Minutes of the Office of Fair Trading Board Meeting

Thursday 5 March 2009

Present:
Philip Collins (Chairman)
John Fingleton (CEO)
Lord Blackwell (other than Item 4)
Jonathan May
Vivienne Dews
Frédéric Jenny
Alan Giles
James Hart
Tony Lea
Philip Marsden
Richard Whish

OFT Staff:
Barney Wyld
Claire Craig
Frances Barr (Items 1, 3 and 4)
David Leech (Item 2 and observing)
Carmel Flatley (Item 2)
Cavendish Elithorn (Item 3)
Heather Clayton (Items 3 and 4)
Ray Watson (Item 3)
Peter Lukacs, Stephan Pukas, Peter Hill and Blake Shepherd (Item 3)
Sonya Branch (Item 4)
Simon Williams, Stephen Blake, Deb Jones and Brian Malone (Item 4)
Jackie Holland, Sarah Northam (attending Item 4)
Mark Dungworth (Item 5)

Executive Office:
Jennifer Halliday (Board Secretary)
Erik Wilson

Item 1: ExCo oral and written report to the Board

CEO
Digital Britain and media issues
The CEO updated the Board on a number of key developments over the last month.

Executive Director, Markets & Projects and Policy & Strategy
Horizontal co-operation
Several workstreams in the Competition Policy team are taking forward this issue which continues to feature prominently in public debate.
Northern Rock
The annual report is to be published in the next two weeks.

Judgment of the Competition Appeal Tribunal in Tesco v CC
The Board noted the judgment handed down yesterday.

Executive Director, Corporate Services
Sub-let of Fleetbank House ('FBH')
The Board noted discussions are nearing completion.

General Credit Work
The Board were updated on current workstreams in the credit area.

Director, Communications

General Counsel
The Board noted the Court of Appeal judgment in the Personal Current Accounts test case. The Board paid tribute to the hard work and dedication of the team.

Item 2: Organisational Development and Human Resources
The Board received a presentation on actions and achievements over the past year. In addition, the Board was provided with current data sets on workforce numbers, recruitment entry and exit, training needs analysis, learning and development and HR user survey.

Three themes underpinning the work over the past year were outlined as well as main achievements in each limb. The themes are:

(1) fixing and upgrading the foundations
(2) understanding and then developing culture and needs of the OFT, and,
(3) closer alignment to cross civil-service standards where these are right ‘fit’ with OFT’s development.

The Board congratulated the team on the progress made to date and noted how it would evaluate whether the frameworks put in place were working and how they fitted with Civil Service-wide initiatives.

Item 3: Market Studies Proposals
The Board received a presentation on potential market studies and gave approval for further work on a number of studies.

Item 4: On going case
The Board received a presentation on an ongoing case and signified its support of the approach.
Item 5: Strategic Planning and Annual Plan Sign-off
The Board was content for the Annual Plan and the Response to the Consultation to be published.

The team explained there was still some work to do on the text of the Annual Plan but took the Board through the main points of the consultation responses. Stakeholders have been very positive about the Plan, especially in terms of the key themes identified: (i) maintaining our enforcement track record, (ii) influencing the debate around the role of the competition and consumer regime, (iii) ensuring we are in a position to respond flexibly to changing circumstances.

The Board was content for the Annual Plan and the Response to the Consultation to be published.

Item 6: Audit Committee Report to the Board
The Chairman of the Audit Committee (Tony Lea) updated the Board on the meeting of the Audit Committee that took place this morning.

Item 7: Minutes of the Board meeting (5 February) OFT (09) 2nd minutes and below-the-line items

The Board approved the private and public minutes of the last meeting subject to several amendments.

The Board noted the two below-the-line items.

Item 8: Any other business and future agenda items
The Chairman noted that this was Richard Whish’s last Board meeting. The Chairman expressed the thanks of the whole of the OFT for Richard’s great contribution to the development of the OFT and its work since 2001.

Jennifer Halliday
Board Secretary
6 March 2009