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RM6002: Permanent Recruitment Order Form Template (Short Form) –

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[Buyer guidance: This Order Form, when completed and executed by both the Buyer and the Supplier, forms a Call-Off Contract from CCS framework RM6002, Permanent Recruitment. Signing it ensures that both parties are able to compliantly use the terms and conditions agreed from the procurement exercise.

You can complete and execute the Call-Off contract by either physical signature or by using an equivalent document or electronic purchase order system. If an electronic purchasing system is used instead of signing as a hard-copy, the text below must be copied into the electronic order form.]

Order Form Template

This Order Form is for the provision of the Call-Off Deliverables. It is issued under the Framework Contract with the reference number [RM6002 Permanent Recruitment](#).

Buyer Name	Ministry of Housing, Communities and Local Government
Buyer Contact	REDACTED
Buyer Address	Fry Building, 2 Marsham Street, Westminster, London, SW1P 2AH.
Invoice Address (if different)	CP2P Team, MHCLG, 4th Floor, High Trees, Hillfield Road, Hemel Hempstead, HP2 4XN. Email address: REDACTED

Supplier Name	GatenbySanderson Limited
Supplier Contact	REDACTED
Supplier Address	12 Appold Street, London, EC2A 2AW

Framework Ref	RM6002 (Permanent Recruitment)
Framework Lot	7
Call-Off (Order) Ref	CPD/004/120/121
Order Date	18-November-2019
Call-Off Charges	£30900.00

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Call-Off Start Date	11-November-2019
Call-Off Expiry Date	31-January-2020
Extension Options	Not Applicable
GDPR Position	<p>The Customer shall be the Data Controller while the Supplier shall be the Data processor. However, there will be occasions where the Supplier and Customer shall act as Independent Controllers of data for this contract. On the basis of the above (and further details shall be provided, below) Call-off Contract Clauses 34.5.2 to 34.5.8 and Contract Clauses 34.5.9 to 34.5.24 shall apply for this contract.</p> <p>A separate Schedule 16 (covering GDPR) is attached for agreement (below).</p>

CALL-OFF INCORPORATED TERMS

The Call-Off Contract, including the RM6002 Call-off terms conditions v1.0 can be viewed in the 'Documents' tab of the Permanent Recruitment framework page on the CCS website. Visit the [Permanent Recruitment](#) webpage and click the "Documents" tab to view and download these.

No other Supplier terms are part of the Call-Off Contract. That includes any terms written on the back of, or added to, this Order Form, or presented at the time of delivery.

CALL-OFF DELIVERABLES

The requirement
<p>1. <u>REQUIREMENT</u></p> <p>a) The Ministry for Housing, Communities and Local Government (MHCLG) is seeking to directly appoint a supplier to support it with the recruitment of a Director General, Chief Financial Officer (CFO).</p> <p>b) Rachel McClean has been successful in securing a role at Crossrail and it has been agreed that Rachel will finish in MHCLG at the end of December. The CFO is a core role in MHCLG. It provides a strong corporate centre to the Department, including strategic oversight of the financial risk portfolio MHCLG carries.</p> <p>c) From having undertaken recruitment for this role in 2017 and having discussed the role with the Cabinet Office DG workforce team and the financial and commercial functions, we judge that on this occasion we will need the support of specialist executive search agency to generate interest from suitable candidates.</p>

