

Q&A from Invitation to tender for framework and tool to measure children's outcomes following private law proceedings

Question 1:

I would be grateful for clarification on whether the study is expected to explore ways of capturing, or linking, children's wellbeing data to limited information about the content of private law orders and the decision-making context. In particular, is there any scope within the piloting of survey tools to collect minimal, contextual information — such as the broad category of arrangement in the final order (e.g. shared care, primarily one parent, supervised contact), whether the outcome was contested or agreed, whether CAFCASS made recommendations, or the overall duration or intensity of proceedings — in order to support careful interpretation of children's experiences downstream, without turning the project into a formal data linkage exercise?

As currently framed, the survey tools would capture children's wellbeing following the completion of judicial decisions and processes. However, many children will have only ever known one court-ordered arrangement, which they may come to see as normal, shaping how they report satisfaction (e.g. satisfaction through adaptation, or loyalty conflict), and limiting reflection on other possible arrangements. In this context, there is a risk that children's subjective wellbeing responses are implicitly interpreted as indicators of system performance, rather than as descriptive accounts of lived experience within constrained choices.

I would therefore welcome clarification on whether there is any scope within the tender for applicants to propose two distinct but related workstreams:

- (a) a first workstream focused on capturing and describing children's lived experiences and perspectives following private law proceedings; and
- (b) a second, researcher-led workstream focused on contextual interpretation of those experiences, using minimal, non-identifying information about the nature of final arrangements and case trajectory to support stratified analysis, avoid false equivalence, and enable appropriate interpretation of children's responses.

The intention of this second workstream would not be to evaluate individual decisions or conduct system-wide analysis, but to ensure that children's wellbeing data are situated within a basic understanding of what was decided and how cases progressed. Clarification on whether such an approach could be reflected in the methodology, analysis, and reporting would be helpful.

Answer 1:

Thank you for your excellent question. We are proposing this piece of work to understand children's wellbeing after private law proceedings, and this tender does not focus on how this is directly related to court experience. This work focuses on measures of children's outcomes and subjective wellbeing (which forms part of (a) their lived experience and perspectives).

As such, the contextual information is not the key focus of this project.

We are open to proposals which consider piloting minimum, contextual information.

More broadly, we are interested in information regarding (b) how a future widespread survey may use this information to enable appropriate interpretation of children's responses. However, this project is designed as co-production and pilot, so we do not expect part (b) to be included at all or as a substantial part of this project – rather, this project focuses on what outcome measures should be collected and the acceptability of that for children and families. In developing the children's outcomes frameworks and survey tools, there may be some emerging reflections or findings on the interpretation of the outcomes to explore in further research.

Question 2:

Can I ask the remit of family law proceedings for the purposes of this study please? Guessing Nuffield FJO is mainly or exclusively interested in private Children Act cases, and not Family Law Act? Asking as ~30% of Non-Molestation/Occupation cases under Family Law Act (FLA) include children parties.

Answer 2:

We didn't specify, but we intended it to be private law children act matters, but we acknowledge that many of these families will have both a private family law order and family law act (domestic abuse) orders.

Question 3:

Does the Nuffield Family Justice Observatory have a minimum required sample size for the pilots?

Answer 3:

No, we do not have a minimum required sample size.

Question 4:

Will it be possible to hold engagement sessions with the Family Justice Young People Board (FJYPB) at the Nuffield FJO offices? And if so, can you confirm the use of the building would be free of charge?

Answer 4:

We can confirm that we could hold sessions in our office free of charge, subject to the availability of the space.

Question 5:

I am writing to see if I would be able to submit for the ITT. I am a US-based researcher. Or, if I partnered with a UK-based researcher, would we be able to submit with me as a Co-I or Co-PI, and would I be eligible for funding to conduct the study?

Answer 5:

Thank you for your question. This tender requires specific co-production in England and/or Wales, so it is unlikely a bidder will be successful with a team abroad. Contractually, we are happy to fund a UK lead research individual or organisation with a partner or partners abroad (e.g., Co-I).

Question 6:

Please can you confirm if the requested project plan is to be included within the proposal page limit, as set out in the Invitation to Tender?

Answer 6:

Yes, the project plan is to be included within the proposal page limit.

Question 7:

We note in the Invitation to Tender (ITT) that you will send your contracting/Services Agreement template to the successful applicant. Please can you confirm if the terms of the template Services Agreement will be open to negotiation? If not, please could you issue the template for review alongside the ITT, and provide the opportunity for potential applicants to ask any clarification questions?

Answer 7:

The contracting agreement will be open to reasonable negotiation. Please email us and we are happy to include a draft of the contract.

We have received a number of sub-questions about the contract which would need to go through our legal team. Regarding this sentence in the section on IP -- "You acknowledge that final outputs or foreground intellectual property generated during the performance of the project shall belong to the Nuffield Foundation" -- where any final outputs contain pre-existing supplier intellectual property, we are happy to discuss IP with the successful bidder and license terms that would need to be agreed for the

Nuffield Foundation to use them in the future. Our intention is for this project to co-create survey tool(s) that can be used in the future, with proper consideration of IP, but without IP created through this project being solely available to the successful bidder.

Question 8:

What are the anticipated start and end dates for the contract? I note the timetable indicates when the outcome of the evaluation will be made, but there is no contractual start date that I could see. Similarly, there's a date for publication of the final report – would this be the end date of the contract too?

Answer 8:

We anticipate that that start of contract date will be shortly after the communication of outcomes, around 6 April 2026 and will run until shortly after the publication of the final report, around to 30 November 2026. These dates are subject to agreement.