

Terms of reference for review of lessons learned from the handling of the Second Sight investigation

Objectives and scope of the review

This will be a short internal review of our handling, governance and stakeholder management processes in relation to the Second Sight investigation and associated events, starting from when JA first raised his concerns. In short, the primary objective for the review is to capture the key lessons learned from the experience, thereby helping to increase the maturity and resilience of the business and its ability to handle similar challenges more effectively in the future.

It is proposed that it will cover the following themes and questions – although this is intended to serve as a prompt for discussion and reflection rather than a rigid and exhaustive list of topics.

a) Initial decision making process

How did we decide what approach to take – what was the reasoning and was this adequately tested? Were we clear on the objectives and outcomes from the outset? Did we conduct an adequate pre-mortem? Were the right people consulted internally to inform the decision making?

b) Commissioning process for a non-standard procurement

How were SS chosen? What were the selection criteria and were these appropriate? How would we approach this in hindsight?

c) Ongoing contractor management

What were our mechanisms for oversight of SS throughout the investigation and how could these have been improved? Were we clear in setting their accountabilities and terms of reference? How did these shift over time and why? How did we scrutinise the SS workplan? Were there any formal checkpoints for monitoring progress, timescales and budgets? Could the costs have been managed more effectively?

d) Internal resourcing and accountabilities

Were the requisite skills/resources correctly identified? Did we choose (and equip) the right people to lead the project, taking into account their skills and other responsibilities? Did the business have credible alternatives to those individuals? What systems were put in place to support and challenge those individuals to help them reach the best possible outcome?

e) Wider external and internal stakeholder management and communications

How did we interact with JFSA, JA, MPs, Fujitsu, the NFSP, the media, ExCo and the Board? Are there any areas for improvement?

f) Risks management processes

What does the episode tell us about our risk management processes and the areas for improvement? Did we spot the early warning signals of emerging problems (and if not, why not)?

g) Culture lessons

Did we actively listen to the concerns/views expressed by SS, spmrs and other stakeholders during this process? If not, what stopped us from really listening? Would a different outcome have been achieved?

What's not in scope?

We will not be reviewing the cases and SS investigation itself as part of the process – other than considering the overall shape of the SS output in order to illuminate the effectiveness of our contractor and stakeholder management processes. The review should also not duplicate the sub-postmaster training and support improvement workstream, although there may some synergies and common themes in relation to the culture lessons.

Proposed methodology

- It is proposed that the review should be facilitated by one or two internal members of staff not directly involved in the process to date – potentially Belinda Crowe and/or Malcolm Zack, although we will consider other potential candidates.
- The primary input into the review will be a process of dialogue around the themes identified above, including the following sessions:
 - a 2-3 hour group discussion with the core Executive team directly involved in the process (Paula Vennells, Alwen Lyons, Angela Van-Den-Bogerd, Mark Davies, Lesley Sewell, Martin Edwards, Andy Holt);
 - a separate discussion between the facilitators and Alice Perkins;
 - if appropriate, one-on-one discussions with Susan Crichton and Simon Baker (assuming they are available); and
 - supplementary interviews with other members of staff if required (potentially including Chris Day, Kevin Gilliland, Hugh Flemington and Rodric Williams).
- It is not envisaged that we will conduct an extensive trawl of written evidence as part of this process, although it would be useful to have key documents and e-mails ready to support the discussions in order to aid the recollection of events.
- The output of this process should be a short note (not an extensive report) pulled together by the facilitators identifying the key lessons learned. This will then be reviewed through the following steps:
 - i. firstly the discussion group should be reconvened to check that the note adequately reflects its collective reflections, identifying any changes or additions. The draft note would also be shared with Alice Perkins at this stage;
 - ii. following this discussion, we may want to arrange for an external figure (such as Richard Hatfield) to review and challenge our findings, to provide an independent perspective drawing on the experiences of other organisations;
 - iii. the note would then be tabled for discussion with ExCo, both to share the insights with the wider group and to agree how they can be embedded into the organisation's processes and institutional memory. At this point it would also be useful to discuss whether there are any common themes from the lessons learned from the other major programmes and challenges which the business has tackled over the past year (such as Rainbow and NTP);
 - iv. following any further updates to the note to reflect the input of ExCo (and the external reviewer), it will then be tabled for discussion with the Board (or ARC), with the NEDs invited to add their reflections and external experiences to inform how the business can learn from the process.
- While not intended to be a public document, the note will need to be drafted in a way which does not prejudice or undermine the ongoing case review process, criminal proceedings or wider stakeholder relations.
- Indicative timing:
 - Initial group discussion and drafting of note in first half of October
 - External review and ExCo discussion in late October/early November
 - Discussion with Board in November or December (subject to other agenda priorities)