

The Post Office Horizon IT Inquiry

Statement of Approach 001: participant engagement methods



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Any enquiries regarding this publication should be sent to us at: POSecretariat@postofficehorizoninquiry.org.uk

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Foreword from the Chair

On 5 October 2020 I published an open letter aimed at those who have information which is relevant to the terms of reference of the Inquiry. I invited prospective participants to engage with me and to cooperate with the Inquiry to maximise the likelihood that I would achieve the specific goals of carrying out my functions as chair with integrity, objectivity, efficiency and with a completely open mind as to the conclusions which should be reached and the recommendations which should be made.

Since publishing my letter I have had very preliminary discussions with individuals and small groups with a view to explaining my goals and seeking to elicit their support for the work of the Inquiry. I have met with senior employees of the Post Office, senior civil servants at the Department of Business, Energy & Industrial Strategy (“BEIS”) and senior officials of organisations representing postmasters and other Post Office employees. I am pleased to say that I have been very much heartened by these meetings. All the persons with whom I have held discussions have assured me of their willingness to engage fully with the Inquiry.

In the coming days, I will meet senior employees of Fujitsu and a small number of politicians who have shown a keen interest in the issues which I will investigate. I fully expect that they will commit to assisting the work of the Inquiry.

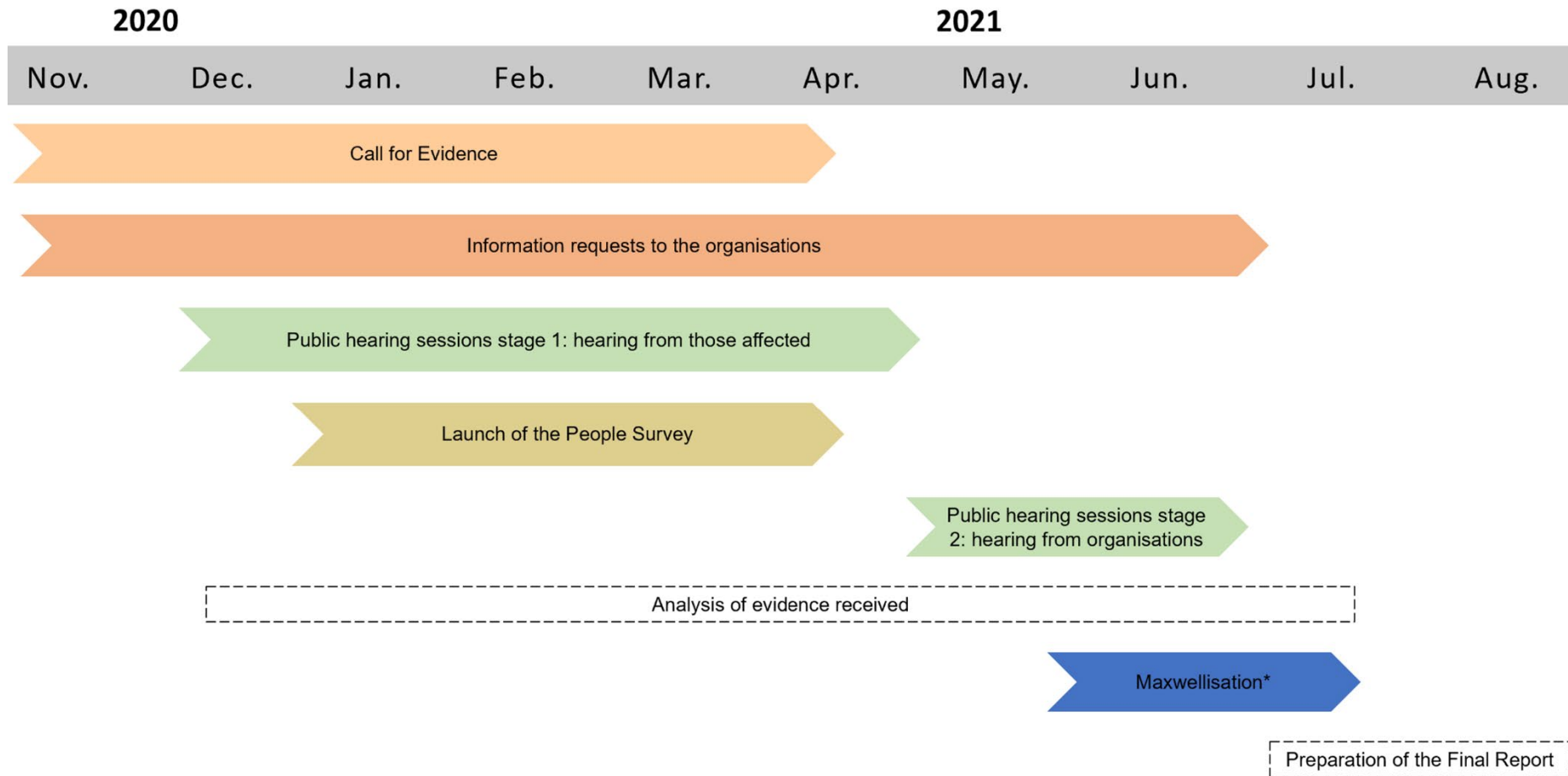
I have given considerable thought to the processes which I should adopt in order to obtain evidence relevant to the Inquiry. In reaching my conclusions I have considered the representations that I received from members of parliament and representatives of the media on issues of transparency and making information received by the Inquiry available to the public at large. I have also enjoyed the benefit of significant input from the Inquiry secretariat which support me. I wish to stress that the Secretariat is acting independently of BEIS in the support which it provides to me. I recognise that the work of the Inquiry must be conducted as transparently as is reasonably possible and that information provided to the Inquiry should be made available to the public, so far as that is consistent with other important competing considerations, such as sensitivity, privacy and data protection.

