

DPS FRAMEWORK SCHEDULE 4: LETTER OF APPOINTMENT AND CONTRACT TERMS

Part 1: Letter of Appointment

Dear Sirs

Letter of Appointment

This letter of Appointment dated Tuesday 8th September 2020, is issued in accordance with the provisions of the DPS Agreement (RM6018) between CCS and the Supplier.

Capitalised terms and expressions used in this letter have the same meanings as in the Contract Terms unless the context otherwise requires.

Order Number:	CR20080
From:	The Department for Business Energy and Industrial Strategy (BEIS), 1 Victoria Street, London, SW1H 0ET ("Customer")
To:	RAND Europe Community Interest Company, Westbrook Centre, Milton Road, Cambridge, CB4 1YG ("Supplier")

Effective Date:	Wednesday 16 th September 2020
Expiry Date:	Tuesday 8 th December 2020

Services required:	Set out in Section 2, Part B (Specification) of the DPS Agreement and refined by: · the Customer's Project Specification attached at Annex A and the Supplier's Proposal attached at Annex B;
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Key Individuals:	
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Contract Charges (including any applicable discount(s), but excluding VAT):	£46,648.00 excluding VAT in alignment with AW5.2 price schedule Contract. The payment schedule can be found in Contract Terms Schedule 6 Annex 2
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	Payment milestones: 40% after draft report 60% after final report and presentation of findings.
Insurance Requirements	Public liability insurance to cover all risks in the performance of the Contract, with a minimum limit of £5 million for each individual claim Employers' liability insurance with a minimum limit of £5 million indemnity Professional indemnity insurance adequate to cover all risks in the performance of the Contract with a minimum limit of indemnity of £2 million for each individual claim. Product liability insurance cover all risks in the provision of Deliverables under the Contract, with a minimum limit of £5 million for each individual claim
Liability Requirements	Suppliers limitation of Liability (Clause 18.2 of the Contract Terms);
Customer billing address for invoicing:	All invoices should be sent to should be sent to finance@services.ukpbs.co.uk or Billingham (UKPBS, Queensway House, West Precinct, Billingham, TS23 2NF).
GDPR	As per Contract Terms Schedule 7 (Processing, Personal Data and Data Subjects

FORMATION OF CONTRACT

BY SIGNING AND RETURNING THIS LETTER OF APPOINTMENT (which may be done by electronic means) the Supplier agrees to enter a Contract with the Customer to provide the Services in accordance with the terms of this letter and the Contract Terms.

The Parties hereby acknowledge and agree that they have read this letter and the Contract Terms.

The Parties hereby acknowledge and agree that this Contract shall be formed when the Customer acknowledges (which may be done by electronic means) the receipt of the signed copy of this letter from the Supplier within two (2) Working Days from such receipt

For and on behalf of the Supplier:

For and on behalf of the Customer:

Name and Title:

[Redacted]

Name and Title:

[Redacted]

Signature:

[Redacted]

Signature:

[Redacted]

Date: 14 OCTOBER 2020

Date: 21/10/20

ANNEX A

Customer Project Specification

1. Background

The Department for Business, Energy & Industrial Strategy (BEIS) is delivering an Industrial Strategy that sets out the long-term plan to boost the productivity and earning power of people throughout the UK. The government has committed to support businesses with regulation that stimulates and facilitates innovation; and ensure that regulation is as simple as possible.

The Better Regulation Executive (BRE) leads the regulatory reform agenda across government. Its White Paper on Regulation for the Fourth Industrial Revolution¹ sets out plans to transform the UK's regulatory system to support innovation while protecting citizens and the environment. It committed BRE to "provide support, advice and share best practice with policymakers and regulators on public engagement techniques to support appropriate regulation of technological innovation". This work will build on that commitment by providing appropriate evidence.

Gaining public trust will be crucial to support technological innovation. It will be important to understand how to best inform the public about innovation and science, as well as understanding what the key influencers are in this area and how to work with them.

Experts in science and technology policy have pointed to growing public distrust about potential applications of emerging technology and how these are regulated^{2,3}. If the public is not well-informed and brought along with the development of a more pro-innovation approach, there is a risk of public pressure to regulate in a way that stifles innovation^{4,5}.

There are various examples where public trust has had an impact on policy outcomes from the MMR vaccine resistance, to debates about GM food. Public engagement can help inform and educate, build trust but also ensure that new technologies are people centred, and that people's appetite for risk is properly understood.

However, various enquiries and key actors have noted a lack of effective and timely engagement when it comes to explaining to the public the application of technological innovation, especially in areas where ethical concerns arise. Moreover, where technologies pose complex ethical or moral considerations greater public engagement may be appropriate to shape government thinking on appropriate regulatory frameworks.

