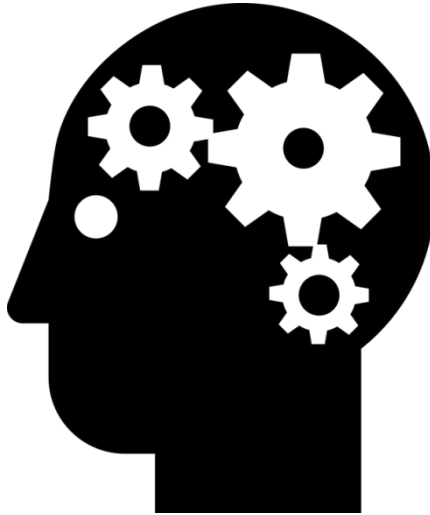




Application of behavioural insights

Mareille de Bloois



Oversight philosophy

The effect of our actions is central



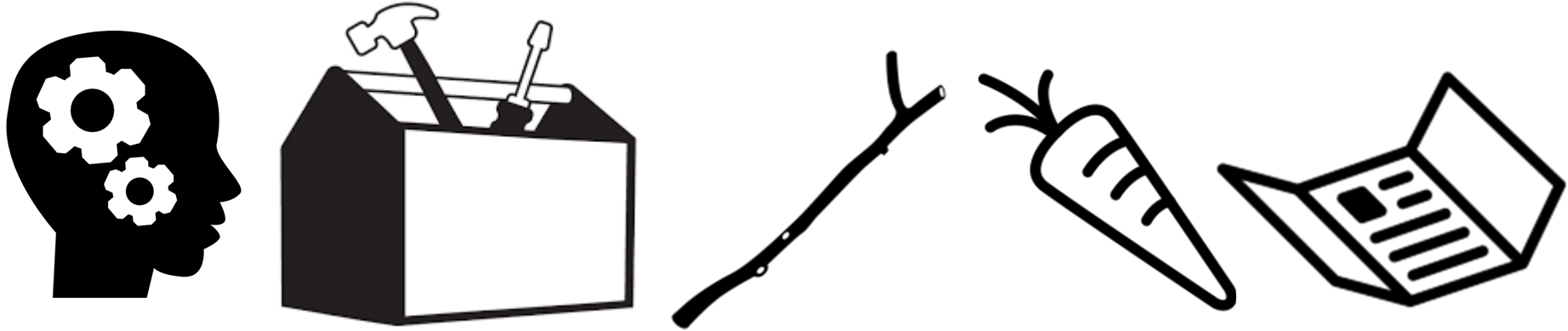
How do behavioural insights contribute to our oversight philosophy?

- By taking into account bounded rationality
- When analysing consumer behaviour and firm behaviour
- We are able to choose a more effective intervention strategy



Regulators toolkit

By applying behavioural insights, we have expanded our toolkit





Understanding the markets we regulate

→ Compliance studies



Compliance study

- Companies in the Dutch ports
- Goal: understanding underlying factors of compliance (and non-compliance) of competition law