I am confident that the methods of engagement set out in this document achieve a proper balance. I cannot replicate fully the processes which would be available were I to be conducting a statutory inquiry but I genuinely believe that the methods of engagement I am adopting will enable me to undertake a thorough examination and rigorous analysis of all the information which is provided to the Inquiry. Over the coming few weeks my Secretariat and I will carry out further work to ensure that processes are in place which will enable as much of the information which I receive is made available to the public as is appropriate. Once that further work is completed, I will publish details of the processes.

My work as Inquiry Chair is now about to begin in earnest. There can be no doubt that the work of the Inquiry will take me on a very significant journey, especially given the timescale in which the work is to be carried out. However, the challenge which this will pose is one which I, and the talented secretariat team which support me, approach with complete focus and determination.

Sir Wyn Williams FLSW.

The Inquiry's Engagement Timeline



*Maxwellisation: The practice whereby a person (or organisation) who faces criticism in a public report is given an opportunity to respond to such criticism prior to publication of the report. This is done either by providing the person (or organisation) with passages of the draft report or a summary of the proposed criticism.

The Inquiry's Engagement methods

Introduction

The Inquiry follows the conclusion of the group litigation involving postmasters and Post Office Limited ("POL") in December 2019, and the Prime Minister's commitment on 26th February 2020 to hold an Inquiry.

The aims and objectives of the Inquiry's engagement approach

As both postmasters and the POL seek to make progress towards a better professional relationship the Inquiry aims to achieve the following through its engagement approach:

- An understanding of the impacts that the Horizon IT system caused.
- Acknowledgement of the personal experiences of those who have worked with the Horizon system and were affected by it.
- Provide a public summary of the above through the publication of a report in summer 2021 which will also make recommendations about the failings and the improvements at POL over the Horizon lifecycle.

This should in turn ensure that failings should not be repeated and that where improvements have been made these are sustained. Therefore, our approach to obtaining evidence will be diverse and inclusive, vigorous, and transparent. The Inquiry will gather evidence by:

- A: Listening to the experiences of those impacted by the Horizon dispute at focus group sessions.
- B: Exploring accountability by holding public hearing sessions with senior leaders at POL, Fujitsu and the Department of Business, Energy & Industrial Strategy ("BEIS")
- C: Holding private hearing sessions where this is requested by an individual so that they can talk about personal and sensitive matters relating to the longstanding Horizon dispute. If individuals are willing to share such testimony with members of the public or press, the Inquiry will accommodate this. In any event, we will be guided by the individual's privacy needs.
- D: Consulting widely through a public call for evidence where information will be welcomed from the public with regards to the Horizon dispute.
- E: Calling for specific information from POL and its employees, contractors, and postmasters to support the terms of reference. This will include but not be limited to a people survey¹ and information requests to POL.
- F: Requesting further information from POL which will enable the Inquiry to understand the governance structures (including whistleblowing procedures) and the operation of

¹ The people survey will be conducted online and it will welcome responses from both former and current employees, contractors and postmasters of the Post Office Limited to comment on the institutional settings

different functions within the organisation; Requesting information from BEIS about the governance structures and opportunities for scrutiny and challenge; Requesting information from Fujitsu about its service provision to POL and aspects of this that are relevant to governance and the provision of transparent information about Horizon's capability, over the lifecycle of Horizon.

