

DPS FRAMEWORK SCHEDULE 4: LETTER OF APPOINTMENT AND CONTRACT TERMS

Part 1: CR19036 Letter of Appointment

Dear Sirs,

Letter of Appointment

This letter of Appointment is issued in accordance with the provisions of the DPS Agreement (RM6018) between CCS and the Supplier, dated Friday 6th September 2019

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

| | |
|---------------------------|--|
| Order Number: | To follow |
| From: | Department for Business, Energy and Industrial Strategy 1 Victoria Street London SW1H 0ET ("Customer") |
| To: | Kantar UK Ltd TNS House Westgate London W5 1UA ("Supplier") |
| Effective Date: | Monday 9 th September 2019 |
| Expiry Date: | Friday 14 th February 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; and |
| Key Individuals: | BEIS Project Manager – [REDACTED], Research Officer, [REDACTED] |

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|--|--|
| | Kantar UK Ltd - [REDACTED] [REDACTED] |
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| Contract Charges (including any applicable discount(s), but excluding VAT): | The total value of this contract shall not exceed £79,998.75 excluding VAT and as per the breakdown in Annex C |
| Insurance Requirements | <p>Additional public liability insurance to cover all risks in the performance of the Contract, with a minimum limit of £5 million for each individual claim</p> <p>Additional employers' liability insurance with a minimum limit of £5 million indemnity</p> <p>Additional 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.</p> <p>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</p> |
| 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) A copy of the invoice should be sent to- |

| | |
|-------------|---------------------------------|
| GDPR | See Contract Terms - Schedule 7 |
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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: 

Name and Title: 

Signature: 

Signature: 

Date: 09/09/19

Date: 17 September 2019

ANNEX A

Customer Project Specification

Background

The Office for Product Safety & Standards (OPSS) was established by BEIS in January 2018, following the recommendations of the Working Group on Product Recalls and Safety¹, to enhance protections for consumers and drive forward increased productivity, growth and business confidence.

In May 2018, OPSS launched its Strategic Research Programme (SRP) to commission high-quality science-based research, strengthening the evidence base for the development of product safety policy, delivery and enforcement.

In August 2018, OPSS launched UK Government's first ever strategy to further enhance the UK's product safety regime². The strategy highlights the low success of product recalls and signals OPSS's intent to use behavioural science to understand how best to impact consumer, retailer and producer behaviour in issues of recall, safety messages and safer goods, both new and second hand.

A product recall is "a corrective action, or a series of corrective actions such as repair, replacement or refund, undertaken by businesses to address one or more safety risks in a consumer product that has been or is being supplied to consumers."³

Product recalls are an important corrective action for keeping unsafe products away from consumers. Available data suggest that globally the volume of product recalls has been growing steadily over the past decade, with millions of non-food products recalled each year by manufacturers and suppliers on a voluntary or mandatory basis. The product categories affected are quite diverse, ranging from electric and electronic devices, toys and childcare equipment, to household appliances and automobiles.⁴

In February 2016, the Lynn Faulds Wood Review⁵ set out the limitations of the product recall system in the UK. All stakeholders involved in the review (consumer representatives and professional societies) agreed that the present system is inadequate.

According to a survey conducted by Electrical Safety First, typically only 10-20% of recalled products are returned or repaired⁶. The effectiveness of recalls can vary from

negligible for recalls of cheap, high turnover and difficult to trace products to a greater success for higher value items, where consumers can be more motivated to resolve the problem.

¹ <https://www.gov.uk/guidance/product-safety-working-group>

² <https://www.gov.uk/government/publications/strengthening-national-capacity-for-product-safety-strategy-2018-2020>

³ https://www.oecd-ilibrary.org/science-and-technology/enhancing-product-recall-effectiveness-globally_ef71935c-en

⁴ https://www.oecd-ilibrary.org/science-and-technology/enhancing-product-recall-effectiveness-globally_ef71935c-en

⁵ <https://www.gov.uk/government/publications/consumer-product-recall-review>

⁶ <https://www.electricalsafetyfirst.org.uk/media/1259/product-recall-report-2014.pdf>

In March 2018, OPSS launched the first UK Government-backed Code of Practice

(PAS 7100) for product safety recalls⁷ in partnership with BSI, the UK's National Standards Body. The Code includes details on how a business can monitor the safety of products and plan for a recall, and how Market Surveillance Authorities such as Local Authority Trading Standards can support businesses in their monitoring of incidents and their implementation of corrective action. Just over a year on, the content of this Code is now up for review.

Evidence supporting how best to improve the effectiveness of product recalls and so what additional policy interventions might be appropriate are lacking. Further to the Working Group on Product Recalls and Safety's work on how behavioural science might help increase the effectiveness of white goods recall messages sent directly to consumers, this research represents a step in providing that evidence to improve understanding of the recall process by learning lessons from past cases. It will include examining instances of a strategically chosen selection of previous recalls to identify and illuminate any variation in the way different examples have unfolded. The study will provide a basis for later behavioural science applications to be integrated with its findings to provide solutions to problems of insufficiently effective recalls.

