

## **Communications policy of the Swedish Competition Authority**

In force as of November 10 2016.

**The Swedish Competition Authority is an open, transparent authority and we are active and receptive in our communication. This means that we take initiative and work proactively, while also building respectful relationships with our stakeholders.**

### **Our task**

The Swedish Competition Authority is the administrative authority for competition matters and the supervisory authority for public procurement.

The task of the authority is to work for efficient competition in the private and public sectors for the benefit of consumers and for efficient public procurement for the benefit of society and market participants.

This is expressed through our vision, *welfare through well-functioning markets*. We supervise the rules to ensure that they are observed, spread knowledge about the rules on competition and procurement, and inform about our work.

### **Aim**

Our communication should be efficient, professional and accessible, and should also be characterized by clarity, objectivity and impartiality.

Communication is a strategic tool and shall be taken into account in all aspects of our work. The communications policy provides the framework for how and why the authority communicates, the role of communication and division of responsibilities. The communications policy is based on the tasks and core values of the Swedish Competition Authority. The communications policy is also supplemented by other documents: particular guidelines on how we communicate in various contexts.

Communication is an integrated part of our work and is a means for the organization and our employees to achieve goals and satisfy stakeholders' needs. Among our main stakeholders are consumers, businesses, politicians and other public decision-makers, lawyers, economists and journalists.

### **Why we communicate**

Everything we do is observed by the outside world, and communication is a joint responsibility. The authority and our employees are the bearers of our values and, thus, of our brand.

By being clear, open and active in our communication, we build up our reputation and familiarity with the Swedish Competition Authority and the authority's task. This is crucial for reaching our stakeholders. It is also crucial for the authority being perceived as an attractive workplace.

### **External communication**

Our external communication shall contribute to preventing infringements by spreading knowledge about the rules and the positions we have taken. Our communication shall also contribute to a continued high confidence in the Swedish Competition Authority and a good administrative culture, i.e. an efficient operation where guidance, openness and clarity are central concepts.

The website [konkurrensverket.se](http://konkurrensverket.se) is our most important tool and is supplemented by other activities.

### **Internal communication**

Internal information is a managerial responsibility. Well-functioning internal communication contributes to efficiency, unity and an understanding of others' tasks. Therefore, internal communication is a prerequisite for a strong, efficient organization. The intranet, Kompassen, is our most important tool for internal communication.

### **How we communicate**

Openness in both good and bad times is a basic rule for successful external contact. Communication should be comprehensible, easily accessible, fast and adapted to both the channel and the target group.

All communication should be permeated by our values: we are *committed*, *competent*, *respectful* and *clear* in the work we do.

Our graphic identity has been created to help users assimilate information in the best possible way. Therefore, we adhere to the graphic identity in all our communication. The graphic identity creates external clarity and internal unity.

**Responsibility for communication**

According to the rules of procedure, the director for the department for communications and international affairs is responsible for the overall communications matters of the authority, as well as how we communicate, who communicates and ensuring that the communications policy is observed.

The department for communications and international affairs plans, performs and follows up on the authority's communications efforts, in close collaboration with other departments. In a crisis situation, the director of the department for communications and international affairs coordinates information in accordance with the crisis management plan.

The authority's directors of departments are charged with drawing up external information in consultation with the department for communications and international affairs.

Every employee is an outward face of the Swedish Competition Authority. All employees are expected to be able to answer questions within their field of expertise.

**The relationship to the media**

Media of various types have an important role when communicating with stakeholders. It is the media's task to report on and scrutinize what happens. The employees of the Swedish Competition Authority prioritize contacts with the media. Journalists often work under extreme time pressure and expect the people that they contact to understand and accept this.

The freedom of expression and the right to communicate information are fundamental to a free society and create the conditions for scrutiny and review of our work. In the Freedom of the Press Act and the Fundamental Law on Freedom of Expression there are provisions on the right to communicate information to the media. The Swedish Competition Authority is also subject to the principle of public access to official documents – information from a public document are to be presented upon demand, given that they have not been classified as secret.