Timelines for the above evidence gathering approaches are outlined in the Engagement timeline diagram within this document (see page 5 of 18).

The sessions detailed in paragraphs A, B and C above will be held in 2 stages over 5 months:

- Stage 1 - will be 'hearing from those affected' (including private hearings) will take place from December 2020 to February 2021.
- Stage 2 - will be 'hearing from the organisations' will take place in May 2021.

The Inquiry will publish information it receives through a website, details of this will be available at the end of November 2020 on Gov.UK.

Public sessions stage 1: hearing from those affected

In stage 1 of the public hearing sessions Sir Wyn invites persons impacted by the Horizon dispute to attend focus group sessions, where participants can share their stories of the human cost.

The focus groups will aim to explore diverse experiences and perspectives of the:

- direct and indirect impacts of the Horizon issues and POL dispute processes upon persons; and
- the cultural and organisational settings which impacted individuals.

The Inquiry welcomes participation from current and former postmasters, employees of the Post Office Limited, relevant third parties - including but not limited to contractors and/or those who have represented postmasters' interests, or those who have been involved in mediation and/or dispute resolution processes with the Post Office Limited - and the family or friends of anyone from these groups.

Spaces are capped to attend focus groups and prospective participants are asked to express their interest by registering at <https://beisgovuk.citizenspace.com/business-frameworks/post-office-horizon-it-inquiry-public-hearing-sess/>.

When expressing an interest in attending a focus group, individuals may consent to attending one with public presence (open) or one without a public element (closed). The public (including media representatives) will be allowed to attend these open focus groups as **silent spectators**. We will also hold closed focus group sessions where participants do not consent to live public or media attendance at their session, however, a transcript (or a summary outline depending on individual consent) will be made available.

The Inquiry will hold approximately 15-20 focus group sessions lasting between 60 to 180 minutes, with 10-15 people in each group. Sessions will run for 12 weeks, commencing December 2020 into March 2021.

Those attending focus group sessions may be asked to participate as a case study for the final report, for which their consent will be sought in advance from a member of the inquiry team.

Private hearing sessions

The Inquiry recognises that some people may wish to share particularly personal accounts or sensitive information which is not suitable for sharing with the inquiry in a public or group setting. Such persons can express their preference to attend a small private hearing with the Chair. There will be no public or media attendance permitted at these sessions. However, a summary outline will be made available, attendees will be kept anonymous should individuals expressly request this.

Private hearings are limited in number and prospective participants are asked to express their interest by registering at: <https://beisgovuk.citizenspace.com/business-frameworks/post-office-horizon-it-inquiry-public-hearing-sess/>.

Private sessions will run for 12 weeks and will be conducted from December 2020 until March 2021.

Those invited to share their account in a private hearing may be asked to participate as a case study for the final report, for which their consent will be sought in advance from a member of the Inquiry team.

Public sessions stage 2: hearing from the organisations

In stage 2 sessions the Inquiry will hear from the organisations by calling on participants from senior positions in the Post Office Limited, Fujitsu, and the Department of Business, Energy & Industrial Strategy.

The purpose of these public hearings is to understand:

- The operating assumptions and institutional settings
- Organisational and structural factors that were at play

The public (including the media) will also be invited to submit questions that they would like the Inquiry to consider at the stage 2 sessions, via the Call for Evidence document published in late November, see question 6 of the FAQ for further details.

The public (including media) will be able to attend as silent spectators.

Numbers are limited to attend the stage 2 hearings, taking place in May 2021, and spectators are asked to express their interest by registering at:

<https://beisgovuk.citizenspace.com/business-frameworks/post-office-horizon-it-inquiry-public-hearing-sess/>

Attendance of hearing sessions and COVID-19 restrictions

All sessions will be delivered in line with COVID-19 guidelines, as such, it is likely that the first set of engagement sessions will be conducted remotely. Where it is reasonable, and possible, to hold “in person” sessions then these will be arranged.

A Call for Evidence and a People Survey:

There will be formal invitations extended to collect written evidence via a Call for Evidence being launched at the close of November, and a people survey conducted in early 2021. These will support the Inquiry’s understanding of the institutional setting and the experience of postmasters and employees/contractors at the Post Office Limited, both historically and as the company seeks to respond to the findings in the Horizon judgments, and implement the measures set out in the Settlement Agreement.

