

# Advancing data justice research and practice

Terms of Reference 04/06/2021

*This Terms of Reference provides guidance on one of two deliverables that the Global Partnership on AI's ("GPAI") Data Governance Working Group will deliver for GPAI's 2021 Summit (expected to take place November 11-12th 2020). Formal requirements for tender responses are specified under Annex 1.*

## 1. Context

As artificial intelligence and machine learning (AI/ML) move towards becoming general purpose technologies increasingly traversing every area of life ensuring that their deployment does not perpetuate historical injustices and structural inequalities.<sup>1</sup> Without rights-preserving frameworks for the governance of data as the key input in such advanced technologies, AI and ML's potential to contribute to some of the most intractable problems of our time such as climate change and the global pandemic will be overshadowed by its potential to introduce harms and exacerbate inequalities.

Rights-based frameworks such as the European Union's General Data Protection Regulation (GDPR) tend however to focus primarily on data protection and that is generally equated with privacy - specifically privacy with individualised rights and risks and therefore protections. The pandemic has highlighted the need for data also to be regulated in the collective interest or for common good. Collective interest also pertains to the governance of data in the context of identifiable groups or communities where the potential consequence of individual identification results in the exposure of collective identity<sup>2</sup>. Another concern around collective protection of data is in relation to indigenous communities' who may require limitations on access to their data and knowledge systems within wider calls for open data to reduce concentration of ownership of data or in the interests of competition or consumer protection discussed below.

The concept of data justice promotes a broader view than data protection. It has been defined as "*fairness in the way people are made visible, represented and treated as a result of their production of digital data*"<sup>3</sup>. Conceptually, for the purposes of this study, data justice also extends beyond notions of political rights and justice to social and economic rights and regulation that is necessary to redress inequities and enable people to exercise their rights. There are many other areas of data governance in relation to data availability, accessibility, usability, and integrity that impact on equitable inclusion. There are also issues of intellectual property and ownership that impact on fair trade, competition and consumer rights<sup>4</sup>. The opening up of data markets or data flows, for example, without enabling the fair and equitable participation of individuals, communities and countries disadvantages Low and Middle Income Countries and globally marginalised groups. Furthermore, not governing the economics of data perpetuates the status quo.<sup>5</sup>

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<sup>1</sup> See for example Birhane, A. (2020) Algorithmic injustice: a relational ethics approach, Patterns, vol.2, Issue 2, Science Direct, <https://www.sciencedirect.com/science/journal/26663899/2/2>

<sup>2</sup> Solove, 2020; Tisne, 2020; Tufekci, 2018

<sup>3</sup> Taylor, L. (2017). What is data justice? The case for connecting digital rights and freedoms globally. Big Data & Society, 4(2), 2053951717736335. <https://doi.org/10.1177/2053951717736335>

<sup>4</sup> OECD. (2019). Data governance in the public sector. 23–57. <https://doi.org/10.1787/9cada708-en>

<sup>5</sup> See Singh, P. J., & Gurumurthy, A. (2021). Economic Governance of Data—Balancing individualist-property approaches with a community rights framework. IT for Change.

It is already evident that the distribution of benefits and harms is uneven between countries and those individuals and communities marginalised within them. Regulation of data to redress global asymmetries in information flows, social structures and political power; and preventing conscious or unconscious embedding of racial, gender and other biases into AI systems will also be necessary to redress the inequity of opportunity in the production of AI and to mitigate the differential risk for people and communities.<sup>6</sup>

However, global standards or 'best practices' for data governance tend to reflect the priorities of high-income countries with lower income countries left in the role of "standards takers."<sup>7</sup> Greater consideration needs to be given to the unintended consequences that may undermine their efforts of lower income countries to develop their domestic digital economies in order to participate more effectively in the global digital economy.

