



National Highways Company Limited

Scope

Defined Terms

Annex 01

Ref.	Defined Term	Definition
1	Authorised High Court Enforcement Officers	are as defined by the High Court Enforcement Officers Association (see link in Annex 02).
2	Category Purchase Agreement	is a contract (including framework agreements and dynamic purchase system) which is established or may be established by the <i>Client</i> for common requirements across its asset management and wider expenditure plan under which the <i>Contractor</i> and others may enter into contracts with Category Suppliers.
3	Category Supplier(s)	are parties to a Category Purchase Agreement with the <i>Client</i> .
4	Contractor Background IPR	IPR owned by the <i>Contractor</i> or a third party before the Contract Date or created by the <i>Contractor</i> or a third party independently of the contract, which is, or will be, used to <ul style="list-style-type: none"> before the end of the <i>service period</i>, to Provide the Service and for the maintenance, operation and modification of the <i>service</i>.
5	Contracts Finder	is the government website for information about contracts worth over £25,000.00 with the government and its agencies.
6	Core Removal Service	is a period of 12 weeks during which the <i>Contractor</i> provides a rapid response team of six Staff to attend property affected by the <i>service</i> for the removal of protesters within one hour of notification by the <i>Client</i> as set out in section S 106 of the Scope.
7	Core Removal Service A	is a Core Removal Service that starts on the date defined in section S 110.3 of the Scope.
8	Core Removal Service B	is a Core Removal Service that starts on the date defined in section S 111.3 of the Scope.
9	Core Removal Service C	is a Core Removal Service that starts on the date defined in section S 111.3 of the Scope.

10	Corrective Action	has the meaning given in BS EN ISO 9000:2015.
11	Data	is all Personal Data collected, generated or otherwise processed by the <i>Contractor</i> in the course of Providing the Service.
12	Data Controller	is a legal person that determines the purposes and means of the processing of Personal Data.
13	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.
14	Data Protection Impact Assessment	is an assessment by the Data Controller of the impact of the envisaged processing of Personal Data on the rights of a Data Subject(s).
15	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), • the Data Protection Act 2018, • the Privacy and Electronic Communications (EC Directive) Regulations 2003 and • any other data protection laws and regulations applicable in England and Wales.
16	Data Subject	is an individual who is the subject of Personal Data.
17	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

		<ul style="list-style-type: none">• transfer of Data to a third party.
18	Disclosure Request	is a request for information relating to the contract as received by the <i>Client</i> pursuant to the Freedom of Information Act 2000 and Environmental Information Regulations 2004 or later revision.
19	Discrimination Acts	are the Equality Act 2010 and any provisions of any earlier statutes that are expressly preserved in force by that Act.
20	EEA	is the European Economic Area.
21	Green Claims	refers to the <i>Client's</i> claims process where it seeks to recover monies from a third party in respect of damage caused to the strategic road network, as aligned to the provisions of the "Highways Act 1980" (see link in Annex 02).
22	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.
23	List X	List X contractors 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 (https://www.gov.uk/government/publications/security-requirements-for-list-x-contractors).
24	Mobilisation Activities	are all activities identified in Scope section S 109.
25	Nonconformity	has the meaning give in BS EN ISO 9000:2015.
26	Performance Level	is the performance level of the Collaborative Performance Framework stated in Scope section 343.
27	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.

28	Phases	are the three phases outlined in section S 102 of the Scope.
29	Processor	is a legal person which processes Personal Data on behalf of a Data Controller.
30	Prohibited Substance	is any intoxicating substance, or alcohol, or drugs.
31	Project	is the A303 Stonehenge (Amesbury to Berwick Down) project.
32	Protective Measures	<p>are appropriate, technical and organisational measures implemented, consistent with good industry practice, to ensure a level of security appropriate to the risk posed by Personal Data, taking into account the state of the art, the costs of implementing, the harm that might result from a Security Incident, and which may include</p> <ul style="list-style-type: none"> • 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 “Procurement Policy Note 02/18 Changes to Data Protection Legislation and General Data Protection Regulation” (see link in Annex 02).
33	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.
34	Quality Plan	<p>is the quality plan produced in accordance with</p> <ul style="list-style-type: none"> • ISO 9001, • ISO 10005, • clause 40 of the <i>conditions of contract</i>,

		<p>and</p> <ul style="list-style-type: none"> • the Scope.
35	Road Period	is in relation to a particular Road Investment Strategy, the period to which that strategy relates, as outlined in the contract.
36	Security Incident	is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Data.
37	Service Provider System	are the <i>Contractor's</i> (service provider/ supplier) IT systems/ applications which they use to provide services to National Highways.
38	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.
39	Specialist Removal Officer	is as defined in Annex 20 of the Scope.
40	Sub-Processor	is a third party (including Associated Company) engaged by the <i>Contractor</i> to process Data.
41	Team Leader	is as defined in Annex 20 of the Scope.
42	Supervisory Authority	is any regulatory, supervisory, governmental or other competent authority with jurisdiction or oversight over the Data Protection Legislation.
43	World Heritage Site	is the Stonehenge World Heritage Site, the area of which is as indicated in Figure 1 in section S 100.1.2 of the Scope and has the meaning given to it in the environmental statement forming part of the Development Consent Order.
44	Work Related Road Risk	also known as occupational road risk, is the term used to describe the dangers associated with driving or riding as part of a job. Driving or riding for work is any journey that is not to the usual place of work. The law applies to both company and grey fleet

		<p>vehicles (those owned by workers). The law applies to employees and anyone engaged to work for a company including dependent contractors and the self-employed. The management of work-related road risk is covered under the Health & Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999.</p>
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