

CMA provisionally finds lighting firm illegally banned discounts

The Competition and Markets Authority (CMA) has issued a Statement of Objections to Dar Lighting Limited ('Dar'), which supplies domestic lighting products.

The CMA's provisional conclusion is that Dar restricted retailers' freedom to set their own prices online between 2017 and 2019, requiring them to sell at – or above – a minimum price and so preventing them from offering discounts.

This kind of practice, known as resale price maintenance (RPM), is illegal and results in shoppers paying more for products.

This is the second time in recent years that the CMA has investigated a company in the lighting industry in relation to RPM.

Ann Pope, Senior Director of Antitrust at the CMA, said:

When online retailers are free to set their own prices, they compete with each other to offer shoppers the best deal. This competition drives down prices, as well as spurring improvement in choice and quality of service.

We take allegations of online resale price maintenance seriously and companies should not feel exempt from CMA investigation just because we have taken action against a company within their industry recently.

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 representations from the company before reaching a final decision.

In recent years, the CMA has issued millions of pounds worth of fines to firms in the [lighting](#) and [musical instrument](#) sectors for preventing retailers from offering discounts online.

For businesses wanting to know more about RPM, the CMA has published [guidance to help suppliers and retailers](#) across all sectors, with information about what to do if they are, or may have been, involved in RPM or similar practices. Businesses can also watch the CMA's short film that explains what RPM looks like in practice.

[What is resale price maintenance?](#)

1. The Chapter I prohibition of the Competition Act 1998 prohibits anti-competitive 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.
2. The Statement of Objections is addressed to Dar Lighting Limited, which the CMA provisionally considers was directly involved in the alleged infringements.
 3. The CMA has not addressed the Statement of Objections to any retailer in this 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.
 4. Since 2019, the CMA has fined five musical instrument companies for online RPM in the following sectors: [Digital pianos, digital keyboards and guitars](#); [Synthesizers and hi-tech equipment](#); [Electronic drum sector](#); [guitar sector](#); and [digital pianos and digital keyboards sector](#).
 5. The CMA has also fined three companies in other sectors for RPM: one in the [light fittings sector](#); one in the [bathroom fittings sector](#); and one in the [commercial refrigeration sector](#).
 6. Following the musical instrument decisions (see above), to help the musical instruments industry learn the lessons from the CMA's investigations the CMA published an [open letter to suppliers and retailers in the musical instruments sector](#) and case studies relating to its [Casio investigation](#), [Korg investigation](#) and [Yamaha/GAK investigation](#). It also issued a large number of warning letters, which signpost to [guidance for businesses on resale price maintenance](#) and encourage musical instrument suppliers, and retailers, to review their business practices to ensure they are complying with competition law. In addition, building on its extensive efforts to monitor and address suspected RPM, the CMA launched its own in-house price monitoring tool aimed at deterring companies from entering into agreements restricting online discounting. [Find out more in our blog](#).
 7. For media queries, contact the CMA press team on 020 3738 6460 or press@cma.gov.uk.
-

[Key Bora report published](#)

News story

Grounding of a chemical tanker in the approaches to Kyleakin Pier, Isle of Skye, Scotland.



Image courtesy of www.marinetraffic.com

Our report on the grounding of the Gibraltar registered chemical tanker Key Bora resulting in flooding into its ballast tanks on 28 March 2020, is now published.

The accident investigation report contains details of what happened, actions taken and recommendations made: [read more](#).

Published 16 December 2021

[Monitoring reports on qualification awards](#)

Ofqual has published 2 reports about how it monitored awarding organisations' delivery and award of qualifications to students and learners in 2020 and 2021.

One report covers general qualifications (GCSEs and A levels) in summer 2021 and the other covers vocational and technical qualifications (VTQs) for the 12 months from September 2020.

The [GCSE, AS and A level summer report 2021](#) outlines how Ofqual monitored exam board processes that allowed students to be awarded teacher-assessed grades. [Delivery and award of vocational and technical qualifications in 2021](#) details how students and learners were awarded qualifications through assessments or alternative arrangements including teacher-assessed grades.

Ofqual introduced the General Qualifications Alternative Awarding Framework after the government's decision in January 2021 that it would not be fair for exams and assessments to go ahead in the summer. This required exam boards to support teachers to assess their students for GCSE, AS, A level and other general qualifications using a range of evidence, focusing on the content

they had been taught. The framework took effect in April 2021.

The GCSE, AS and A level summer report 2021 shows that, despite the difficulties posed by the pandemic, summer 2021 saw more than 6 million general qualification results issued on time to 1.2 million students. Compared to 2020, GCSE entries increased by 0.4% while A level entries rose by 3%.

Ofqual Chief Regulator Dr Jo Saxton said:

Schools, colleges and training providers, together with exam boards and awarding organisations, worked hard so that millions of qualifications could be awarded to students and learners in exceptionally difficult circumstances. These efforts enabled them to progress to the next stage of their lives.

Ofqual regulates 4 exam boards that award GCSEs, AS and A levels in England, and, as of August 2021, we regulated 174 awarding organisations offering more than 17,000 different regulated VTQs.

Ofqual also put in place the Vocational Contingency Regulatory Framework, which gave awarding organisations the flexibility needed to award qualifications in these exceptional circumstances. VTQ awarding organisations issued 4.6 million certificates, which is a 9% increase on the previous year. For 58% of these qualifications, results were determined on normal or adapted assessments, while 32% were based on a combination of assessments and teacher-assessed grades.

Learners took VTQs in colleges, schools, training providers or via employers. These qualifications gave some people a licence to practise, and others an opportunity to progress to further or higher education.

