CMA publishes recommendations to improve PCR testing market

The Competition and Markets Authority (CMA) has found there are features of the PCR testing market which mean competition alone will not deliver the right outcomes for consumers. There is a risk of a 'race to the bottom', in which providers compete on grounds other than high clinical quality and travellers end up losing out.

Consumers' complaints include that they are paying over the odds and receiving poor service, with test kits and results arriving late or not at all. They also say that, when things do go wrong, they are unable even to contact some providers, let alone get refunds when they are due.

In addition to providing advice to the UK Government, the CMA is already using its powers to act where it can. On 25 August, it published an <u>open letter to all PCR test providers</u> warning them to stay on the right side of consumer law. On 3 September, the CMA launched an <u>investigation into Expert Medicals</u>, one of the largest providers in the market, and investigations into other companies are being considered. Meanwhile, a further 19 test providers have also been told directly by the CMA to improve their pricing information or risk further action.

But the CMA's review has found that, even with the enforcement of consumer protection law, competition cannot be guaranteed to deliver the right outcomes for consumers in the PCR testing market. A combination of up-front regulation, monitoring and wider sanctions is needed.

The CMA's consumer research also found that being listed on GOV.UK was the most commonly cited factor in why consumers had chosen a particular provider.

Building on previous advice provided to the Department for Health and Social Care (DHSC), the advice published today makes a number of recommendations, including:

- Creating a one-stop shop list of quality, approved test providers by significantly improving the basic standards to qualify for inclusion and remaining on the GOV.UK list.
- Introducing a comprehensive monitoring and enforcement programme to ensure providers on the GOV.UK list meet these basic standards and rules, and swiftly removing and sanctioning those firms that don't.
- Improving the provider listings on GOV.UK so consumers get the information they need to compare providers properly and find the best deals for them.
- Developing the NHS Test and Trace travel test as a benchmark for quality and price to drive higher standards and more competition across the sector.
- Monitoring prices and costs on an ongoing basis, in case price reductions are not seen on the back of other measures.

Although this advice has been provided at the request of the UK Government, it has the potential to improve the market for consumers across the UK nations where private testing for international travel is allowed.

Andrea Coscelli, Chief Executive of the CMA, said:

Buying a PCR travel test is a lottery. From complaints about dodgy pricing practices, to unfair terms, to failure to provide tests on time or at all, to problems with getting refunds, the experience for some is just not good enough.

Recent weeks have underlined that we will not hesitate to take action against any PCR test provider we suspect is breaking the law and exploiting their customers.

However, competition alone will not do the job, even when backed by enforcement of consumer law. The PCR testing market is unusual because its key features are dictated by Government policy decisions to fight the pandemic.

This means a more interventionist approach to shape behaviour in the market from the outset, backed up by monitoring and enforcement, is needed.

We stand ready to keep working with the Government to make this market work better for everyone.

To produce this final advice, the CMA conducted a high-level review of the market for PCR travel tests. This included in-depth analysis of internal complaints data and reviewing evidence from a range of stakeholders, such as Citizens Advice and Which?, as well as airlines, laboratories and providers themselves.

Notes to editors

- 1. The <u>full report and consumer survey the CMA commissioned</u> can be found here.
- 2. CMA Chief Executive <u>Andrea Coscelli's covering letter to the Health Secretary</u> is available here.
- 3. Further information can be found on the <u>CMA rapid review of PCR testing</u> <u>for travel web page.</u>
- 4. During the course of this review there were over 400 providers offering Day 2 or Day 2 & 8 test packages listed on GOV.UK and over 900 providers of PCR testing services.
- 5. DHSC has estimated that the average prices consumers pay are £59 for 'Green' (Day 2) PCR tests and £103 for an 'Amber' package (Day 2 & 8) tests. The CMA found that, depending on method of collection, the median advertised price was between £90—£120 for a Day 2 test and between £180—£210 for a Day 2 & 8 package.
- 6. Following an assessment by DHSC conducted during the course of this review, on 23 August DHSC issued warnings to 82 companies over

- potentially misleading prices and removed 57 companies from the GOV.UK list.
- 7. Expert Medicals is a private PCR testing firm whose address is 12 New John Street, Bradford, West Yorkshire, BD1 2QY, and whose website is at www.expert-medicals.co.uk. The CMA is investigating possible breaches of consumer law by Expert Medicals and no decision has yet been made on whether Expert Medicals is breaking the law.
- 8. For media queries, please contact the press office via press@cma.gov.uk or on 020 3738 6460.