This more complex view of Data Justice focuses on:

1. **Benefits, harms and risks:** As long as regulatory frameworks do not actively extend the benefits of AI and ML from those already privileged in society to those who are marginalised from it, their deployment will replicate, probably exacerbate existing social and economic inequalities. Further, while the potential benefits and harms associated with the development of AI/ML systems may be universal, the impacts are uneven thus requiring differential risk mitigation.
2. **A focus on positive as well as negative rights** is important with respect to inclusion, equality, redress, and social justice implementation in the context of data governance. The literature and practice of data governance have predominantly been viewed and undertaken from a negative regulatory perspective (e.g compliance with data protection and cybersecurity) and yet, there are many areas of data governance that require positive regulation such as data sovereignty, access to it, its usability and integrity.
3. **Collective rights:** A collective view of data protection should augment the individualised view dominant in privacy frameworks. Under circumstances where an individual has to surrender their privacy (and the most marginalised are most at risk of being compelled to do so) this may reveal group or collective identity. Under different circumstances or disaster contexts for example, there may be a need for collective rights to prevail over individual rights. Collective rights of indigenous communities over the ownership and exploitation of their data may restrict general access and use rights or practices of any individual.
4. **Indigenous community rights:** ownership of the data, information and knowledge of indigenous communities should be protected from exploitation. [The Role of Data in AI](#) report states that "Indigenous Data Sovereignty, as 'the right of Indigenous Peoples to own, control, access and possess data that derive from them, and which pertain to their members, knowledge systems, customs or territories' (IWGIA, 2020), should be considered in any discussions about accessibility, openness and FAIRness in relevance to data from indigenous populations. The rights of indigenous communities to create and derive value from their own data should be respected and

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<sup>6</sup> See Razzano, G (2021) Understanding the Theory of Collective Rights: Redefining the Privacy Paradox, Research ICT Africa Policy Brief 4,

<https://researchictafrica.net/wp/wp-content/uploads/2021/02/Data-Trusts-Concept-Note.pdf>

<sup>7</sup>Pisa M, Dixon P and Ndulu B (2021) Addressing Cross-Border Spillovers in Data Policy: The Need for a Global Approach, Centre for Global Development blog

<https://www.cgdev.org/blog/addressing-cross-border-spillovers-data-policy-need-global-approach>

data should be used in ways which align with indigenous values and worldviews. The CARE principles are an important tool which highlight these issues, and were written to complement the FAIR principles, to ensure that indigenous data rights are considered at all stages of the lifecycle of indigenous data”

5. Invisibility, representational bias and discrimination: In the design of AI and ML systems and in the governance of their use particularly in decision-making, awareness of [bias](#) and significant data collection gaps in the areas of [sex and gender](#) identification and race data collection in, for example, policing and support court judgements, [mortgage and loan approval and underwriting](#), workforce safety, health care, and medical treatment domains that will directly impact AI/ML system performance and measures need to be developed to deliver just outcomes. I
6. **Challenging assumptions about democratic rights and support for human development.** The normative frames within the countries which the SDGs were designed to aid are frequently very different from those in the economies of high income countries that create the bulk of the automated and AI/ML systems. This means that the data governance norms and practices emerging globally for AI/ML systems or service providers are at a minimum not understood or accepted and at worst fundamentally misaligned within the cultural context in which they are deployed. These data governance approaches usually assume democratic and rights frameworks, institutional endowments, and levels of human development that allow citizens to exercise their rights and freedoms, that may be absent or limited in many low and middle income contexts.
7. **Highlighting North-South and South-South collaboration:** data justice considerations should include developing more effective entry-points for low and middle income countries to participate in forums of global governance and agenda setting, so that contextual factors affect access to data and technology, especially with regards to data collection and processing mechanisms can be foregrounded.<sup>8</sup> Greater global cooperation is also more likely to overcoming challenges relating to data availability, discoverability, reproducibility, and the absence of useful benchmarks that provide a sound evaluation baseline when deciding which models to utilize in an operational setting (e.g UNESCO’s linguistic diversity report highlights the urgent need for linguistically diverse data collection<sup>9</sup>). Broader participation in global governance and economic regulation of data is also likely to reduce problems of involuntary incorporation by low-come and emerging economies in global agreements and normative frameworks to which they have not actively been party.
8. **Cross-border data flows and open data:** while enabling access to and the free flow of data is believed to support innovation and development, if it is done without promoting greater inclusion and participation by those currently marginalised from AI/ML development, digital trade and its governance will perpetuate, indeed likely amplify, existing inequities between and within countries. *The Global Partnership on AI*