[AAIB Report: G-BOSN, Engine fire shortly after lifted to hover, Hedsor, Buckinghamshire, 2 March 2021](#)

News story

Whilst hovering, smoke was observed coming from the engine exhaust of an Airbus Helicopters AS355 F1. After landing a fire was also observed and a fire warning subsequently illuminated, leading the pilot to activate the fire extinguishing system, 2 March 2021.



Whilst hovering at 20 ft above ground level, smoke was observed coming from the engine exhaust of an Airbus Helicopters AS355 F1. The pilot was informed and the helicopter landed immediately. After landing a fire was also observed, a fire warning subsequently illuminated, and the pilot activated the fire extinguishing system. The pilot completed the shutdown checks and exited the helicopter. There were no injuries.

The fire was determined to have been caused by the loss of retention of the right engine inboard exhaust nozzle, which was released because of the failure of its securing clamp. The released nozzle had blocked the overboard exhaust outlet and allowed hot exhaust gases to impinge on the engine cowlings leading to local overheating.

The clamp failure was attributed to a combination of an incorrect locking washer being fitted during maintenance and elevated engine vibration which caused the clamp to loosen. A crack then propagated in low-load high-cycle fatigue until final rupture of the clamp.

As a result of this investigation the helicopter manufacturer is taking safety action to amend the Aircraft Maintenance Manual (AMM) highlighting the correct installation of the clamp.

[Read the report.](#)

Media enquiries call: 01932 440015 or 07814 812293

Published 16 December 2021

Schools adapt teaching to help children catch up but COVID-related absence remains a concern

Ofsted has today published a series of reports looking at how the pandemic

continues to impact on children and students' learning and personal development, and the approaches education providers are using to help them catch up.

The 3 reports, which follow on from [Ofsted's autumn 2020 series of COVID-19-themed briefings](#), look at the findings of 214 routine inspections, from early years through to post-16 education, carried out this term.

Schools

Despite the disruption to their education, inspectors found that many schools are effectively helping children recover from missed learning.

Catch-up strategies include regular, informal assessments; identifying pupils who need additional, one-to-one support; prioritising practical work that wasn't possible via remote learning; and recapping on the previous year's curriculum to cover what had been missed. Some schools have also extended their hours to offer after-school, before-school or Saturday sessions for those who needed extra support.

However, despite positive progress, it is clear from Ofsted's inspections that low attendance remains a stubborn concern. Schools report that much of the absence is for reasons related to COVID-19, including:

- pupils testing positive for COVID-19
- COVID-19-related anxiety among both parents and pupils
- poorer mental health among pupils as a result of the pandemic
- parents rescheduling or rearranging term-time holidays
- children having low resilience due to setbacks or illness

Some schools also reported they had more COVID-19-related absences among disadvantaged pupils, those with special educational needs and/or disabilities (SEND), and specific year groups, for example, Year 8, Year 11 and sixth form.

Repeated lockdowns have particularly affected the newest intake of pupils, who are arriving at school with lower starting points compared with intakes from previous years. School leaders told inspectors that these pupils struggle with their behaviour and attitudes to learning, and take longer than usual to settle in with school routines.

Early years

Despite most early years provision remaining open since June 2020, many childcare providers reported that young children are behind with their communication, language and social skills, as well as their physical development. This was particularly true for children born during the pandemic, or who had spent most of their lives in it, which staff attributed to their lack of opportunity to socialise with other children.

To bridge gaps in learning and development, many child carers told inspectors that they are focusing on developing children's communication and language

skills; providing more opportunities for children to interact with each other to build on their social and emotional skills; and helping their physical development – particularly for those who did not have access to outdoor space during lockdowns – by adapting their outside play areas.

Further education (FE)

The pandemic continues to disrupt learning for FE students. Inspectors heard from FE providers about interruptions to learning caused by COVID-related absences; the fall in the number of learners on some courses –especially apprenticeships; gaps in students’ practical skills as well as their English and maths; and the fact that some placements are not yet fully reinstated for learners. Mental health concerns also remain high for students, and some are finding it difficult to settle back to face-to-face learning.

However, to help learners catch up, inspectors found that providers are repeating elements of courses; offering individual support to develop specific skills; prioritising practical training; and seeking alternative placements where the usual options have become unavailable. A number of providers have also developed new programmes to support those who lost their jobs, or wanted to change career as a result of COVID, giving them the skills and knowledge to re-enter employment.

Many providers also told inspectors they have worked to retain and re-engage learners. The focus on retention has resulted in some providers seeing excellent attendance and learners being eager to engage in face-to-face learning.

Ofsted Chief Inspector, Amanda Spielman said:

The pandemic is still with us, and children’s education is still being disrupted. But it’s clear that many school leaders and staff have responded to these challenges with tenacity, and demonstrated creativity in how they have supported children and learners’ education and personal development.

Children have missed out so much already. And some pupils remain persistently absent from school for a variety of reasons. So, as we face further turbulence, we must do all we can to make sure children are able to continue learning in their classrooms.

Notes to editors

- The findings from [Education recovery in schools: autumn 2021](#) are based on evidence collected during routine inspections of 98 primary and secondary schools in England between 25 October and 19 November 2021. This is nearly a quarter (22%) of all school inspections carried out during that time. The selected sample of inspections illustrate the challenges that some schools are facing and the approaches they are

taking.

- [Education recovery in early years providers: autumn 2021](#) – the findings are based on evidence collected during inspections of 77 early years providers between 1 and 19 November 2021. This included 39 childminders and 38 nurseries across England. This is around 13% of all early years inspection carried out during this time.
- [Education recovery in further education and skill providers: autumn 2021](#) – the findings are based on evidence from inspections that took place between 1 and 19 November 2021. With the exception of monitoring visits and prison inspections, evidence was reviewed from all 39 inspections of further education and skills providers that took place over this period.