

HORIZON – ACCEPTANCE PLAN FOR OTRP

1. Introduction

The purpose of this document is to set out the plan for Acceptance activity for the Operational Trial Review Period (OTRP) running from 26 July to 13 August.

2. Acceptance Incident disputes

During the past few weeks there has been a significant increase in the volume of Acceptance activity and, consequently, a substantial rise in the numbers of new Acceptance Incidents being identified. In the absence of any proactive measures, it is clear that by the time of the Acceptance decision in w/c 16 August, there will be a logjam of Acceptance Incident disputes between POCL and Pathway.

Acceptance disputes can arise in three main areas:

- Status - whether an incident is or is not a valid Acceptance Incident;
- Severity - whether the severity of an Acceptance Incident is high, medium or low;
- Fix time - the timetable for the resolution of any outstanding medium-severity Acceptance Incidents.

If, in order to resolve these disputes, the Acceptance dispute resolution procedure as set out in the agreement were to be invoked for a large number of instances, the time taken to exhaust the first four or five stages in the procedure would easily exceed four weeks and would thus delay the Acceptance and Rollout timetable in the agreement.

Therefore a pragmatic solution is required, which will:

- minimise the number of incidents subject to dispute;
- reduce the length of time required to work through the first four or five stages in the dispute resolution procedure.

3. The solution

The plan set out below has been agreed with Horizon management and with Pathway and has been endorsed by the Horizon Programme Director. It consists of the application of a three-stage dispute-resolution procedure to three tranches of Acceptance Incidents.

The three stages of resolving disputes are:

- Acceptance dispute workshop;
- management resolution session;
- contractual dispute resolution.

The three tranches of Acceptance Incidents are:

- those obtaining as at Friday 16 July – tranche 1;
- those obtaining as at Friday 23 July – tranche 2;
- those obtaining as at Friday 7 August – tranche 3.

4. Acceptance dispute workshops (stage 1)

These will involve intensive discussions of all qualifying Acceptance Incidents subject to dispute. The objectives of the workshops will be to address and, where possible, resolve Acceptance disputes over incident status, severity and fix times.

The inputs to the workshops will be (a) the descriptions of incidents, (b) the Pathway analyses, severity ratings and proposed fix times and (c) the POCL business impacts, severity ratings and ideal fix times.

The outputs will be either (a) agreed status, severity and fix time or (b) unresolved disputes over status, severity or fix time.

The POCL attendees will consist of members from:

- Acceptance Team;
- Acceptance Task Force;
- Acceptance Test Managers;
- POCL Review Co-ordinators.

Pathway attendees are expected to consist of their Acceptance Manager and appropriate Acceptance Test Managers.

The aggregate attendance at the workshops is expected to be about 20 to 24 people.

Each workshop is expected to be of two days duration.

The proposed venue for the workshops is Gavrelle House.

5. Management resolution sessions (stage 2)

These will involve the discussion and resolution of the unresolved disputes from the workshops. The POCL attendees will be the Horizon Programme Director with appropriate support (e.g. representing Acceptance, Commercial and POCL Business Assurance). The Pathway attendees will be the Pathway Managing Director and appropriate support.

Thus the aggregate attendees at these sessions is likely to be 6 to 8.

Their duration is expected to be one day each.

The proposed venue for these sessions is either Greville St. or Terminal House.

In the event that these sessions are unable to reach resolution of any disputes, the outstanding ones will pass into stage 3.

6. Contractual dispute resolution (stage 3)

These will follow the Acceptance dispute resolution procedure as set out in the agreement but with the first five stages (i.e. those involving the expert but excluding arbitration) all concentrated into one intensive day.

Clearly to make this feasible, the disputes presented by each side must be at a high level and / or be reduced to different interpretations of the contract. The implications of this are that (a) the outputs of the management resolution sessions (where resolution could not be achieved) need to be couched in those terms and (b) there may need to be some non-participative observance of the management resolution sessions by the expert.

The expected stage 3 attendees are:

- The expert – Peter Copping of PA;
- Stewart Sweetman or Dave Miller plus commercial/other advisers;
- Richard Christou plus adviser(s).

The suggested venue is a convenient PA office.

If agreement cannot be reached on any dispute by stage 3, the only recourse is to arbitration, in which case the Acceptance and Rollout timetable in the agreement could not be sustained; however, the intention of this plan is to reduce the likelihood of that eventuality to an absolute minimum.

7. Reference material / venues

It is proposed that reference material should be made available in electronic form on a laptop with projector (and with a dedicated operator if all parties agree) rather than in hard copy. Such reference material from POCL's point of view may include, in addition to the descriptions and analyses of the individual disputed Acceptance Incidents, the Acceptance Database, the Agreement, the Acceptance Specifications and other referenced documentation.

From Pathway's viewpoint, they will want to be able to provide evidential material in the form of Test Reports, Acceptance Review referenced documents etc. If this can be made available in electronic form, the same solution as proposed for POCL material can be adopted. Otherwise, it would need to be made available in hard copy. Therefore, Pathway may prefer Feltham as a venue, although it is understood that the availability of their conference room facilities is limited - for example the main conference room is available on 27th July but not on 28th.

8. Acceptance Incident tranches

Tranche 1 will consist of the Acceptance Hot List as at 16th July.

Tranche 2 will consist of additions to the Hot List as at 23rd July e.g. incidents arising from:

- Acceptance Review Meeting hangouts;
- activity into Accounting, Security and other initiatives;
- HCI investigations;
- HSH record examinations;
- any new incidents observed on the Cash Account following LT2 rollout to the 299 outlets.

Tranche 3 will consist primarily of any fall-out from the monitoring (in accordance with the agreed success criteria) for the rollout, including user training, to the extra 24 outlets. Because this is already heavily debated between the parties and the issues are well-documented, it will not be necessary to have a workshop for this tranche. In addition, most of the business impact work can be carried out in advance, on a provisional basis (it has already been done for AI 218 for example).

9. Acceptance dispute resolution timetable (provisional)

	Tranche 1	Tranche 2	Tranche 3
AI identification	Up to 16 July	19 to 23 July	26 July to 7 or 8 August
Pathway analysis	19 to 23 July	26 to 30 July	In advance plus M9 T10 August
Business impact & POCL severity	19 to 23 July	26 to 30 July	In advance plus M9 T10 August
AD Workshop	T27 & W28 July	T3 & W4 August	-
MR session	M2 August	F6 August	Th12 August
CD resolution	W4 August	T10 August	F13 August

Monday 16 and Tuesday 17 August are (the only) contingency days in this timetable before the planned Acceptance Board meeting on Wednesday 18 August.

10. Day by day timetable

Following agreement to the above plan, a detailed timetable will be prepared showing expected attendees at each meeting on a day-by-day basis. This will also show how the already-planned Acceptance Board meetings.

11. Two weeks re-test option

Note that Pathway have an option to conduct a re-test of (necessarily limited) software or other fixes during the first two weeks of the OTRP. Should this option be invoked, the most likely outcome is that some Acceptance Incidents that were open at the end of the COP would become resolved; this would not affect the above plan – it would simply take those resolved incidents out of any dispute arena.

However, if the corrective work subject to the re-test created new faults, POCL would be entitled to raise new Acceptance Incidents. As these would only emerge in w/c 9 August, some adjustment to the above plan would be necessary, forcing the use of the two identified

contingency days. A contingency plan will therefore be drawn up to cater for this.

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