COVID-19: Changes to DBS ID checking quidelines

Please note, a previous version of this news story advised that changes were being made to ID guidance for standard and enhanced DBS checks only. This has now been extended to basic DBS checks too, if submitted through a Responsible Organisation.

Due to current measures that have been put in place as a result of the coronavirus outbreak, we're aware that organisations are having difficulty following the DBS ID checking guidance.

Currently, when validating ID documents, it is best practice to carry the examination out face-to-face with a live video link as an alternative method. Under the current guidance, the ID checker must be in physical possession of the original documents so they can be checked for indicators of fraud.

As the public is being advised to work from home where possible, this is causing difficulties in receiving the physical documents and is delaying applications, and in some cases, preventing applications from being submitted.

To ensure that the necessary DBS checks can still be carried out, the DBS ID checking guidance will be changed for a temporary period.

The change will enable:

- ID documents to be viewed over video link
- scanned images to be used in advance of the DBS check being submitted

The applicant will be required to present the original versions of these documents when they first attend their employment or volunteering role.

The change will come into effect from today, 24 March 2020.

Please ensure that you follow the advice on GOV.UK around checking identity documents for indicators of fraud, which can be found here.

For more information about the changes, please contact customerservices@dbs.gov.uk.

Coronavirus: SMS messages

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Music firms illegally prevented discounts, CMA alleges

The Competition and Markets Authority (CMA) has today issued separate Statements of Objections to Roland U.K Limited (Roland) and Korg UK Limited (Korg), which supply electronic drum kits, and hi-tech music equipment and synthesizers to UK retailers, respectively.

The CMA has provisionally decided that both companies operated policies restricting online price competition. The CMA provisionally considers that Roland required its electronic drum kits to be sold at or above a minimum price between January 2011 and April 2018, while Korg did the same for its specialist equipment such as synthesizers and DJ production tools, from June 2015 to April 2018.

This illegal practice, known as resale price maintenance (RPM), aims to prevent retailers from offering lower prices— meaning there are few discounts available, even when people shop around. The CMA's investigations into Roland and Korg follow recent fines issued to the keyboard supplier <u>Casio</u> and the guitar maker <u>Fender</u> for similar behaviour.

Developments in software have also made it easier for suppliers and retailers to monitor online prices, with Roland and Korg both subscribing to these services. As a result, suppliers can use a 'Big Brother' approach to identify lower online prices and put pressure on retailers to bump them up. The use of this 'all-seeing' software is also likely to force more retailers to comply with pricing rules in the first place, for fear of being caught and sanctioned.

Roland and Korg both manufacture instruments and equipment favoured by musicians and DJs involved in the electronic dance music (EDM) scene, which has grown into a large global industry over recent years. At the end of 2017, its global market value was estimated at £5.5 billion.

Ann Pope, CMA Senior Director of Antitrust, said:

When someone at the top of the chain insists on setting a minimum price online, customers lose out. Online selling should offer people more choice and the chance to benefit from competition — but this practice means that people can't find lower prices when they shop around, which is one of the major advantages of internet shopping. That's why we take any allegations of this kind very seriously.

It doesn't matter whether electronic musical instruments and kit are being purchased by a world-renowned DJ or a music enthusiast setting up a home-studio — everyone should be able buy at the best prices.

The CMA's findings are provisional, and no final decision has been made about whether there has been a breach of competition law. The CMA will now carefully consider any representations from both the companies before reaching any final decision in either case.