The [Global Partnership on AI](#) (“GPAI”) has been established with a mission to “*support and guide the responsible adoption of AI that is grounded in human rights, inclusion, diversity, innovation, economic growth, and societal benefit, while seeking to address the UN Sustainable Development Goals*”.<sup>10</sup> Driven by a multistakeholder approach, it is supported in its mission by four Working Groups made up of leading international experts, and 19 member governments and counting.

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<sup>8</sup> UNESCO’s report on AI, Steering AI and Advanced ICTs for Knowledge Societies

<sup>9</sup> UNESCO Linguistic Diversity Report

<sup>10</sup> Global Partnership on AI Terms of Reference

The Data Governance Working Group, co-chaired by Jeni Tennison and Maja Bogataj Jančič, supports GPAI's mission with its mandate to *“collate evidence, shape research, undertake applied AI projects and provide expertise on data governance, to promote data for AI<sup>11</sup> being collected, used, shared, archived and deleted in ways that are consistent with human rights, inclusion, diversity, innovation, economic growth, and societal benefit, while seeking to address the UN Sustainable Development Goals.”*

The Data Governance Working Group is supported by a Centre of Expertise (one of two supporting GPAI as a whole), [the CEIMIA](#). The Centre is led by an Interim Executive Director, Jacques Rajotte, and the Working Group is supported by Ed Teather (on secondment from the UK's Office for Artificial Intelligence).

For Summit 2020, the Data Governance Working Group produced two projects:

1. [A Framework for GPAI's work on Data Governance](#) - setting the stage for all future Working Group projects, serving as an overview over the most relevant terms and defining the understanding of the Working Group of data governance in the context of AI. The Consultant is expected to familiarise themselves with this paper and its terms, and, acknowledging that it is a living document of the Working Group, suggest updates as relevant in light of this project.
2. [An investigation into the Role of Data in AI](#) - to complement and dig into topics in the Framework in more depth, this situates the importance of data to AI development and identifies areas both where more data would be useful - such as specific, open, datasets that could be worthy of national support or international collaboration - and where harms arise due to the collection of, use of or access to data. This project builds upon two recommendations in the report: (1) the need to undertake targeted research into the broad topic of data injustice and potential mechanisms to counteract current problems, and (2) that we should work to shape accountable practices and rights-based norms for data governance.

Following a process of ideation, concept development, and prioritisation, the Working Group has determined that it will focus on two cross-domain projects for the next 18 months: (1) *“Advancing data justice research and practice”*, and (2) *“Enabling data sharing for social benefit through data institutions”*. In addition, the Working Group will be collaborating with other GPAI projects to advise on the data governance aspects of their projects; these include climate change and biodiversity, drug discovery and open science, social media governance, and intellectual property.

This Terms of Reference focuses on *“Advancing data justice research and practice”* and the delivery of its milestones for GPAI's 2021 Summit, scheduled for 11th-12th November 2021. The purpose of the Summit is to bridge the gap between theory and practice on AI by supporting cutting-edge research and applied activities on AI-related priorities.

## 2. Objective

The objective of this project is to fill a gap in Data Justice research and practice that provides a frame to help practitioners and users to move beyond understanding data governance narrowly, as a compliance matter of individualised privacy or ethical design, to include

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<sup>11</sup> The Mandate draws upon the definitions set out within the [OECD Recommendation on Artificial Intelligence](#) for this purpose

considerations of equity and justice in terms of access to, and visibility and representation in, data used in the development of AI/ML systems.