Written Statements regarding human impact and cost

Written statements to the Inquiry are also welcomed via the Call for Evidence that will be published in late November. You will be able to submit a written statement to the Inquiry until March 2021.

Those submitting a written account may be asked to participate as a case study for the final report, for which their consent will be sought in advance from a member of the inquiry team.

Annex A: Frequently Asked Questions

Publication of information received by the Inquiry

Q1: It has been reported that the Inquiry wasn't going to allow public/media access to the Inquiry or transcripts of evidence and now you're saying something different?

A: The Inquiry will publish information it receives through a website, details of this will be available at the end of November 2020 through the Inquiry's website:

<https://www.gov.uk/government/publications/post-office-horizon-it-inquiry-2020>

Questions on the engagement methods

Q2: Why are you having different types of engagement?

It is important that the Inquiry is accessible and provides appropriate channels to accommodate to the interests and preferences of diverse stakeholders who will have an interest. By providing several channels through which individuals and organisations can engage, such as public and private hearings, so that we can gather robust, wide-ranging evidence to support the development of recommendations for the final report.

Q3: What's the difference between a focus group and a private hearing with Sir Wyn?

A: A focus group session will bring together 10-15 individuals to discuss their experiences. The group will be led by a trained facilitator to bring to light common themes and shared experiences.

A private hearing with Sir Wyn will take place with only the individual, Sir Wyn and a member of the Secretariat present. There will be no public or media attendance at a private hearing. Private hearing sessions are offered to those who may have particularly sensitive accounts to share. You can express interest here: <https://beisgovuk.citizenspace.com/business-frameworks/post-office-horizon-it-inquiry-public-hearing-sess/>

Q4: Why are only some of the focus groups and meetings open to the media?

A: It is important that we respect individual preferences, particularly given the sensitivities surrounding this Inquiry. We therefore will offer a private hearing which will without any media and other witness presence, whilst more open discussions in the public hearing will enable media involvement.

Q5: Who will lead focus group sessions and who will be in my group?

A: Focus group sessions will be led by trained facilitators, Sir Wyn and a member of the Inquiry Secretariat would also be present.

Q6: What happens with the questions proposed by the public to the organisations at stage 2 hearings?

A: Sir Wyn will select the questions to be asked of the participants at the stage 2 hearings and all proposed questions will be made public. If there are questions not covered during the

sessions, Sir Wyn will consider the remaining questions for presenting to the stage 2 participants for their written reply. You can submit questions to be considered via the Call for Evidence which will be published in late November 2020.

Q7: I am a family member/representative of a person affected by events; can I attend a session on their behalf?

A: Yes, you can attend a session on an individual's behalf. Please express this on the EOI. <https://beisgovuk.citizenspace.com/business-frameworks/post-office-horizon-it-inquiry-public-hearing-sess/>

Q8: Will the online events be easily accessed?

A: Yes, ahead of any event the Inquiry will share instructions on how to access the online event.

Q9: What will the media do with my information if I attend an 'open' focus group?

A: Members of the media who attend a focus group session may report on the session but the content of their report will be a matter for them to decide and the Inquiry cannot dictate what the media should report. The Inquiry is offering participants open sessions (public attendance permitted) and closed sessions (public attendance not permitted) so that sensitive accounts can be shared in the absence of members of the public and the media. We will ask members of the closed session focus groups to maintain the confidentiality of any information shared as a condition of participation in these sessions.

Completing the registration form for attending the public hearing sessions

Q10: Does the EOI form have a date by which I need to complete it?

A: Yes, we ask that you complete the form by 29 January 2021 at <https://beisgovuk.citizenspace.com/business-frameworks/post-office-horizon-it-inquiry-public-hearing-sess/>

Q11: I would like some help to fill in the EOI form, is there someone I can talk to about this?

A: Please contact POSecretariat@postofficehorizoninquiry.org.uk and a member of the Secretariat will assist you.

Legal representation

Q12: Is the Inquiry covering participants' legal fees?

A: As with most other non-statutory inquiries, support for legal costs of participants will not be provided.

Miscellaneous

Q13: I want to submit a statement. I don't want to take part in any of the engagement sessions, how can I send a written statement?

A: You can send your statement to POSecretariat@postofficehorizoninquiry.org.uk. We will also publish a 'Call for Evidence' in late November 2020 which you can respond to.

Q14: I would like to send in a statement but have difficulty preparing this and I can't pay for a lawyer, is there any way that the Inquiry can help me with preparing my statement?

