

## **TERMS OF REFERENCE for the Guernsey Consumer Cooperation Forum (GCCF)**

### **1. Members:**

- **The Data Protection Authority**, the independent statutory authority established under *The Data Protection (Bailiwick of Guernsey) Law, 2017* (known as The Office of the Data Protection Authority); and
- **The Guernsey Competition & Regulatory Authority**, the independent statutory body established under *Guernsey Competition & Regulatory Authority Ordinance, 2012*;
- **The Channel Islands Financial Ombudsman**, the independent statutory body established under *The Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014*.

### **2. Purpose**

The purpose of the GCCF (Guernsey Consumer Cooperation Forum) (“the Forum”) is for its members (Members) to strengthen information sharing and collaboration on subject matters of common interest that relate to Bailiwick consumer markets, platforms or services. It is an informal means by which Members may exchange best practices, conduct research and market analysis, problem solve and assist each other in matters of regulatory overlap.

The Forum is formed in recognition that its Members can expand their regulatory capacities, amplify their impacts and more effectively fulfil their individual mandates through increased partnership and cooperation.

The purpose of these Terms of Reference (ToR) is to set out a framework respecting the cooperation and coordination of Forum activities.

### **3. Membership**

The Forum was established on 23 January 2025 by the heads (Member Heads) of the following three (3) agencies:

- The Data Protection Authority (“ODPA”);
- The Guernsey Competition & Regulatory Authority (“GCRA”); and,
- The Channel Islands Financial Ombudsman (“CIFO”).

\*Member Heads are the leading executives in respect of each Member organisation.

#### **4. Eligibility for Participation in the Forum**

By agreement among all existing Members, other relevant agencies may be invited to join the Forum or attend meetings on an *ad hoc* basis.

#### **5. Governance**

The Forum is led by a Chair that rotates annually and is determined by unanimous agreement of Member Heads. The Chair is a Member Head, or equivalent with responsibility for progressing, in consultation with other Members, the purpose, aims and activities of the Forum.

The Chair is supported by a secretariat who does not need to be of the same member authority as the Chair. The secretariat function will be fulfilled as and when required by an employee from a member agency and is responsible for organising meetings and circulating relevant documents.

If required, and in relation to any discrete planned activity or project of the Forum, the Chair can request the formation of a Core Working Group. The Core Working Group is to be comprised of officials and employees from Member agencies.

#### **6. Authority**

Forum participation is voluntary. It is not a statutory or an incorporated body and does not provide formal advice or direction to Member agencies, which remain individually accountable for the fulfilment of their mandates. No decisions or activities relating to the Forum's ToR are intended to be binding on Members.

#### **7. Meetings**

Meetings between Member Heads (or their designates) will occur 1-2 times per fiscal year. These meetings will confirm GCRCF priorities, consider joint projects, explore opportunities for cross-member operational support and share updates on recent activities and ongoing work.

Where a Core Working Group has been established in relation to a specific activity of the forum, that Core Working Group will aim to meet quarterly to update Members on relevant developments, share knowledge, seek support, and advance agreed-upon priorities and objectives.

With the agreement of Members, the Chair may invite stakeholders to observe meetings or present on issues relating to consumer policy areas of mutual interest.

The Chair or Secretariat may call *ad hoc* meetings as deemed necessary, including at the request of the Members.

## **8. Scope of Activities and Outputs**

The Forum provides opportunities for a wide range of collaboration between Members. These include:

- *Promote Coherence*: Resolve potential tensions where regulatory regimes intersect or overlap, offering clarity for individuals, government and industry.
- *Collaborative Work*: Address complex issues by working together on areas of common interest.
- *Building Capabilities*: Learn from each regulator's experiences to strive for best-in-class performance now and in the future.
- *Building and Sharing Capacity*: Where appropriate, sharing resources to amplify and strengthen the collective impact of the Members.

## **9. Roles and Responsibilities**

Members agree to prioritise and develop a shared understanding of each other's roles, responsibilities, and governing legislation as they relate to consumer: markets, platforms, services and any other areas of alignment regarding each Members' remits.

## **10. Information and Data Sharing**

Members agree, where appropriate, and provided for and/or permitted under relevant legislation, to share data and information on work relating to consumer markets, platforms or services that would be of value to the broader group. This may include sharing relevant proposals or information about upcoming initiatives; non-confidential submissions made to consultations by Members; as well as key research or market analysis materials.

Members may, within their existing authorities and where appropriate, share information about enforcement activities that relate to the shared regulatory mandate of Members, with the aim of raising mutual awareness and promoting cooperation in the activities of Members.

## **11. Seeking Opportunities for Enhanced Collaboration**

Members agree, in principle, to work collectively on matters of shared interest or relating to a common challenge. Individual Members can propose matters to collaborate on to the broader group in Forum meetings or between meetings by communicating with all members

Collaboration can include Members sharing experiences, capabilities, research, resources, or employee training opportunities. Opportunities to foster collaboration may include inviting relevant employees of Members to attend conferences or speaking engagements, as well as encouraging secondments between Member agencies.

The Members also agree to refer Complainants to each other's respective organisations where Complaints relate to their statutory mandate and/or subject area of expertise.

The Members agree to provide technical support and/or guidance in relation to ongoing casework where such a request is received from a fellow Member where the subject matter of the support and/or guidance is in a fellow Member's area of expertise providing they have the capacity to do so.

Specific focus areas of the Forum in cross-member operational support will represent common regulatory functions including, but not limited to; legal support, communications/outreach functions, and policy development.

Members agree, where appropriate, to work collaboratively as legislative changes arise in relation to consumer markets, products or services.

## **12. Review**

The Forum will review the ToR as deemed necessary, such as upon changes to membership. Any term of the ToR may be amended at any time with the consent of all Members.

### **Office of the Data Protection Authority**

**Brent Homan - Commissioner**

---

*Signed:*

*Date:* 23/01/2025

---

### **Guernsey Competition & Regulatory Authority**

**Michael Byrne – Member and Chief Executive Officer**

---

*Signed:*

*Date:* 23/01/2025

---

### **Channel Islands Financial Ombudsman**

**Douglas Melville - Principal Ombudsman and Chief Executive**

---

*Signed:*

*Date:* 23/01/2025

---