



**Highways England Company Limited**

# **Concrete Roads Framework – LEW**

## **Scope**

## **Defined Terms**

## **Annex 01**

## CONTENTS AMENDMENT SHEET

Amend. No.	Revision No.	Amendments	Initials	Date
0	0	Tender Issue	SOS	04/08/2020

Ref.	Defined Term	Definition
1	3D (Develop, Design, Deliver) Scheme Delivery Process	is the <i>Client's</i> project delivery methodology for Schemes as described in the User Guide for Scheme Management.
2	Black Friday	An annual retail event usually held at the end of November which results in a large increase in traffic.
3	Business Information Gateway (the Gateway)	as defined in Annex 09 Section 1.4.
4	Category Purchase Agreement	Category Purchase Agreements are as described in Annex 17.
5	Category Supplier	A Category Supplier is a supplier who is appointed via a Category Purchase Agreement.
6	Central Government Body	<p>Is a body listed in one of the following sub-categories of the Central Government classification of the Public Sector Classification Guide, as published and amended from time to time by the Office for National Statistics:</p> <ul style="list-style-type: none"> <li>• Government Department,</li> <li>• Non-Departmental Public Body or Assembly Sponsored Public Body (advisory, executive, or tribunal),</li> <li>• Non-Ministerial Department or</li> <li>• an Executive Agency of one of the above</li> </ul> <p>and anybody corporate that is a wholly owned subsidiary of one of the above.</p>
7	Client System	Is the Client's computing environment (consisting of hardware, software and telecommunications networks or equipment) used by the Client or the Contractor in connection with the contract which is owned by the Client or licensed to it by some third party and which interfaces with the Contractor System or which is necessary for the Client to receive the service.

8	Collaborative Planning	Collaborative Planning is a technique that involves all Parties working together to improve productivity, and reduce time and cost.
9	Confidential Information	any data or information which has been classified by Highways England as being confidential. However, Highways England uses the HMG Government Security Classification Scheme (GSC).
10	Continual Improvement Lean Innovation Leaders	Has the meaning given to it in Annex 11 Continual Improvement and Innovation.
11	Contract Finder	Contracts Finder is the government website for information about contracts worth over £10,000 with the government and its agencies.
12	Control	Is the possession by person, directly or indirectly, of the power to direct or cause the direction of the management and policies of the other person (whether through the ownership of voting shares, by contract or otherwise) and <b>Controls</b> and <b>Controlled</b> are to be interpreted accordingly.
13	Cyber Monday	An annual online retail event usually held at the end of November or early December which results in an increase in traffic due to large volumes of goods being delivered.
14	Data	Is all Personal Data collected, generated or otherwise processed by the <i>Contractor</i> in the course of Providing the Works
15	Data Loss Event	Is any event that results, or may result, in unauthorised access to Personal Data held by the Processor for the purposes of this contract, and/or actual or potential and/or destruction of Personal Data in breach of this Agreement, including any Personal Data breach.
16	Data Protection Impact Assessment	Is an assessment by the Controller of the impact of the envisaged processing on the protection of Personal Data
17	Data Protection Legislation	The Data Protection Legislation is:

		<ul style="list-style-type: none"> <li>• The <a href="#">General Data Protection Regulation (EU 2016/679)</a>,</li> <li>• The <a href="#">Law Enforcement Directive (LED) (Directive EU 2016/680)</a>,</li> <li>• The <a href="#">Data Protection Act 2018</a>, and</li> <li>• any other data protection laws and regulations applicable in England.</li> </ul>
18	Data Subject	Is an individual who is the subject of Personal Data.
19	Data Subject Request	Is a request made by, or on behalf of, a Data Subject in accordance with rights granted pursuant to the Data Protection Legislation to access their Personal Data.
20	Design Manual for Roads and Bridges	is the document found <a href="https://www.standardsforhighways.co.uk/ha/standards/">https://www.standardsforhighways.co.uk/ha/standards/</a>
21	Design Phase	Stages 2, 3 and 4 of the 3D Scheme Delivery Process.
22	Deliver Phase	Stages 5 and 6 of the 3D Scheme Delivery Process.
23	Develop Phase	Stages 0 and 1 of the 3D Scheme Delivery Process.
24	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.
25	Discrimination Acts	The Discrimination Acts are the Equality Act 2010 and any predecessor statutes.
26	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 Section S 271 and Annex 06 of the Scope
27	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

