



National Highways Limited

Scheme Delivery Framework (SDF)

Framework Information

Appendix 1

Defined Terms

CONTENTS AMENDMENT SHEET

Issue No.	Revision No.	Amendments	Initials	Date
0	0	Contract Issue	AJP	Sept 21

Ref.	Defined Term	Definition
1	Appointed Actuary	Is the actuary appointed to the <i>Supplier's</i> Pension Plan from time to time in accordance with Section 47 of the Pensions Act 1995 and the regulations made under it.
2	Area	The geographical extent of each of the Client's operational areas across England.
3	Community	Is the regional group comprising one representative each from the <i>Client</i> , the <i>Supplier</i> and each of the Partners and formed for the purposes described in Annex 2 .
4	Confidential Information	Any data or information which has been classified by National Highways as being confidential. However, National Highways uses the HMG Government Security Classification Scheme (GSC).
5	Conflict of Interest	A Conflict of Interest may arise when your professional or personal interests or loyalties to a person or organisation outside National Highways affect or appear to affect the impartiality, judgement or effectiveness expected from you in interactions with National Highways.
6	Consult Notice	A notice issued by the <i>Client</i> to the <i>Supplier</i> when the <i>Client</i> has serious commercial concerns about the <i>Supplier</i> , sufficient enough that it would have a major concern in placing further work with the <i>Supplier</i> (until the issue is rectified), including the <i>Supplier's</i> overall financial strength, payment of suppliers, bribery or fraud issues, or serious performance failures in connection with this framework or any other contract with the <i>Client</i> .
7	Contract Date	The date of award of the Framework Contract

8	Contract Management Points	Contract Management Points are points accrued by the <i>Supplier</i> in accordance with the Framework Information.
9	Contracts Finder	Contracts Finder is the government website for information about contracts worth over £10,000 with the government and its agencies.
10	Data	Is all Personal Data collected, generated or otherwise processed by the <i>Supplier</i> in the course of providing the service or providing the works.
11	Data Protection Impact Assessment	Is an assessment by the Controller of the impact of the envisaged processing on the protection of Personal Data.
12	Data Protection Legislation	The Data Protection Legislation is: <ul style="list-style-type: none"> • The General Data Protection Regulation (EU 2016/679); • The Law Enforcement Directive (LED) (Directive EU 2016/680) (in Appendix 2); • The Data Protection Act 2018; and • the Privacy and Electronic Communications (EC Directive) Regulations 2003 (in Appendix 2), and • any other data protection laws and regulations applicable in England.
13	Data Subject	Is an individual who is the subject of Personal Data.
14	Data Subject Access Request	Is a request made by, or on behalf of, a Data Subject concerning their <ul style="list-style-type: none"> • rights of access to, and information relating to, Data, • rectification of inaccurate Data, • permanent erasure of Data, • objection to or restriction of processing of Data pursuant to the Data Protection Legislation, and • transfer of Data to a third party.

15	Disclosure Request	A Disclosure Request is a request for information relating to the contract a received by the <i>Client</i> pursuant to the Freedom of Information Act 2000 and Environmental Information Regulations 2004 or otherwise.
16	Discrimination Acts	The Discrimination Acts are the Equality Act 2010 and any predecessor statutes.
17	EEA	Is the European Economic Area.
18	Employment and Skills Plan	The Employment and Skills Plan is a four-part plan, which details the Workforce Planning and Development Data, the Methodology, the Statement of Options and the Implementation Plan, and is described in Appendix 13 .
19	Environmental Management Plan	A document (or set of documents) that sets out the mitigation needed to manage environmental effects associated with a development during the construction and operational phases.
20	Health and Safety File	As per the meaning given to it in the Construction (Design and Management) Regulations 2015.
21	HELMA	Highways England Lean Maturity Assessment – an assessment undertaken to assess the <i>Supplier's</i> application of Lean.
22	Inclusion Action Plan	The Inclusion Action Plan is the document described in Appendix 13 .
23	Incoming Consultant	Any consultant appointed by the <i>Client</i> to provide the service or part of it (or a similar service or part of it) in relation to the Sublot (or part of it) in place of the <i>Consultant</i> .
24	Information Systems	Can be a combination of hardware, software, infrastructure and trained personnel organised to facilitate planning, control, coordination and decision making in an organisation.
25	Information Technology Infrastructure Library	A governance model for IT service management and best practices that defines an end-to-end life cycle and integrated set of practices and guidance in the areas of service strategy, service design,

		service transition, service operation, and continual service improvement.
26	Intellectual Property Rights or IPRs	Are copyright and related rights, database rights, design rights, patents, inventions, trade marks (and goodwill attaching to those trade marks), domain names, applications for and the right to apply for any of the foregoing, moral rights, confidential information and any other intellectual or industrial property rights, whether or not registered or capable of registration, whether subsisting now or in future in any part of the world.
27	Kano Analysis	Kano is approach to prioritising features on a product road map based on degree which they are likely to satisfy customers.
28	Lean	Lean is a method of delivering the outcome requirements and strategic objectives, and is a way of delivering value in a system. It produces what a customer wants, when it is required, with a minimum of waste, and to a high-level quality. Lean works through a relentless elimination of waste and reduction of variation. More detail can be found in Appendix 12 .
29	Major Incident	<p>A Major Incident is defined as an incident that has, or is likely to have, a major impact on the ability of the business to maintain services during agreed operational hours. An outage or complete loss of functionality of a critical or key application or service.</p> <p>The incident could result in:</p> <ul style="list-style-type: none"> • An emergency situation • Security risks or threat • National Highways reputation (HSSE) could be adversely affected • Multiple locations/businesses or significant user impacted.
30	Nonconformity	Nonconformity has the meaning given in BE EN ISO 9000:2015.
31	The Official Secrets Act 1989	The Official Secrets Act is the Official Secrets Act 1989 and any predecessor statutes.