A: As with most other non-statutory inquiries, support for legal costs of participants will not be provided. There are, however, other channels through which you can engage with the Inquiry such as the Call for Evidence and getting in touch directly at:

POSecretariat@postofficehorizoninquiry.org.uk

or write to

the Post Office Horizon IT Inquiry
1 Victoria Street
Westminster
London
SW1H 0ET

Annex B: Privacy Notice

Introduction

1. The Post Office Horizon IT Inquiry (the Inquiry) is an independent public inquiry exercising functions in the public interest. The Inquiry is the data controller for your personal information.
2. The scope and terms of reference of the Inquiry are set out on our website at <https://www.gov.uk/government/publications/post-office-horizon-it-inquiry-2020>. The purpose of this privacy notice is to set out how the Inquiry will use your personal data; who it may be shared with; and your rights. It is made under Articles 13 and/or 14 and Article 30 of the General Data Protection Regulation (GDPR).

What data the Inquiry needs to collect, and the legal basis for processing it

Purposes of data collection

3. The purposes for which the Inquiry collects and processes your personal data are the effective conduct of the inquiry into the implementation and failings of the Horizon IT computer system over its lifetime and discharging the Terms of Reference.
4. The Inquiry is investigating the matters set out in its Terms of Reference and will do so in the manner set out in its relevant Statement(s) of Approach, Delivery Plan and Stakeholder Engagement Plan. The Inquiry must process personal information for the purposes of its investigations and to enable it to carry out its work.
5. Personal information is used by the Inquiry in a number of ways – for example, to gather evidence as part of the Inquiry’s investigation, to facilitate access to the Inquiry, to enable witnesses to give evidence and to communicate with you and keep you updated on the progress of the Inquiry.
6. Personal information may also be contained in the Report of the Inquiry. Personal information may also be used by the Inquiry to comply with the law and with contracts that the Inquiry has entered into.

Data collected

7. Personal data is collected, recorded and organised by the Inquiry. Typically, data will be requested by the Inquiry from relevant individuals or organisations or submitted voluntarily, for example in a witness statement.
8. Personal data processed by the Inquiry can therefore comprise the personal data of:
 - a. Members of the public;
 - b. Interested parties in the Inquiry

- c. Other witnesses providing evidence to the Inquiry
 - d. Contracted parties to the Inquiry.
9. The following is a non-exhaustive list of categories of personal data that will be processed in relation to the Inquiry's core function:
- a. Personal data – typically biographical data such as name, date of birth, personal description, contact details, images and voice recordings.
 - b. Special category data – this will typically include data relating to health, data relating to race/ethnicity, religious beliefs and Trade Union membership. Some special category data may relate to children.
 - c. Personal data relating to criminal convictions and offences – some data in relation to criminal convictions is processed, subject to strict controls.
10. The Inquiry keeps your data secure and only shares it with those who are required to see it as part of the process of the Inquiry. All personal information we receive is handled fairly and lawfully in accordance with data protection legislation. Typically, personal data is held in digital format in IT systems which meet government security standards. The details of the security arrangements are not set out in this Notice to avoid compromising the effectiveness of those arrangements.

Legal basis

(i) Non-special category personal data

11. For data which do not fall within the definition of special category data (see below), the Inquiry will rely on the legal basis described below for processing. When processing your personal data, the Inquiry will, at all times, consider whether the processing or disclosure of such data is necessary for the Inquiry proceedings and functioning:

In respect of the core functions of the Inquiry

- a. the primary legal basis relied on for lawful processing by the Inquiry of personal data is Article 6 (1)(e) GDPR, processing that is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. The Chair has official authority to perform the core function of the Inquiry in order to investigate the matters falling within the Inquiry's terms of reference.
- b. In respect of material provided to the Inquiry (in particular, by witnesses) where you as the data subject have given consent to the processing, Article 6 (1) (a) GDPR will also apply.

In respect of contracts:

- c. For providers of services to the Inquiry, the primary legal basis for processing your personal data will be that it is necessary for the performance of a contract to which you are a party.

(ii) Special category personal data

12. Special category, or sensitive, data is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data (where used for identification purposes), data concerning health or data concerning an individual's sex life or sexual orientation.
13. Processing by the Inquiry potentially extends to all types of special category personal data, but most typically will involve information relating to health, race/ethnicity, religious beliefs and trade union membership.
14. In addition to the legal bases for processing personal data generally, outlined above, the legal bases for processing sensitive personal data pursuant to Article 9 GDPR, read together with s. 10 of the Data Protection Act 2018, are:
 - a. that processing is necessary for to protect the public from dishonesty, malpractice or other seriously improper conduct, unfitness or incompetence, mismanagement in the administration of a body or association, or failures in services provided by a body or association; that it must be carried out without the consent of data subjects so as not to prejudice the exercise of those functions, and that it is necessary for reasons of substantial public interest.; or
 - b. that the consent of the data subject (where applicable) has been obtained.