The project aims to provide (a) an assessment of the current state of research in this area and the identification of gaps in order to create a forward looking research agenda and (b) a preliminary guide for three types of stakeholders –policymakers, developers, and communities affected by AI/ML systems – to consider in their practice and use of AI/ML systems, specifically in consideration of realising the 2030 Sustainable Development Goals.

### 3. Outputs

There are two required outputs that must be delivered by this project:

- (1) **An annotated bibliography and state-of-the-art literature review.** The summary will include salient literature and reporting on data justice considerations, with particular attention to the gaps, as described in the [Context](#) section. It may include (depending on the discovered prior art) summaries of relevant typologies of data (including data sets), gaps and associated common harms, differential risks that accompany digital developments, and the underlying factors of structural and intersectional inequality that lead to the unequal distribution of benefits and harms. These typologies would scope the Data Justice considerations for the deployment of a significant AI/ML system, and the extent to which current efforts at guidance address these considerations (and where there are gaps).

This will take the form of a report (20-30 pages in length), and a brief Powerpoint presentation summarising findings.

- (2) **Preliminary guide for three types of stakeholders (i.e., policymakers, individuals/communities marginalised by AI/ML systems, and developer communities) on the practical questions they should ask during development, delivery, and use of AI-enabled systems.** This should be sufficiently developed by GPAI Summit 2021 to be informally evaluated in structured interviews with key constituents. The final delivery will include a pilot testing plan that documents how the utility of the preliminary guides can be evaluated for each of the key stakeholder groups with candidate partners representing our target audiences in real world contexts.

The guides would be expected to be 20-40 pages with specific sections for each stakeholder (i.e., policymakers, developers, and communities affected by AI/ML systems), and a set of short, accessible and shareable audiovisual primers providing a conceptual introduction on Data Justice and what it means for these three target audiences (subtitled, GPAI-branded video segments of 3-5 minutes in length).

For the **Interim Report** presented at the Summit (see ‘Timelines’ under Section 8), our expectations are:

- The first output (“annotated bibliography and state of the art research literature summary”) should be completed by the Summit.
- For the second output, at a minimum, the Interim Report should include a preliminary assessment of the implications for the three stakeholder audiences, the research questions that will be consulted on with these stakeholders, including a plan to do so

via Summit engagement, structured interviews, expert review and online consultation that the Consultant will implement in order to finalise the preliminary guides by 31st January 2021.

The GPAI DGWG team of experts and this Consultancy Partner will work together to finalise a presentation on a Data Justice research agenda in support of the Summit.

#### 4. Scope

The **annotated bibliography and critical review of the literature** will provide needed context and identify gaps that need to be filled as we move towards a more complete view of Data Justice. The final aspect of this component will also develop a forwarding looking research agenda.

The **'preliminary guides'** will document key questions that stakeholders should be asking based on an assessment of the critical review of the literature and practice. The guides will provide policymakers, developers and individuals and communities affected by AI/ML systems frameworks for reflection on how their planning, application and use of data can produce more just and equitable outcomes.

It will position the identified gaps as questions to actively consider. The idea is that the guidelines will then be tested with a set of representative pilot partners in 2022, to provide a feedback loop for future iterations and a means to start exploring how initial gaps may be filled in a real-world context.

It should help each target audience as follows:

- (1) Policymakers:** input on participating in policy debates of global governance of data and AI/ML in regional economic communities and regional blocs and single markets that reflect the material conditions and institutional endowments in diverse communities and countries across the world. This work should enable improved engagement in agenda setting and negotiations on global governance of data directly and indirectly (e.g., trade, treaties, taxation). Furthermore, policymakers should consider how their country or organizations can become bound to international data governance agreements or standards without their key constituents' involvement in "global forums" and thus diminishing the voice of communities and states with limited resources.
- (2) Individuals and communities marginalised by AI/ML systems:** guidance on tools, resources and mechanisms that can help provide accountability and transparency through the lens of 2-3 case studies. The case studies may be the tools, resources and mechanisms available to a representative body serving its members (e.g a civil society organisation or a union) or for members of the public. They should be geographically and socioeconomically diverse, and identify the gaps for each case study as areas for further investigation.
- (3) Developer communities:** guidance should help articulate factors and questions that organizational leaders, managers, and developers should consider during development, prototyping, and deployment of AI/ML systems. This includes organizational culture and incentives, innovation environment factors, approaches to risk management, as well as, technical aspects of datasets used for training, testing,

and operation of AI/ML algorithms.