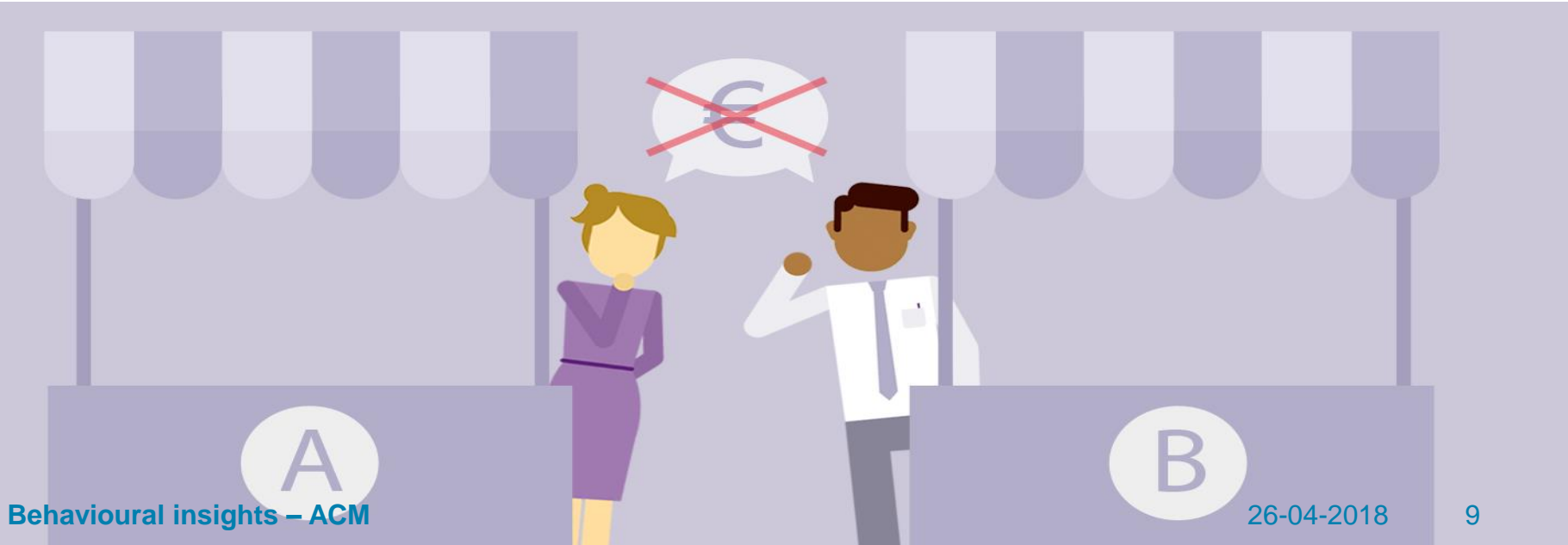
Compliance study

- N = 389
- Individuals with commercial responsibilities
- Interviews by telephone



Research questions

- Level of compliance: past behaviour & intention
- Understanding of competition law



What did we find?

Level of compliance

- The majority of companies are inclined to be compliant with competition law
- Approximately 30% of the companies are more or less inclined to make cartel agreements or have already done so.

What did we find?

Understanding of competition law

- Approximately 20% of the companies do not know that price-fixing agreements are illegal.
- Approximately 55% of the companies do not know that it is prohibited to make arrangements with competitors about sharing customers.

What does this teach us?

- Businesses are insufficiently aware of the basic rules about fair competition
- Better understanding of rules → easier to follow the rules → more inclined to follow the rules
- Potential costs of rule breaking \neq related to compliance
- Level of compliance by other businesses = related to compliance

To prevent rule breaking

- Need to increase understanding of competition rules
- Focus on the fact that most companies are inclined to follow them

Intervention strategy: informing the sector on competition rules

Cartel check

Autoriteit
Consument & Markt



Karteltest Haven

De karteltest

Kartelsafspraken zijn er in vele soorten en maten. Als u een kartelsafpraak maakt, overtreedt u de concurrentieregels. De ACM kan boetes opleggen aan bedrijven die zich niet aan de concurrentieregels houden. In deze test komen de meest voorkomende vormen van kartelsafspraken aan de orde. Als u deze karteltest invult krijgt u inzicht in de risico's voor u en voor uw bedrijf. Het invullen van de karteltest duurt hooguit 10 minuten.

Karteltest is een hulpmiddel

De karteltest geeft op een laagdrempelige en snelle manier een inschatting van uw risico's op kartelvorming. Het doel is om u op weg te helpen om risico's voor u en uw bedrijf in kaart te brengen. U kunt geen rechten ontfangen aan de uitkomsten.

Anonimiteit is gegarandeerd


De karteltest is anoniem. De resultaten van de test zullen nooit bij ACM bekend worden gemaakt. Dit geldt dus ook voor uw naam, uw IP-adres en andere gegevens die herleidbaar zijn naar u of uw bedrijf.

[Verder >>](#)

Flyer


Autoriteit
Consument & Markt

De concurrentieregels in de havens
Samenwerken mag, maar er zijn grenzen
Wat mag wel en wat mag niet?