32	Outgoing Consultant	Any agent or consultant appointed by the <i>Client</i> or Others to carry out works or provide services similar to the <i>service</i> in relation to the Sublot during the period immediately prior to the <i>go live date</i> .
33	Outgoing Contractor	Any agent or contractor appointed by the <i>Client</i> or Others to carry out works or provide services similar to the <i>service</i> in relation to the Sublot during the period immediately prior to the <i>go live date</i> .
34	Outgoing Contractor's Pension Scheme	Is the registered pension scheme or schemes operated by an Outgoing Contractor immediately prior to the access date or the Technology access date which has been certified by the Government Actuary's Department as providing benefits which are broadly comparable to those provided by the Original Scheme.
35	Package Order	A schedule of the anticipated annual work allocation notified by the <i>Client</i> to the Supplier for information purposes only.
36	Partners	Are Consultants and Contractors notified by the <i>Client</i> to the <i>Supplier</i> with whom the <i>Client</i> has entered into contracts for the provision of construction works, design, specialist support and other services in connection with the maintenance, repair, renewal and improvement of the network
37	Performance Level	Performance Level is the performance level of the Collaborative Performance Framework stated in the Scope.
38	Personal Data	Is any data relating to an identified or identifiable individual that is within the scope of protection as "personal data" under the Data Protection Legislation.
39	Processor	Is a legal person which processes Personal Data on behalf of a Controller.
40	Protective Measures	Are appropriate, technical and organisational measures which may include: pseudonymising and encrypting Personal Data, ensuring confidentiality, integrity, availability and resilience of systems and services, ensuring that availability of and access to Personal Data can be restored in a timely manner after an incident, and regularly

		assessing and evaluating the effectiveness of such measures adopted by it including those outlined in PPN 02/18.
41	The Public Interest Test	The Public Interest Test requires a public authority, or oversight body, weigh the harm that disclosure would cause to the protected interest against the public interest saved by disclosure of the information.
42	Quality Plan	Has the meaning given in ISO 9001:2015.
43	Quality Statement	Is the document submitted by the <i>Supplier</i> at time of tender.
44	Regional Operations Centre	Is the <i>Client's</i> 24-hour emergency/incident contact facility.
45	Relevant Subcontractor	Is a Subcontractor or subcontractors (at any stage of remoteness from the Client) appointed under a Relevant Subcontract.
46	Risk	An uncertain event or set of circumstances that should it occur will affect (positively or negatively) the project objectives.
47	Sample Scheme	A model scheme priced in the <i>quotation information</i> at tender stage for lots 11, 12.1 and 12.2, which is used as a basis to derive a target price.
48	Security Incident	Is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to Data.
49	Service Provider System	Are the <i>Supplier's</i> (service provider/supplier) IT systems/applications which they use to provide works or services to the <i>Client</i> .
50	SME	SME means an enterprise within the category of Small, Medium or Micro Enterprises defined by the European Commission Recommendation of 6 May 2003 concerning the definition of Small, Medium or Micro Enterprises. A SME is a Subcontractor or a subcontractor to a Subcontractor and is autonomous and is a European Union enterprise not owned or

		controlled by a non-European Union parent company.
51	Staff	Staff are employees employed by the <i>Supplier</i> or an Associated Company or any Subcontractor to provide the works or provide the service at any time.
52	Structured Innovation	Is a unique, rigorous and powerful toolbox of techniques that can be applied to ensure that all potential areas of innovation are explored when seeking solutions to a problem. The tool-box of techniques has been developed from the Russian Theory of Inventive Problem Solving (TRIZ). More detail can be found in Appendix 12 .
53	Sublot	Is a contract allocation as set out in the Sublot allocation table in Appendix 2 .
54	Sub-Processor	Is a third party (including Associated Company) engaged by the <i>Supplier</i> to process Data.
55	Supervisory Authority	Is any regulatory, supervisory, governmental or other competent authority with jurisdiction or oversight over the Data Protection Legislation.
56	Supplier Background IPR	IPR owned by the <i>Supplier</i> or a third party before the Contract Date or created by the <i>Supplier</i> or a third party independently of the contract, which in each case is or will be used <ul style="list-style-type: none"> • before the <i>defects date</i> to provide the service or provide the works and for the maintenance, operation and modification of the service or works.
57	System	includes processing equipment, application programs, digital data or digital reference information.
58	Tender Commitment	A proposal made by the <i>Supplier</i> at tender stage that is incorporated as a contractual requirement.
59	Work Brief	A document giving details of a Scheme and the activities that a <i>Supplier</i> is being asked to undertake.