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- d) The use of an executive search agency has Ministerial approval their fees range between 20-33% of the guaranteed package which is agreed with individual appointed.
- e) After speaking to the Cabinet Office DG workforce team and our link Commissioner, REDACTED, the supplier we have chosen is GatenbySanderson based on their strength in encouraging a diverse field of candidates whilst also meeting the Minister's requirements above. Additionally, Gatenby were also the executive search agency that we appointed when we first recruited to this role in 2017.
- f) The agency would provide the Department with the following services:
- Candidate Sourcing:
 - advice on the recruitment attraction strategy, including the use of social media;
 - identification of suitably qualified candidates, who will be encouraged to apply for the roles;
 - launch the advertisement on multiple high-profile platforms including appropriate diversity channels; and
 - Specifically encourage a diverse field bearing in mind our targets on wider diversity and inclusion, and our MHCLG diversity flow targets for appointments into the SCS.
 - Candidate Journey:
 - keeping candidates informed of the timescale for decision making and progress against that timetable;
 - provide support to the shortlisted candidates; and
 - ensuring the best possible candidate experience;
 - Candidate Selection:
 - conduct an initial evaluation of the candidate pool against the selection criteria;
 - provide an assessment for the Sift Panel;
 - organising interviews with shortlisted candidates;
 - hosting interviews with shortlisted candidates (if required); and
 - briefing on shortlisted candidates for the Advisory Assessment Panel;
 - Candidate Feedback:
 - advise successful candidates of the outcome (if required);
 - obtain references for successful candidates;
 - provide feedback to unsuccessful candidates as required;
 - Candidate Data and Management Information:
 - provide weekly updates on progress of the campaign including the number and diversity of applicants; and
 - provide the diversity data form for each applicant
- g) The Department is keen to gain knowledge of the relevant candidate pools. The supplier will be expected to share insight into those candidate pools as part of the recruitment process for this role.

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- h) The advert for CFO has been made live on CS Jobs and is expected to be open for 4 weeks; and the recruitment will be complete by mid-February. A detailed timetable will be developed with the supplier.
- i) The appointment of the supplier to support this recruitment would be made under the Direct Award facility in CCS' Framework Agreement for Permanent Recruitment Services (RM6002).
- j) The Department intends to use Lot 7, 'Executive Search – Senior and Executive'.

PERFORMANCE OF THE DELIVERABLES

Key Staff

REDACTED – MHCLG Permanent Secretary
REDACTED – MHCLG HR Director
REDACTED – MHCLG HR senior recruitment

REDACTED - GatenbySanderson Managing Partner
REDACTED – GatenbySanderson Senior Consultant, Central Government

Key deliverables/outputs:

- Robust candidate search and final candidate field
- Diverse candidate field
- All candidate handling and campaign admin undertaken, including any relevant data
- A strong appointment in the CFO role

Key Subcontractors

Not Required – All work shall be delivered by GatenbySanderson.

CALL OFF SCHEDULE 16: DATA PROCESSING

1. Only the Relevant Authority can decide what processing of Personal Data a Supplier can do under a Contract and must specify it for each Contract using the template in Annex 1 (Authorised Processing) to this Schedule.
2. The Supplier must only process Personal Data if authorised to do so in Annex 1 (Authorised Processing) by the Relevant Authority. Any further written instructions relating to the processing of Personal Data are incorporated into Annex 1 to this Schedule.
3. The Supplier must give all reasonable assistance to the Relevant Authority in the preparation of any Data Protection Impact Assessment before starting any processing, including:
 - a systematic description of the expected processing and its purpose
 - the necessity and proportionality of the processing operations
 - the risks to the rights and freedoms of Data Subjects
 - the intended measures to address the risks, including safeguards, security measures and mechanisms to protect Personal Data
4. The Supplier must notify the Relevant Authority immediately if it thinks the Relevant Authority's instructions breach the Data Protection Legislation.
5. The Supplier must put in place appropriate Protective Measures to protect against a Data Loss Event which must be approved by the Relevant Authority.
6. If lawful to notify the Relevant Authority, the Supplier must notify it if the Supplier is required to process Personal Data by Law promptly and before processing it.
7. The Supplier must take all reasonable steps to ensure the reliability and integrity of any Supplier Staff who have access to the Personal Data and ensure that they:
 - are aware of and comply with the Supplier's duties under this Schedule
 - are subject to appropriate confidentiality undertakings with the Supplier or any Subprocessor
 - are informed of the confidential nature of the Personal Data and do not provide any of the Personal Data to any third Party unless

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directed in writing to do so by the Relevant Authority or as otherwise allowed by a Contract

- have undergone adequate training in the use, care, protection and handling of Personal Data

8. The Supplier must not transfer Personal Data outside of the EU unless all of the following are true:

- it has obtained prior written consent of the Relevant Authority
- the Relevant Authority has decided that there are Appropriate Safeguards
- the Data Subject has enforceable rights and effective legal remedies when transferred
- the Supplier meets its obligations under the Data Protection Legislation by providing an adequate level of protection to any Personal Data that is transferred
- where the Supplier is not bound by Data Protection Legislation it must use its best endeavours to help the Relevant Authority meet its own obligations under Data Protection Legislation
- the Supplier complies with the Relevant Authority's reasonable prior instructions about the processing of the Personal Data.