This project will form part of OPSS's Social Science project workstream. This includes a survey on consumer attitudes to product safety project, comprising two qualitative phases and a quantitative survey with 4000 consumers, and a randomised control trial aiming to improve product registration rates. We are also commissioning an Industry attitudes project, which will aim to explore attitudes towards and perceptions of the product safety system from all non-consumers (such as manufacturers, retailers, trading standards officers and distributors) in the system.

AIMS and Objectives of the Project

The **purpose** of this project is to understand procedures for recalling consumer appliances in order to support the way BEIS addresses current low rates of product recalls, with a view to improving future success rates. In addition, consideration will be given as to whether 'best practice' is identifiable.

The **aim** of this project is to undertake a study of past recalls of a variety of product types (including large and small electrical items and a spectrum of associated level of risk). It is to identify successful and unsuccessful product recalls, to detail the factors involved in both as a basis for reviewing and assessing any differences in the processes associated with degrees of success. Part of the aim is to achieve a clear picture of the role of different actors in the recall process, including understanding the interplay between them and how this contributes to or could hinder an effective product recall. The study is to investigate the impact of emerging technologies on the development over time of the recalls process.

This research will examine large-scale recalls of a variety of different product types, including products OPSS does not have policy responsibility for such as food and cars.

⁷ <https://www.bsigroup.com/en-GB/pas7100-supporting-better-product-recalls/>

The objective of this project is to provide detailed analytic descriptions of the procedures and processes involved in a selection of recent large-scale successful and unsuccessful recalls which is also to serve as a basis for discussion about definitions of effective/ ineffective (successful /unsuccessful) recalls.

The descriptions are to include:

(a) narrative report of insights well illustrated by data extracts of reflections on first-hand experiences, general views of the product recall system provided by product recall systems actors involved (including, but not limited to, consumers, manufacturers, retailers, distributors, insurers, legal representatives and specialists, recalls consultancies, and Local Authorities);

(b) a profile of each recall based, at a minimum on: its duration; scale; business type/ sector; relevant demographic features, such as region and rural-urban; actors and organisations involved; patterns of rates at which consumers responded over a specified period; the form and frequency of communications used in the recall. Each profile should also include indication of product system actors' assessment of the strengths/weakness of procedures adopted, motivations for their actions in the recall, and should be presented in a format designed to make comparisons between each very clear; and

(c) any additional features proposed by tenderers, justified to demonstrate the manner in which the additions further the aims.

The proposed period over which the selection is to be made, the definition of success, the definition of 'large-scale' and the total number of cases to be included etc are to be stated and justified.

OPSS will facilitate links with relevant actors to help enable this research to be conducted but will also be keen to see the contractor displaying their credentials to their links to industry

Suggested Methodology

Around 50 qualitative Interviews: 10 interviews with different actors for around five case studies of product recalls.

This is expected to be an iterative process whereby the exact numbers of participants and interviews, in addition to finalised methodology, is to be determined after an initial scoping phase.

We anticipate that this research will be adopt a multi-method design divided into phases that are developed iteratively. Data to be collected, will include, at a minimum:

(a) product system actors' accounts (e.g. first-hand experiences, views of specific recalls, understandings of the system and evaluation of any changes that have taken place or are needed)

(b) documentary materials of both images and text (e.g. recall notices published in the local/national press, registration information supplied with new products, company memos/ records of recalls)

(c) numerical records (of recall scale, duration etc.)

(d) other materials proposed (and justified) by the tenderer.

The phases are likely to include an initial scoping phase to 'map' the overall field of study and confirm the range of stakeholders (e.g. via extended interviews with key product recall system actors' interviews and/or focus groups with a wider range of stakeholders). This will inform the number and identity of the cases for the next phase which will initiate the data collection for each one's description, with, as far as feasible, newly collected data informing subsequent data collection to support the capture of both details unknown in advance unanticipated complexities.

Overall, around 50 in-depth interviews with key informants together with 10 in-depth interviews with strategically selected actors for around five case studies of product recalls are likely to be included.

The contractor is expected to advise about and enlarge upon the suggested methodology

Deliverables

The detailed deliverables should be specified as part of the tender response and will be agreed with the Project Manager before commencement of work. As a minimum, we would expect to see:

- Draft final report. This shall be reviewed and returned to the contractor. (by end Month 5)
- A creative and engaging slide pack summarising the findings, in addition to a summary presentation to Internal colleagues. (by end Month 6)
- Systems map of recalls process (by end Month 6)
- Analytical output (such as thematic analysis output of Interviews) (by end Month 6)
- Final accepted report (by end Month 6)

ANNEX B

Supplier Proposal

To be determined at Call for Competition stage