28	Health and Safety File	As per the meaning given to it in the Construction (Design and Management) Regulations 2015.
29	HELMA	Highways England Lean Maturity Assessment – an assessment undertaken to assess the <i>Contractor's</i> application of Lean undertaken on an annual basis
30	Inclusion Action Plan	The Inclusion Action Plan is the document described in Section S 271 and Annex 6 of the Scope
31	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.
32	Joint Controllers	Means where two or more Controllers jointly determine the purposes and means of processing.
33	Kano Analysis	Kano is approach to prioritising features on a product road map based on degree which they are likely to satisfy customers.
34	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 Annex 11 Continual Improvement and Innovation
35	Lean Continual Improvement	technique that generates ideas for efficient ways of working whilst maintaining a focus on the requirements of the customer.
36	List X	are companies operating in the UK who are working on UK government contracts which require them to hold classified information. This information is at 'Secret' level or above or international partners information classified 'Confidential' or above, and is held in their own premises at a specific site. Classified information levels can be reviewed in the Gov website <a href="https://www.gov.uk/government/publications/security-requirements-for-list-x-contractors">here</a> (https://www.gov.uk/government/publications/security-requirements-for-list-x-contractors).
37	Major Incident	A Major Incident is defined as an incident that has, or is likely to have, a major impact on the ability of the

		<p>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"> <li>• An emergency situation</li> <li>• Security risks or threat</li> <li>• Highways England reputation (HSSE) could be adversely affected</li> <li>• Multiple locations/businesses or significant user impacted</li> </ul>
38	Nonconformity	Nonconformity has the meaning give in BE EN ISO 9000:2015
39	Package (LEW Package)	<p>is a collection of Schemes. The prefix LEW (such as LEW Package) relates to the Schemes being for lifecycle extension works. The prefix Design/ Joint Repair (JR)/ Bay Replacement and Slab Levelling (BR&amp;SL)/ Surface Treatment (ST), (such as LEW Design Package) relates to the services required in the Package. The number after a Package (such as LEW Package 1) relates to all Schemes to be included in X12/ Z150 incentive mechanism (LEW Package 1 would include all LEW (Design/ JR/ BR&amp;SL/ ST) Package 1(A/B)). The letter after a Package (such as Package 1A) relates to the Schemes being undertaken by one of the suppliers under a framework.</p>
40	Package (Recon Package)	<p>is a collection of Schemes. The prefix Recon (such as Recon Package) relates to the Schemes being for reconstruction works. The prefix Design Design and Build (D&amp;B) (such as Recon D&amp;B Package) relates to the services required in the Package. The number after a Package (such as Recon Package 1) relates to all Schemes to be included in X12/ Z150 incentive mechanism (Recon Package 1 would include all Recon (Design/ D&amp;B) Package 1(A/B)). The letter after a Package (such as Package 1A) relates to the Schemes being undertaken by one of the suppliers under a framework.</p>
41	Performance Level	Performance Level is the performance level of the Collaborative Performance Framework stated in the Scope.

42	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.
43	Processor	is a legal person which processes Personal Data on behalf of a Controller.
44	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.
45	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
46	Quality Management Points	Quality Management Point are points accrued by the <i>Contractor</i> in accordance with the Scope.
47	Quality Plan	Has the meaning given in ISO 9001:2015
48	Quality Statement	Is the document submitted by the <i>Contractor</i> at time of tender
49	Risk	Is an uncertain event or set of circumstances that should it occur will affect (positively or negatively) the service, works or project objectives.
50	Scheme	is a piece of work as set out in the programme information
51	The Official Secrets Act 1989	The Official Secrets Act is the Official Secrets Act 1989 and any predecessor statutes.
52	Security Incident	Is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Data.



53	Service Provider System	Are the Contractor's (service provider/supplier) IT systems/applications which they use to provide services to Highways England.
54	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.
55	Specification	Is the 'Specification for Highway Works' (SHW).
56	Specification for Highway Works	Volume 2 of the "Manual of Contract Documents for Highway Works" including <ul style="list-style-type: none"> <li>• appendix 0/1: Contract-specific Additional, Substitute and Cancelled Clauses, Tables and Figures,</li> <li>• appendix 0/2: Contract-specific minor alterations to existing Clauses, Tables and Figures, and</li> <li>• the contract specific Numbered Appendices listed in appendix 0/3: List of contract specific Numbered Appendices Referred to in the Specification and Included in the Contract.</li> </ul>
57	Staff	Staff are employees employed by the <i>Contractor</i> or an Associated Company or any Subcontractor to Provide the Service at any time.
58	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 Annex 11 Continual Improvement and Innovation
59	Sub-Processor	Is a third party (including Associated Company) engaged by the <i>Contractor</i> to process Data.

60	Supervisory Authority	Is any regulatory, supervisory, governmental or other competent authority with jurisdiction or oversight over the Data Protection Legislation.
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