagree ----- 3
- Agree slightly ----- 4
- Agree strongly ----- 5
- DK / no experience ----- 6

1. In some cases companies are unnecessarily restricted in their practices during an inquiry or investigation
2. The Commission pre-judges a merger's outcome
3. The Commission pre-judges a market investigation outcome
4. Despite making its provisional findings public, The Commission finds it easy to modify these views.
5. The Commission's decisions are influenced by the threat of appeal from main parties
6. The Commission consults in an open and fair way



- 7. The Commission's activities are understandable to all, even those not directly involved in an inquiry or investigation
- 8. It is clear how the roles of Commission members and Commission staff differ
- 9. The amount of contact Commission members have with companies involved in inquiries and investigations is about right

**ASK ALL INQUIRY RESPONDENTS (FROM 'INQUIRY/INTERESTED' FIELD ON SAMPLE) AND MAIN PARTY OR THIRD PARTY FROM OVERALL ROLE FIELD ON SAMPLE)**

Q18a. Thinking about the decision in the INQUIRY (INSERT FROM SAMPLE), overall would you say it was... good or bad from your business' perspective? Was it .... ?**READ OUT**

- Very bad for your business ----- 1
- Bad for your business ----- 2
- Neither good nor bad for your business----- 3
- Good for your business ----- 4
- Very good for your business ----- 5

**ASK ALL INQUIRY RESPONDENTS (FROM 'INQUIRY/INTERESTED' FIELD ON SAMPLE) AND PROFESSIONAL ADVISORS (FROM OVERALL ROLE FIELD ON SAMPLE)**

Q18b. Thinking about the decision in the INQUIRY (INSERT FROM SAMPLE), overall would you say it was... good or bad from your client's perspective? was it .... ?**READ OUT**

- Very bad for your client ----- 1
- Bad for your client ----- 2
- Neither good nor bad for your client----- 3
- Good for your client ----- 4
- Very good for your client ----- 5

**ASK ALL INQUIRY RESPONDENTS (FROM 'INQUIRY/INTERESTED' FIELD ON SAMPLE) AND GOVERNMENT OR ASSOCIATION/ADVOCACY GROUP (FROM OVERALL ROLE FIELD ON SAMPLE)**

Q18c. Thinking about the decision in the INQUIRY (INSERT FROM SAMPLE), overall would you say it was... good or bad from your industry's perspective? Was it .... ?**READ OUT**

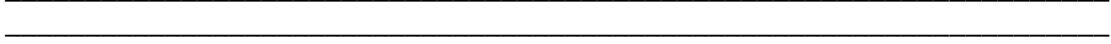
- Very good for your industry ----- 1
- Good for your industry ----- 2
- Neither good nor bad for your industry ----- 3
- Bad for your industry ----- 4
- Very bad for your industry ----- 5

**ASK ALL**

Q19. Finally, if you were advising an organisation who was going to be involved in an inquiry or investigation for the Competition Commission, what one, essential, piece of advice would you give them?



**GfK NOP**



**THANK AND CLOSE**

**APPENDIX 2 – Comparison with 2007 statements**

<b>Overall Satisfaction</b>	
<b>Statement Wording 2009</b>	<b>Statement Wording 2007</b>
Based on your knowledge and understanding of the Commission and its processes, how would you rate your overall satisfaction with their performance?	Based on your knowledge and understanding of the Commission , how would you rate your overall satisfaction with the efficiency and effectiveness of the Commission?
<b>Service Elements</b>	
<b>Statement Wording 2009</b>	<b>Statement Wording 2007</b>
Providing you with a clear timetable at the start	Providing stakeholders with a clear timetable at the start of investigations and inquiries
Sticking to the timetable it set or providing reasons for any change to it	Sticking to the timetable it set for inquiries and investigations or providing justification for any changes
Request for information were clear	Making its requests for information clear and relevant to the issues under consideration
Thoroughly reviewing all the information submitted to them	Reviewing thoroughly all information and documents that are submitted
Giving you enough time to submit all the information they asked for	Allowing the parties involved adequate time to submit documents and information that are requested
Having transparent processes	Having transparent and predictable processes of inquiry and investigation
Taking into account the burden that their processes and decisions put on your organisation	Being mindful of the burden its processes and decisions place on businesses
Being up to date on policies and practices in your industry or market sector	Being up to date with policies and practices in the industry and markets involved in its inquiries and investigations
Being sensitive to the commercial context of the inquiry or investigation	Being sensitive to the commercial context of the cases and markets it reviews, to an appropriate extent given its statutory role and responsibilities



Providing clear advice and guidance	Providing clear advice and guidance
Reaching decisions as quickly as is practical and fair	Reaching decisions as quickly as is practical and fair
Making well reasoned decisions based on sound analysis	Making quality decisions, which are well reasoned and based on sound analysis
Clearly explaining its decisions in plain language	Expressing its decisions in plain language
Being aware of competition policies and the practices of competition authorities in other countries	Being aware of competition policies and the practices of competition authorities in other countries
Developing an internationally recognised and respected framework for competition in the UK	Developing an internationally recognised and respected framework for competition in the UK