From evidence such as the long-running British Social Attitudes (BSA) survey⁶, we can see that public views around new technology vary depending topic, age, gender, education, and religious beliefs. However, public views may not reflect reality. For example, the BSA survey indicates that only a small proportion of people are worried about losing their jobs to automation even though experts predict this is a substantial issue. The Wellcome Trust Monitor shows that around 90% are aware of the term "GM", while around 66% feel that there is a good understanding of this⁷. The BIS Public Attitudes to Science survey⁸ showed that opinions and support vary depending on how and where new technology is used.

¹ <https://www.gov.uk/government/publications/regulation-for-the-fourth-industrial-revolution>

² Royal Society of Arts. Artificial Intelligence: Real Public Engagement (2018).

³ World Economic Forum-ai-Ipsos-press-release (2019)

⁴ House of Lords Select Committee on Artificial Intelligence (2018).

⁵ A blueprint for dynamic oversight, Wellcome Trust (2019).

⁶ <http://natcen.ac.uk/our-research/research/british-social-attitudes/>

⁷ <https://wellcome.ac.uk/what-we-do/our-work/public-views-science-and-health> Wave 3

⁸ <https://www.gov.uk/government/publications/public-attitudes-to-science-2014>

In February 2020, Britain Thinks noted in their report “Is Britain getting innovation right?” that 55% of those surveyed believe that the general public should have decision making power about innovation but that 54% believed that the general public as a whole generally have no decision making power.

There is, therefore, scope to ensure better, more consistent, and timely engagement to provide evidence and build a public narrative around the application of certain technologies.

We are especially interested where public views on technology or its applications inform policy development and governance frameworks including regulation and alternatives to regulation. Initial scoping work has identified a number of examples.

For example, in 2012, the Human Fertilisation and Embryology Authority used a breadth of engagement tools including workshops, a public survey, open meetings and focus groups to determine public acceptability of mitochondrial replacement therapy to prevent the transmission of mitochondrial genetic disorders from parents to their children. The regulator found that despite certain ethical concerns there was public support provided the treatment was safe and done within a regulatory framework. Following legislation, the UK became the first country to licence mitochondrial donation. (HMG, Regulation for the Fourth Industrial Revolution, CP111 June 2019)

In another case, in 2016-17, the Royal Society conducted a public engagement exercise consisting of a quantitative survey, public dialogue and discussion events and an online community on machine learning to raise awareness, to understand views held by the public and identify key social, ethical, scientific and technical issues. The Royal Society found that while machine learning was not a familiar term and took time for many participants to grasp, there was more awareness and understanding of the applications of machine learning, and that social issues identified with machine learning would require further work by the Royal Society with scientists and the judiciary to explore challenges, liability and accountability around machine learning and a further study on the form and function of a data governance framework by the Royal Society and the British Academy. (Royal Society, Machine Learning: the power and promise of computers that learn by example. April 2017)

There is, therefore, scope to ensure novel and creative public engagement techniques that go beyond public consultations to support appropriate regulation of technological innovation. However, there is no analysis bringing the findings from different engagement techniques together and on how they can be used around technological innovation.

This work is linked to other commitments in the White Paper such as the establishment of the Regulatory Horizons Council to identify the implications of technological innovation and advise government on regulatory reform needed to support its rapid and safe introduction. This includes potentially advising government on areas where increased public engagement might be required. Establishment of the Regulatory Horizons Council is being taken forward under a separate project.

2. Aims and Objectives of the Project

The aim of this project is to build up the evidence base so that BRE can act as a centre of excellence and a source of advice to government departments and regulators on how to best conduct public engagement to inform and create a narrative around new technologies and technological innovation. It will help departments and regulators identify what public engagement technique to use, to ensure new technology and technological innovation are understood properly across different stakeholder groups (lobbyists, social influencers, politicians, and the general public), that concerns are discussed appropriately, and consumers and businesses have

confidence in innovations and the regulatory system. This supports BRE's regulation-innovation enabling agenda.

By **public** we mean members of the general public or lay people. The research will cover all types of the public including different stakeholder groups such as lobbyists, civil society groups and social influencers. **Public engagement** is an umbrella term that encompasses numerous methods for bringing people together to address issues of public importance. The types of public engagement can vary according to different degrees of agency and input from the public from raising awareness, understanding views and attitudes, discussions with researchers on specialist areas, assessment of specific technologies and applications, deliberating and informing policy making to co-development of solutions. The research will cover all types of public engagement techniques including novel and creative ones that go beyond public consultation. We define **technological innovation** as the application of a technology, for example the application of Artificial Intelligence in healthcare.

The literature review will attempt to provide an overview of what public engagement techniques are available, how they have been used and when (both in the UK and overseas). Where available, we want to include an overview of how these techniques have been formally assessed and what the outcome was. The case studies will provide a deeper understanding of how to use the techniques and when they are effective. We expect these case studies to be UK based unless there is a compelling reason to include a few international case studies that have specific relevance in the UK context.