- 1. The Chapter I prohibition of the Competition Act 1998 covers anticompetitive agreements, concerted practices and decisions by associations of undertakings which have as their object or effect the prevention, restriction or distortion of competition within the UK or a part of it and which may affect trade within the UK or a part of it. Similarly, Article 101 of the Treaty on the Functioning of the European Union (TFEU) prohibits such anti-competitive agreements, concerted practices and decisions by associations of undertakings which may affect trade between EU member states.
- 2. The European Commission fined four companies for RPM in July 2018: Philips, Pioneer, Asus, Denon
- 3. The CMA has so far fined companies for online RPM in the musical instrument sector in two cases: one in January 2020 in the <u>guitar sector</u>, one in August 2019 in the <u>digital pianos and digital keyboards sector</u>. The CMA has also fined three companies in other sectors for RPM: one in the <u>light fittings sector</u> in August 2016, and two in May 2016: one in the <u>bathroom fittings sector</u> and one in the <u>commercial refrigeration sector</u>.
- 4. The individual Statements of Objections are addressed to Roland (U.K.) Limited and Korg (UK) Limited which the CMA provisionally consider were directly involved in the alleged infringements in each case.
- 5. The CMA has not addressed the Statement of Objections to any retailer in either case. This is because the CMA has applied Rule 5(3) of its 1998 Rules, according to which it may address a proposed infringement decision to fewer than all the persons who are or were party to the

relevant agreement/s.

- 6. The CMA estimates that an average of around 40 per cent of musical instruments are now sold online which is based on information the CMA gathered from a number of major UK retailers and published in its Digital pianos and digital keyboards sector Decision.
- 7. The Guardian newspaper reported the estimated value of the size of the electronic dance music market in the following article:

 https://www.theguardian.com/music/2018/may/27/electronic-dance-music-edm-has-it-all-gone-pete-tong-sales-plateau
- 8. In 2019 the CMA issued 18 warning letters about resale price maintenance: alerting companies to the illegal nature of this practice and prompting action to ensure compliance.
- 9. The CMA has three ongoing antitrust investigations in the musical instruments and equipment sector: cases <u>50565-4</u>, <u>50565-5</u> and <u>50565-6</u>.
- 10. For CMA updates follow us on <u>Twitter</u>, <u>Facebook</u>, and <u>LinkedIn</u>.
- 11. Media queries should be directed to press@cma.gov.uk, on 020 3738 6460.

Runaway and derailment of a wagon at Clitheroe

At about 08:20 hrs on 9 March 2020, a tank wagon loaded with cement powder ran away from a siding located within the Hanson cement works in Clitheroe.

The wagon left the works and continued to run away on the descent towards Horrocksford Junction, where the line to the cement works connects to the main railway line from Blackburn to Hellifield.

As it ran away, the wagon broke through the gates at the exit from the cement works and ran over an open level crossing located on a public road, causing two cars to stop. A short distance later, the wagon passed over an open crossing on a private road. Neither level crossing had its manually activated warning equipment switched on before the wagon passed over.

On reaching Horrocksford Junction, the wagon derailed on the trap points which worked as intended to prevent such unauthorised movements from reaching

the main line. The derailed wagon stopped clear of the main line and no trains were nearby when the derailment occurred. The wagon ran away for a total distance of about 0.75 miles (1.2 km).

Our investigation will seek to identify the sequence of events which led to the accident. It will also consider any factors relevant to the performance and design of the wagon's braking system, how the risk of runaway wagons from within the cement works was controlled and any relevant underlying factors.

Our investigation is independent of any investigation by the railway industry or by the industry's regulator, the Office of Rail and Road.

We will publish our findings, including any recommendations to improve safety, at the conclusion of our investigation. This report will be available on our website.

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Employers do not have to report gender pay gaps

Due to the Coronavirus outbreak, the Government Equalities Office (GEO) and the Equality and Human Rights Commission (EHRC) have today, 24th March, taken the decision to suspend enforcement of the gender pay gap deadlines for this reporting year (2019/20).

The decision means there will be no expectation on employers to report their data.

In a joint statement, Minister for Women & Equalities, Liz Truss, and EHRC Chair, David Isaac, said:

"We recognise that employers across the country are facing unprecedented uncertainty and pressure at this time. Because of this we feel it is only right to suspend enforcement of gender pay gap reporting this year."

Further information:

- In normal circumstances, the EHRC has the power to investigate employers that fail to report their gender pay gap data and could face an unlimited fine after court action.
- More than 3000 employers have already reported their data via the gov.uk website this year (26% of expected reporters) and GEO will continue to provide support to employers in reporting their data should they wish to do so.

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