Marktverdelingsafspraken

- ✓ U bepaalt zelf welke klanten u in welk gebied benadert.
- ✗ U maakt geen afspraken met concurrenten om klanten te verdelen. Ook mag u geen afspraken maken over het verdelen van gebieden of deelmarkten binnen de haven.




Prijsafspraken

- ✓ U bepaalt zelf uw prijs zonder dat of te stemmen met concurrenten.
- ✗ U maakt geen afspraken met concurrenten over de prijs. Ook afspraken over bijvoorbeeld prijsverhogingen, toelagen, kortingen en een bodemprijs zijn verboden.



Deeln van concurrentiegevoelige informatie

- ✓ U houdt informatie over bijvoorbeeld prijzen, klanten en productiekosten voor uzelf. Zo blijven uw concurrenten in onzekerheid over uw commerciële beleid.
- ✗ U mag geen concurrentiegevoelige informatie delen.

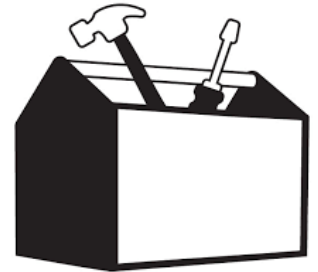


Aanbestedingsafspraken

- ✓ U bepaalt zelf met welke prijs u inschrijft op een aanbesteding of tender.
- ✗ U spreekt niet met concurrenten over uw offerte. U en uw concurrenten spreken niet over elkaars offerteprijzen of wie de aanbesteding mag winnen.

Regulation with a behavioural focus

- Behavioural insights help us better understand motives and contextual influences of compliance
- By implementing these insights, we can create circumstances that stimulate businesses to comply with the rules
- By using our toolkit in a more diverse way



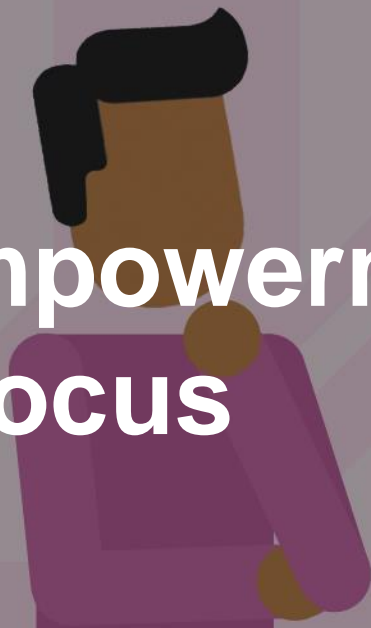
More studies in the future

- Consumer law compliance study
- Debt collection industry





Consumer empowerment with a behavioural focus



Consumer empowerment

- Implementing insights of bounded rationality
- Increase our understanding of consumer decision-making
- Discover the most effective remedy
- To help consumers make better choices

Health insurance market

- Approximately 6% of consumers switch per year
- Majority does not compare insurance offers
- 60% of consumers have never switched insurers since the introduction of competition (2006)

Randomized Controlled Trial

To test the effectiveness of three interventions to reduce consumer inertia in the choice process



Design

- N= 10.800
- December 2017 – February 2018

3 Treatments, 1 control group

Treatments to reduce consumer inertia in the choice process:

- The intention phase
- The information phase
- The action phase

Three interventions

Did you know that 90% of families with young children are happy about their switch to another insurance plan? Especially because they now pay a lower premium and have better coverage. Most of them found that it took less time and effort to switch than anticipated.



	ABC Health Basic	MNO Basic	XYZ Direct Basic
Monthly premium	€ 123,75	€ 110,50	€ 113,50
Hospitals*	Full coverage	Full coverage	Full coverage
Fysiotherapists*	Full coverage	Full coverage	Full coverage
Pharmacies*	Full coverage	Full coverage	Full coverage



Results

After treatments and switching period:

- Questionnaire to measure comparing rates and switching rates

Results will be available this summer

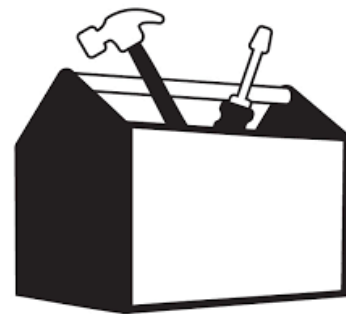
Consumer empowerment with a behavioural focus

By implementing..