We expect that the research will answer the following questions:

- What existing examples are there of public engagement techniques and how and when have they been applied? In particular:
 - How effective have these techniques been in terms of making the difference including having the impact on the design and implementation of regulatory frameworks for technological innovation and the impact on public trust and confidence.
 - How can they be or are being applied in the engagement around new technologies and technological innovation?
 - How can they be or are being applied in the engagement around bringing emerging application of existing technology into the marketplace (e.g. driverless cars)?
- What evidence exists in relation to different types of public engagement in new technology and technological innovation and what impact has it had? E.g. has it led to new business models in relation to technological innovation?
- Has the effectiveness of the public engagement techniques around technological innovation been formally assessed, and what, if any, were the learnings? In particular:
 - What is the impact of the different methods of public engagement on the design and implementation of regulatory frameworks for technological innovation?
 - What is the effectiveness of these techniques to build public trust and confidence in technological innovation and relevant regulatory frameworks?

The research will be used to increase BRE's evidence base; it will help BRE understand what the range of public engagement techniques are, and how they could be used around technological innovation.

The outputs will help BEIS develop the evidence base and expertise to become a Centre of Excellence. The research will increase BRE's capacity to provide support, and to share best practice with policy makers and regulators on public engagement techniques. Drawing on available evidence BRE will be able to advise on the best approaches depending on the issues. It will also help BRE to continue to promote effective intervention design and evidence-based approaches to regulation.

3. Suggested Methodology

If applicable:	Insert numbers:
Total number of Interviews (qualitative)	- Approx 2 interviews per case study. Telephone interviews x 30 min
Total number of Case Studies	- 10 case studies

Phase one - A literature review

We want the contractor to conduct a literature review of recently available evidence around the use of public engagement techniques and its effectiveness, especially in the area of technological innovation; what has worked, what groups of stakeholders have been involved (general public, pressure groups etc) and what sectors? We expect that there will be more evidence of public engagement in the medical and healthcare sector (genome, IVF etc) but we expect to explore this across sectors.

As a first step, we would want to the contractor to focus on the UK including peer-reviewed articles as well as reports published by government departments, think tanks and research agencies and UK case studies of active, intentional public engagement in policy and regulatory design relating to technological innovation as opposed to citizen led public participation. This should focus on interventions that have been to some extent evaluated in the first instance.

The contractor should also focus on Europe (e.g. Finland, Denmark, Estonia), US, Canada, Asia (e.g. Japan, Singapore, and South Korea), Australia and New Zealand as well as some multilateral organisations (e.g. UN, OECD).

Phase two - Interviews

Interviews will be conducted with the relevant organisations identified through the literature review to form case studies. The case studies will provide a deeper understanding of how to use the techniques and when they are effective. We are not in a position to say what sectors we want case studies to focus on – this will depend on the findings from the literature review. Therefore, we will leave it to the contractor to decide who exactly they would interview. However, we expect that the sample will cover a range of different types of organisations, engagement techniques and sectors. We expect these case studies to be UK based unless there is a compelling reason to include a few international case studies that have specific relevance in the UK context.

We estimate that the contractor would conduct about 10 case studies along the lines above. We would expect that these will be telephone interviews.

Phase three - Analysis

We expect the contractor to undertake the analysis of the findings from the literature review and case studies to identify the different methods of public engagement and their impact on the design and implementation of regulatory policy and assess the effectiveness of these techniques to build public trust and confidence in technological innovation, and how they have informed the design of an intervention.

We expect to actively engage with the contractor at various stages of the literature review and case studies work. In particular, we will hold an early review to discuss the initial evidence so that we can ensure that the more detailed literature review and case studies cover the key themes.

4. Deliverables

The following deliverables are expected from the project:

- **A report** summarising the literature review, case study evidence and analysis of their application to innovation. The report will be of publishable standard, drafting according to typical BEIS research reports (e.g. ~30 pages, executive summary, appendices).
- **10 detailed case studies**, which will also be summarised in the final report.
- **Findings presentation** (delivered virtually) – to present key findings to relevant internal and external stakeholders. Slides will be provided to BRE for future use.

Milestones	Timings
Update meeting	The week beginning 7 th October 2020 (ending 13 th October 2020)
Literature review (interim report) and meeting	Late October 2020 (interim report in the week beginning 21 st October (ending 27 th October 2020)
Update meeting	The week beginning 4 th November 2020 (ending 10 th November 2020)
Case study fieldwork (interviews)	Mid November 2020
Draft final report and meeting	The week beginning 18 th November 2020 (ending 24 November 2020)
Final report	The week beginning 25 th November (ending 1 st December 2020)"
Findings presentation	The week beginning 2 nd December 2020 (ending 8 th December 2020)

Part 2: Contract Terms



Contract Terms v6.0