**ANNEX 1:****Guidelines for communication in supervisory matters**

Communicating our decisions in supervisory matters is an important part of our deterrent work. It is also an effective way of increasing knowledge about the rules on competition and procurement.

The Swedish Competition Authority is an open, transparent authority and our communication with affected companies, authorities, the media and other external stakeholders should be efficient, professional, and accessible and also be characterized by clarity, objectivity and impartiality.

These guidelines for communication in supervisory matters are based on the principles of the Swedish Competition Authority's communications policy and provide guidance to employees and external stakeholders on how we usually communicate in supervisory matters.

**Competition enforcement**

In all investigations the Swedish Competition Authority strives to be transparent toward the parties involved as regards the focus of the investigation and the path forward. In all larger investigations, we offer status meetings where the party is informed about the investigation, our preliminary assessment and what will happen next.

**Ongoing investigations** and the preliminary assessments we make during an investigation are usually not discussed in detail with anyone other than the relevant parties, but this is assessed on a case-by-case basis. Usually information to third parties is kept at a general level in such cases. We can, for instance, confirm that an investigation is ongoing and what the estimated timeline is, as well as give general information on what different elements are usually involved in an investigation in the field of competition law at different stages. Sometimes we may need to issue more detailed information. In cases where it is called for to discuss our preliminary analyses or suspicions with a party or an external party, it should be made clear that we have not yet made a final decision. Public documents relating to a matter are provided upon demand, following a secrecy review.

In connection with our **dawn raids**, we provide information on our website, konkurrensverket.se. In this information, we do not post company names. Instead, we write for instance that "today we are performing dawn raids at companies in the X sector." Information that a dawn raid has been performed is also added to our list of dawn raids at konkurrensverket.se. Upon direct questions, we refer to the decision of the Patent and Market Court or of the Patent and Market Court of Appeal, which is a matter of public record.

In response to direct questions, the Swedish Competition Authority will confirm that we have **sent a draft application for summons** or a draft injunction. However, we do not usually take the initiative to inform about such matters.

**Submitting an application for summons or making a decision on** fine orders, injunctions or commitments means that the Swedish Competition Authority is taking a position in substance. We can then publicly communicate our position and the reasons for it. This can be done through our own communications channels or through other media, for instance in the form of press releases or articles.

When the Swedish Competition Authority **dismisses** a matter from further handling, we can spread information on this to the public. This depends on the type of matter and is determined on a case-by-case basis.

When we initiate **an in-depth investigation** of a merger case, we also communicate this publicly, usually through a press release.

#### **Procurement supervision**

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**Ongoing investigations** and the preliminary assessments we make during an investigation are usually not discussed in detail, but this is assessed on a case-by-case basis. Usually, information to third parties is kept at a general level in such cases. We can, for instance, confirm that an investigation is ongoing and what the estimated timeline is, as well as giving general information on what different elements are usually involved in an investigation in the field of procurement law. Sometimes we may need to issue more detailed information. In cases where it is called for to discuss our preliminary analyses or suspicions with a party or an outside party, it should be made clear that we have not yet made a final decision. Public documents relating to a matter are provided upon demand, following a secrecy review.

The Swedish Competition Authority does not usually take the initiative to inform that we have sent a draft supervisory decision or **a draft application for summons**, but we can – in response to a direct question – confirm that this has been done.

When the Swedish Competition Authority sends an **application for a procurement fine** to a court or makes other types of supervisory decisions, this means we are taking a position in substance. We then publicly communicate our position and the reasons for it. This can be done through our own communications channels or through other media, for instance in the form of press releases or articles.

When the Swedish Competition Authority **dismisses** a matter from further handling, we can spread information on this to the public. This depends on the type of matter and is determined on a case-by-case basis.