- Bounded rationality into analysis of consumer problems
- Evidence-based approach to developing interventions

We are changing our role

→ more specific guidelines or rules for businesses



Consumer empowerment with a behavioural focus

- Help consumers exercise their rights (*consumer empowerment*)
- By providing them with tools and information
- With realistic expectations of consumer behaviour

Debt collection agencies

- Some debt collection agencies break the rules:
 - False claims
 - Illegal costs
 - Aggressive behaviour



Consumers with problematic debts

Netherlands Scientific Council for Government Policy

“Once citizens are in trouble, for instance when they have large debts, the stress they experience is so high, that they have little mental space left to think clearly, to make plans and stick to them. At this point, they have regularly lost overview, have little faith in their own capacities, and not much is left of their self-reliance.”

~~Well-informed, rational consumer~~



Debt counsellors

- Important role for debt counsellors, to:
 - Check clients' invoices
 - Take action when they detect false claims, illegal costs or aggressive behaviour from debt collection agencies



Interviews with debt counsellors

- High willingness to act, but in lack of:
 - Quick and easy tools
 - Clear information about debt collection rules



Online toolkit for debt counsellors

- Calculation tool for debt collection costs
- Pre-written letters to send to debt collection agencies
- Simple checklist for invoices

Toolkit incasso voor (schuld)hulpverleners

Incassobrief Checker

> Rekenhulp incassokosten

Foute incassobrief

Tijdpad incasotraject

Handleiding voor hulpverleners

Voorbeeldbrieven

Defen- en trainingsmateriaal

Download campagnemateriaal

Adressen advies en hulpverlening

Begrippenlijst

Over deze toolkit en disclaimer

Rekenhulp incassokosten



Met deze rekenhulp ziet u snel hoeveel kosten het incassobureau of de ondernemer u wettelijk maximaal mogen rekenen.

Zorg dat u de oorspronkelijke rekening en de meest recente incassobrief bij de hand hebt.

NS - Deze rekenhulp is niet van toepassing op incasotrajecten naar aanleiding van geldeningen.

1. Bedrag hoofdsom (oorspronkelijke rekening)

Bijv. 200

Go verder

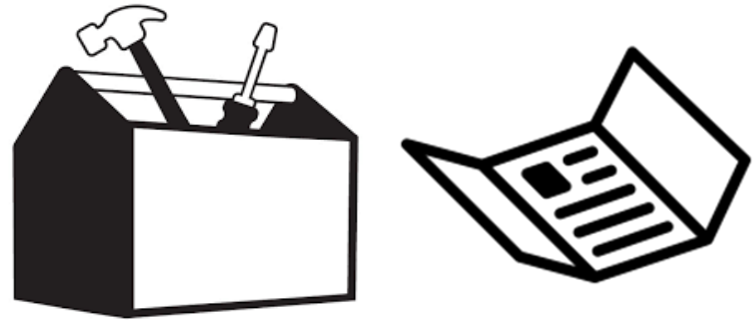


Uitleg

Terug naar startpagina "Toolkit incasso voor hulpverleners"

Consumer empowerment with a behavioural focus

- Doing more than providing general information, by:
 - Focussing on specific target groups
 - Tailoring strategy



Future challenges

1. The boundaries between smart marketing and abuse of behavioural pitfalls



Future challenges

1. The boundaries between smart marketing and abuse of behavioural pitfalls
2. Influencing the behaviour of businesses



Future challenges

1. The boundaries between smart marketing and abuse of behavioural pitfalls
2. Influencing the behaviour of businesses
3. The reputation of fines



We have expanded the tools in our toolkit

By implementing a behaviourally informed, evidence-based approach into our problem analyses and intervention design





Thank you!