9. The Supplier must notify the Relevant Authority immediately if it:

- receives a Data Subject Access Request (or purported Data Subject Access Request)
- receives a request to rectify, block or erase any Personal Data
- receives any other request, complaint or communication relating to either Party's obligations under the Data Protection Legislation
- receives any communication from the Information Commissioner or any other regulatory authority in connection with Personal Data processed under this Contract
- receives a request from any third Party for disclosure of Personal Data where compliance with the request is required or claims to be required by Law
- becomes aware of a Data Loss Event

10. Any requirement to notify under Paragraph 9 includes the provision of further information to the Relevant Authority in stages as details become available.

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11. The Supplier must promptly provide the Relevant Authority with full assistance in relation to any Party's obligations under Data Protection Legislation and any complaint, communication or request made under Paragraph 9. This includes giving the Relevant Authority:

- full details and copies of the complaint, communication or request
- reasonably requested assistance so that it can comply with a Data Subject Access Request within the relevant timescales in the Data Protection Legislation
- any Personal Data it holds in relation to a Data Subject on request
- assistance that it requests following any Data Loss Event
- assistance that it requests relating to a consultation with, or request from, the Information Commissioner's Office

12. The Supplier must maintain full, accurate records and information to show it complies with this Schedule. This requirement does not apply where the Supplier employs fewer than 250 staff, unless either the Relevant Authority determines that the processing:

- is not occasional
- includes special categories of data as referred to in Article 9(1) of the GDPR or Personal Data relating to criminal convictions and offences referred to in Article 10 of the GDPR
- is likely to result in a risk to the rights and freedoms of Data Subjects

13. The Supplier must appoint a Data Protection Officer responsible for observing its obligations in this Schedule and give CCS and each Buyer their contact details.

14. Before allowing any Subprocessor to process any Personal Data, the Supplier must:

- notify the Relevant Authority in writing of the intended Subprocessor and processing
- obtain the written consent of the Relevant Authority
- enter into a written contract with the Subprocessor so that this Schedule applies to the Subprocessor
- provide the Relevant Authority with any information about the Subprocessor that the Relevant Authority reasonably requires

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15. The Supplier remains fully liable for all acts or omissions of any Subprocessor.

16. At any time the Relevant Authority can, with 30 Working Days notice to the Supplier, change this Schedule to:

- replace it with any applicable standard clauses (between the controller and processor) or similar terms forming part of an applicable certification scheme under GDPR Article 42
- ensure it complies with guidance issued by the Information Commissioner's Office

17. The Parties agree to take account of any non-mandatory guidance issued by the Information Commissioner's Office.

Annex 1 Authorised Processing Template

1. The contact details of the Customer Data Protection Officer is:

REDACTED

2. The contact details of the Service Provider in relation to data protection queries is:

GatenbySanderson to add name and contact details.

The Processor shall comply with any further written instructions with respect to processing by the Controller. . The Supplier will act largely as a Processor to process candidate applications. GatenbySanderson will process candidate applications, including personal data such as names, employment history, and contact details, and pass such details onto MHCLG. Additionally, candidates may disclose diversity data as part of their application, though they will have the opportunity not to disclose information if they so wish, and this information will be processed and used for reporting purposes anonymously.

The Supplier will act as a separate Controller at some points of the recruitment process, GatenbySanderson will act as Data Controller with regards to data which is copied from their website for analytical purposes to help improve the recruitment process. Candidate details will also be processed and controlled in that GatenbySanderson will assess candidates' applications and provide

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recommendations to MHCLG on whether candidates are suitable for the role in question. Candidates who are shortlisted will be contacted by GatenbySanderson and asked to provide reference details, so that references can be taken by GatenbySanderson and provided to the interview panel as part of the overall consideration of candidates.

3.

4. Any such further instructions shall be incorporated into this Schedule.

REDACTED