## 5. Resource

The Centre of Expertise will provide programme funding (of up to \$147,000 Canadian dollars) to appoint expert consultancy support for the development and production of these outputs.

Working Group members that have volunteered for this project currently includes:

Alison Gillwald (Project Co-Chair)	Research ICT Africa (South Africa)
Dewey Murdick (Project Co-Chair)	Center for Security and Emerging Technology (USA)
Jeni Tennison (Working Group Co-Chair)	Open Data Institute (UK)
Maja Bogataj Jančič (Working Group Co-Chair)	Intellectual Property Institute (Slovenia)
Takashi Kai (Member)	Hitachi (Japan)
Shameek Kundu (Member)	Truera (Singapore)
Hiroshi Mano (Member)	Data Trading Alliance (Japan)
Nagla Rizk (Member)	American University in Cairo (Egypt)
Zümrüt Müftüoğlu (Member)	Yildiz Technical University (Turkey)
Jaco Du Toit (Observer)	UNESCO
Teki Akuettah Falconer (Member)	Africa Digital Rights Hub (Ghana)
Shameek Kundu (Member)	Truera (Singapore)
Te Taka Keegan (Member)	University of Waikato (New Zealand)
Takashi Kai (Member)	Hitachi (Japan)
PJ Narayanan (Member)	International Institute of Technology, Hyderabad (India)
Kim McGrail (Member)	University of British Columbia (Canada)

From these, the Centre will establish an **Evaluation Panel** for bids (absolving those with a potential conflict of interest at this stage), that will then become the **Project Steering Group** during the project engagement (bringing back in those who may have been absolved from the selection process).

The Working Group recognises that there are additional experts that have particular specialist insight on the Data Justice research agenda, and plans to invite these experts to join the Project Steering Group.

## 6. Governance

The **Centre** will run the administrative process for the selection of consultancy, provide advice to the **Project Steering Group**, and contractual management for the duration of the project. It will be responsible for graphic design (in line with GPAI's visual identity) and translation of written outputs.

The **Evaluation Panel** will lead on the scoring of bids.

The **Project Steering Group** will lead on project direction, review, and guidance to the Consultancy Partner. The **Project Steering Group** will be available to meet with the Consultancy Partner on a regular basis (weekly). In consultation with external experts and the wider Working Group in June (prior to the Consultancy Partner's appointment), it will

prepare a draft consensus statement on a research agenda for Data Justice that can be published for consultation.

The **Data Governance Working Group** will review key milestones (e.g drafts) and be invited to workshops organised and run by the **Consultancy Partner**.

The **Consultancy Partner** will:

- lead on drafting the outputs specified under Section 3, and be responsible for the final product satisfying the standards and expectations of the Project Steering Group
- collate and integrate feedback on the consultation for the draft statement, following discussion with the Project Steering Group
- manage close consultation with the Steering Group in the process of drafting, by planning a set of review points as red-teaming sessions, including:
  - The initial research proposal and suggested structure/outline of outputs (2-6 page document)
  - Initial findings and preliminary conclusions from research (slide deck)
  - Draft outputs
- convene globally representative workshops with the project's target audiences (policymakers, individuals/communities marginalised by AI/ML systems, developer communities)
- coordinate external peer review of the final report (external reviewers to be suggested by the Project Steering Group)
- contribute to the monthly online meetings with the wider Working Group, including presentations and breakout discussions

## 7. Methodology

The **Centre** (CEIMIA) will lead on organising and running the process to select a **consultancy partner** and will apply the evaluation criteria under Annex 1.

