



Disclosure &
Barring Service

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Meg Hillier MP
Chair of the Public Accounts Committee

By Email

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Dear Ms Hillier

I promised to write in response to outstanding questions from the 11 March 2019 Public Accounts Committee update hearing on the Disclosure and Barring Service (DBS).

Home Office, CRB and DBS involvement during the process of the delivery of the system raised by Mr. Rowley (Q62-Q64):

I can confirm the following:

The Home Office (HO) led the programme that established the DBS from the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA). The programme also included the procurement of the new contract that Tata Consultancy Service (TCS) won. As part of the procurement process all bidders were provided with a comprehensive set of requirements and services that would need to be delivered. Those requirements were compiled by HO, CRB and ISA.

As part of the tender process TCS produced a high-level design which was reviewed and evaluated as part of their bid. The procurement was a competitive dialogue process and so the design approach was discussed and understood at that time. CRB and ISA were involved in the evaluation process before DBS was established.

The Agreement anticipated that the design would be based on third party products from well-established vendors, (for example, the Oracle Service Bus and Siebel), which would be configured to meet the majority of DBS' requirements. Contractually, TCS bore all responsibility for design, including the configuration and integration of these third party products.

The initial Business Design Documents (BDD) were approved by DBS in 2014, which should have been updated following the decision to change the hosting provider (DXC) and associated solution. DBS was not satisfied with the quality of these design documents despite a number of iterations that were delivered throughout 2015. TCS insisted that further work on the architectural design was unnecessary and that the solution would be delivered on 15 November 2015.

As the contractual position imposed all the risks relating to both design and delay on TCS, DBS reluctantly accepted this. The alternative was to stop the project and to insist that the design documents be brought up to date leading to a further significant delay. TCS failed to deliver the solution as promised in November 2015.

In the period up to September 2017, TCS consistently asserted that deliverables were ready or on the cusp of delivery. If DBS had stopped the project to evaluate the design documents, it is very likely that there would have been a prolonged delay and further disputes between the parties about whether such a stoppage was justified.

Intellectual property rights to the system raised by Sir Geoffrey Clifton-Brown (Q65):

I can confirm that DBS owns the Intellectual Property Rights to materials that have been specifically developed by TCS for the project, such as code, interfaces, portals, firewall rules, documents, training materials.

Within DBS' systems are some standard third-party products alongside some 'custom-made' components. These 'custom-made' components are likely to be too specific to have value to another party, and it is our view that these have not been designed well and do not function effectively.

To the extent that the system uses third party products (Oracle, Siebel, etc), DBS either already has a direct licence to use those products or TCS is obliged to procure equivalent rights on behalf of DBS.

TCS retains ownership of its "Background IPR". This relates to TCS' "know how", "templates" and "ways of working". To the extent that these materials have been incorporated in the system, they will be either be:

- a. licensed to DBS; or
- b. owned by DBS because they are part of the materials which have been specifically developed for the project.

System testing prior to release raised by Mr Rowley (Q72):

Accountability for testing the R1 solution lay with TCS and the contract limited DBS' role in this to User Acceptance Testing (UAT). The aim of UAT was to ensure that the system TCS had built would allow DBS to manage barring cases and process Basic checks.

Prior to the delivery of Barring and Basic, we set out a wide range of conditions that the system would need to meet, and we created 162 end-to-end scenario test scripts that were executed during UAT. The pre-agreed exit criteria for UAT were passed, and DBS agreed to deploy the system into the live environment on condition that the outstanding issues were fixed and that TCS would provide DBS with "hyper care" (enhanced support). Some lower priority defects were still present but that was within our acceptance criteria.

Once the code was deployed into the live environment a small selection of DBS operational staff carried out 3 full days of Business Readiness Testing in the live environment before the system was declared operational for wider use.

The biggest issue emerging after go-live was system performance. TCS had carried out a lengthy performance testing phase, using modern performance test tools in a dedicated test environment, which DBS witnessed and assured using expert performance test resource. This environment had been designed by TCS to replicate the live environment.

The expert resource confirmed that the test approach was valid, and that DBS could rely on the results, which were within pre-agreed tolerances.

As it became evident that TCS weren't making any progress in resolving the performance issues, DBS set-up a performance focused cross supplier working group to identify the cause of poor performance. A baseline of timings was established across a set of repeatable tests. Over a period of 2-3 months the test cycles were repeated with different conditions whilst monitoring was carried out by all suppliers. Using this approach it was concluded that the performance issues were a consequence of the way TCS had designed the system and the infrastructure solution in the DXC cloud.

Since then, TCS has taken 12 months or more to implement changes to the infrastructure which have started to result in R1 system performance improvements.

The use of an agile/iterative approach for a legacy system that is in need of replacement raised by Mr. Rowley (Q150):

I can confirm that DBS systems are made up of a range of individual components, processes and applications, including web portals, document management systems, workflows, printing services and payment services. Rather than trying to replace all components at once (the so-called "big bang" approach) DBS is planning to implement a strategy of improvements to the separate systems by consolidating, replacing, updating and improving individual components. It is intended that this will be an incremental process through smaller manageable projects to modernise the system. In the longer term, this strategy should reduce DBS' dependency on a small number of suppliers as well as giving DBS more visibility and control over its projects.

Ultimately this approach has been adopted to minimise any risk to DBS services and limit any potential impact on the safeguarding of vulnerable groups within society.

I hope this provides a full response to the issues raised. If any further clarification on these points is needed please contact me.

Yours sincerely



Adele Downey
Chief Executive of the DBS