(iii) Criminal conviction personal data

15. Where data relating to criminal convictions/offences is concerned, the lawful purpose will be the same as set out in paragraph 14 above.

Who we share your data with and why:

16. As Inquiries are publicly accessible, your personal data may be shared with anyone following the proceedings, including the press, when given in evidence. There are clear processes, including robust redactions processes, in place which govern the protection of your personal data. This is to ensure that - save where consent is provided by you, the data subject - only data necessary for the Inquiry's performance of its functions will be disclosed outside the Inquiry or to those instructed by the Inquiry.
17. During the course of undertaking the duties of the Inquiry, your data may be shared by the Inquiry with the following main groups (if applicable):
 - a. Solicitors and Counsel to the Inquiry
 - b. Recognised legal representatives of individuals and corporate bodies recognised as interested parties in the Inquiry
 - c. Interested parties in the Inquiry
 - d. Expert witnesses appointed by the Inquiry
 - e. Assessors appointed by the Inquiry
 - f. Advisers to the Inquiry Chair
 - g. Third party data processors (such as providers of IT infrastructure or services)

- h. The public, via the Inquiry website, public reports and transcripts, or online communication platforms.
- 18. The majority of personal data submitted to the Inquiry is transferred to IT systems operated by 3rd party Data Processors for the purposes of storing, reviewing and analysing documents and information.
- 19. The Inquiry has appropriate measures in place with its data processors, which means they cannot do anything with your personal information unless the Inquiry has instructed them to do it. They will not share your personal information with any organisation apart from the Inquiry, or as directed by the Inquiry. They will hold your data securely and retain it for the period the Inquiry requires. At the conclusion of the Inquiry, data that is to be retained as part of the historic record will be transferred to the National Archives, although any personal data included will continue to be protected. We may also share data where we are under a legal obligation to do so, or where it is necessary to assist with a criminal investigation.

How long will the Inquiry keep your data for?

- 20. Personal data will be held by the Inquiry until the conclusion of the Inquiry. At the end of the Inquiry, some of the personal data held by the Inquiry will – where it is considered to form part of the historic record – be transferred for the purposes of indefinite retention of Inquiry records by the National Archives in accordance with the Public Records Act 1958. Personal data that is not required for archiving purposes will be destroyed in accordance with the Inquiry's Retention and Erasure Policy.

Your rights

You have the right to request information about how your personal data is processed, and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay.

You have the right to request that any incomplete personal data is completed, including by means of a supplementary statement.

You have the right to request that your personal data is erased if there is no longer a justification for them to be processed.

You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.

Where we are relying on your consent, you have the right to withdraw consent to the processing of your personal data at any time.

If we are not relying on your consent, you may have the right to object to the processing of your personal data. Any objections will be considered in the context of the Inquiry's statutory duties and the necessity of processing personal data for that purpose.

Where we are relying on your consent, or a contract with you, you have the right to request a copy of any personal data you have provided, and for this to be provided in a structured, commonly used and machine-readable format.

21. The rights and obligations set out in this Notice may be subject to exemptions or limitations, to the extent authorised by the GDPR and the Data Protection Act 2018 (including paragraph 14 of Part 2, Schedule 2), to be applied on a case-by-case basis.

International transfers

22. As your personal data is stored on our IT infrastructure, and shared with our data processors, it may be transferred and stored securely outside the European Union. Where that is the case it will be subject to equivalent legal protection through the use of Model Contract Clauses.

Complaints

23. If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Tel: 0303 123 1113 Email: casework@ico.org.uk. Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

Contact details

24. The data controller determines the purposes and means of processing personal data. The Data Protection Officer provides independent advice and monitoring of the Inquiry's use of personal information. The Inquiry's Data Protection Officer is Farahnaz Ashouri. The Data Protection Officer can be contacted at:
- Post Office Horizon IT Inquiry (Data Protection), 1 Victoria Street, London SW1H 0ET
 - By email at: dataprotecion@beis.gov.uk

This publication is available from: www.gov.uk/government/publications/post-office-horizon-it-inquiry-2020

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