A comprehensive, appropriate and robust approach to delivering the full scope of the work is one of the evaluation criteria for the Consultancy Partner (see methodology under Annex 1). Once appointed, the Consultancy Partner will:

- undertake an **annotated bibliography and state of the art research literature summary** structured to aligned to the scope of the project (building on the background materials that the Project Steering Group will have collated) - following consultation with the Project Steering Group on the best reference points
- in consultation with the Project Steering Group on the agenda and invite list, convene **target audience workshops** orientated around the user needs of policymakers, individuals/communities marginalised by AI/ML systems, and developer communities.
- **organise stakeholder consultation on preliminary guides through a mix of channels** (for example: Summit engagement, structured interviews, expert review and online consultation).
- incorporate **a set of review points** (as referenced under section 6) so that the outputs align with the perspective of the Project Steering Group and wider Working Group.

## 8. Timeline

**Bidding consultancy partners are required to set out a timescale for meeting the full scope of the project in their proposals (see Annex 1 under Project Management).**

A timetable is set out as below:

Milestone	Date
Request for Proposals published	4 June 2021
Deadline for Proposals	Midnight (Anywhere on Earth), 18 June 2021
Evaluation and selection of proposal	23 June 2021
Notification of tenderers	25 June 2021
Contract signed	27 June 2021
Start of consultancy engagement	28 June 2021
Research proposal reviewed by Project Steering Group	2 July 2021
Initial findings and heads for Summit outputs reviewed by Project Steering Group	9 August 2021
Draft Summit outputs provided for review by Working Group and external reviewers	10 September 2021
Summit outputs as approved by Working Group and CEIMIA submitted to GPAI's Steering Committee	30 September 2021
Summit presentation of interim report	11-12 November 2021
Draft final outputs (research report and preliminary guide ready to pilot) submitted to Project Steering Group for review	10 January 2022
Final outputs (research report and preliminary guide ready to pilot) published.	31 January 2022

The Working Group as a whole currently meets on a monthly basis for up to two hours. The Working Group Co-Chairs will meet with Project Co-Chairs on a fortnightly basis. The Project Steering Group will be available to meet on a weekly basis.

## Annex 1: Tender response and evaluation criteria

By midnight (anywhere on Earth) on the 18th June 2021, interested parties should submit a costed proposal (in English) to [jacques.rajotte@ceimia.org](mailto:jacques.rajotte@ceimia.org) and [edward.teather@ceimia.org](mailto:edward.teather@ceimia.org), which includes:

- the project title “Advancing data justice research and practice” in the email subject line
- a proposal that meets the requirements of the evaluation criteria specified below

If you have any questions about the tender, please contact [jacques.rajotte@ceimia.org](mailto:jacques.rajotte@ceimia.org) (Interim Executive Director, CEIMIA) and [edward.teather@ceimia.org](mailto:edward.teather@ceimia.org) (Head of Data Governance Initiatives and International Partnerships, CEIMIA) no later than the 14th of June. CEIMIA reserves the right to make both anonymous questions and answers public or shared with other organisations having stated their interest.

### *Evaluation criteria*

GPAI has a mission statement that states that it should “*facilitate international project-oriented collaboration ... taking into particular account the interests and contributions from emerging and developing countries*”. This is reflected within our criteria under “ability to access and include perspectives from low and middle income countries”. The Working Group strongly encourages proposals from teams that can represent these perspectives.

The evaluation panel will review proposals as below:

Criteria	Weight	Page limit	Guidance
Skills, expertise and experience	20%	3 pages	<p>Please demonstrate the relevant skills and expertise of your organisation and staff, to undertake this work.</p> <p>To evidence this, please provide summary CV details (relevant experience, qualifications and professional accreditations) for the people who will be responsible for delivering this work. Full CV submissions are optional as an annex and will not be included in the page limit.</p> <p>Please include an organogram showing a summary of roles and responsibilities, and the amount of each person’s time to be dedicated to this project.</p> <p>Required: Document previous reports, papers, books, articles, op-eds, talks, or other deliverables that demonstrate a history of team members’ ability to deliver on the scope of this request. Describe the</p>

			team's ability to work together to collectively produce meaningful and impactful outputs.
Proposed methodology (including delivery plan plus commitment to work collaboratively and in the open)	20%	3 pages	<p>Please provide details of your Delivery Plan and methodology for the project, from contract commencement to contract completion.</p> <p>The Delivery Plan should:</p> <ul style="list-style-type: none"> <li>- Include a proposed methodology for how you will carry out the work including key stages, tasks and activities</li> <li>- Demonstrate how you will work collaboratively and in the open both with GPAI's Data Governance Working Group of Experts and the wider external community</li> <li>- Demonstrate a clear and appropriate methodology for delivering the outputs and scope of the project, with clear rationale</li> <li>- Provide demonstrable evidence that your approach will deliver the required outputs at the promised project scope.</li> </ul>
Ability to access and include perspectives from low and middle income countries	20%	2 pages	Please demonstrate how your proposal can represent global perspectives on data justice, including substantial participation from people and institutions from low and middle income economies.
Project management, timeline and milestones	20%	2 pages	<p>Please provide details of your methodology for management of the project, from contract commencement to contract completion.</p> <p>Please provide project management proposals (including management structures to be established, delivery timetable &amp; identification and management of risks that may arise and strategy for how to overcome these).</p> <p>Please provide:</p> <ul style="list-style-type: none"> <li>- Project Plan setting out key milestones and dependencies;</li> <li>- How you will meet the timescales required, and ensure the timings and contract price are not exceeded; and</li> <li>- Key risks you feel may arise and how you will overcome these.</li> </ul> <p>Your response should provide confidence that:</p> <ul style="list-style-type: none"> <li>● your approach and ability to deliver the scope</li> </ul>

			<p>of the project is appropriate;</p> <ul style="list-style-type: none"> <li>• the project plan is comprehensive, realistic and achievable;</li> <li>• the programme will be managed effectively and with flexibility, and that the management structure is robust;</li> <li>• you will meet the timescales required, and ensure the timings and contract price are not exceeded;</li> <li>• any key risks are identified, considered and appropriate mitigation strategies are proposed;</li> <li>• that key roles/responsibilities have been identified and appropriate identified individuals are assigned; and</li> <li>• you have demonstrated sufficient capacity within the tenderers organisation to deliver the requirements.</li> </ul>
Pricing	20%	1 page	<p>Please include a costing breakdown of day rates and time allocated by project team members. The maximum marks available for this part of the proposal will be 20% and will be awarded to the Tenderer submitting the lowest price. The remaining Tenderers will receive marks on a pro-rata basis from the lowest to the highest price. The calculation used is the following:</p> <p><i>Score = <math>\frac{\text{Lowest Tender Price}}{\text{Tender Price}} \times 20</math> (Maximum available marks)</i></p>

Each part of the criteria will be evaluated and marked on a scale of 0-4 where:

- 0 – Serious concerns:** e.g. does not meet requirements, and/or raises serious concerns
- 1 – Minor concerns:** e.g. meets some requirements but with gaps and/or some minor concerns
- 2 – Adequate confidence:** e.g. meets most/all requirements, but lacks sufficient detail or evidence in some areas
- 3 – Good confidence:** e.g. meets all requirements and provides a detailed response but lacks evidence in minor areas
- 4 – Excellent confidence:** e.g. meets all requirements, provides a detailed response and evidence which demonstrates a particularly strong understanding of the requirements

Your score will be determined by the marks awarded for each question (out of 4), in accordance with the applicable weighting.

For example, if the weighting for a question is 10%, a mark of 4 for that question would lead to a score of 10%. A mark of 3 would lead to a score of 7.5%, a mark of 2 would lead to a score of 5%, a mark of 1 would lead to a score of 2.5%, and mark of 0 would lead to a score of 0%.