

Commissioning Letter

RSM UK Consulting LLP
2nd Floor, North Wing East
City House
Hills Road
Cambridge
CB2 1RE

Wednesday, 06 February 2019

Dear Sirs

**BEIS Research and Evaluation Framework Agreement – Lot 1
Enforcing the enhancement of energy efficiency regulations in the English private
rented sector
CR18199**

Thank you for your response to the Specification for the above commission by the Department for Business, Energy and Industrial Strategy (BEIS) (the Customer) through the BIS Research and Evaluation Framework dated 2 January 2016 between (1) Secretary of State for Business, Innovation and Skills; and (2) RSM UK Consulting LLP (the Framework Agreement).

Appendix A: Specification for Enforcing the enhancement of energy efficiency regulations in the English private rented sector

Appendix B: Tender dated 18th January 2019

Annex A: General Data Protection Regulations

This contract shall commence on 8th February 2019 and shall end on 29th March 2019.

Department for Business, Energy and Industrial Strategy accepts your Tender (Appendix B), submitted in response to our Specification (Appendix A). RSM UK Consulting LLP shall undertake the services in alignment with the specification in Appendix A and their bid submitted in Appendix B.

The Call-Off Terms and Conditions for this Contract are those set out in Schedule 5 to the Framework.

The agreed total charges for this assignment are £47,300.00 exclusive of VAT which should be added at the prevailing rate. This contract shall not exceed £47,300.00 in alignment with the following commercial breakdown:

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The agreed invoice schedule is below:-

Delivery of interim report [REDACTED]

Delivery of final report [REDACTED]

All invoices should be sent to finance@services.ukpbs.co.uk or Billingham (UKPBS, Queensway House, West Precinct, Billingham, TS23 2NF). A copy of the invoice should be sent to [REDACTED].

You are reminded that any Customer Intellectual Property Rights provided in order to perform the Services will remain the property of the Customer. The following deliverables have been agreed:

The Services Commencement Date is 8th February 2019.

The Completion date is 29th March 2019.

The Contract may be terminated for convenience by giving 30 days' notice in accordance with clause 38 of the Call-off Terms and Conditions.

Your invoice(s) for this work must include the following information:

Commission number: CR18199

The Authorised Representative for this Commission will be [REDACTED] who can be contacted at [REDACTED].

Until the date of publication, findings from all Project outputs shall be treated as confidential. Findings shall not be released to the press or disseminated in any way or at any time prior to publication without approval of the Department.

This clause applies at all times prior to publication of the final report. Where the Contractor wishes to issue a Press Notice or other publicity material containing findings from the Project, notification of plans, including timing and drafts of planned releases shall be submitted by the Contractor to the Project Manager at least one week before the intended date of release and before any agreement is made with press or other external audiences, to allow the Department time to comment on factual accuracy. All Press Notices released by the Department or the Contractor shall state the full title of the research report, and include a hyperlink to the Department's research web pages, and any other web pages as relevant, to access the publication/s.

This clause applies at all times prior to publication of the final report and within one month from the date of publication. Where the Contractor wishes to present findings from the Project in the public domain, for example at conferences, seminars, or in journal articles, the Contractor shall notify the Project Manager before any agreement is made with external audiences, to allow the Department time to consider the request. The Contractor shall only present findings that will already be in the public domain at the time of presentation, unless otherwise agreed with the Department.

Congratulations on your success in being selected to undertake this Commission.

Yours sincerely

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 Category Manager
UK Shared Business Services Ltd

BY SIGNING AND RETURNING THIS COMMISSIONING LETTER THE SERVICE PROVIDER AGREES to enter a legally binding contract with the Customer to provide to the Customer the Services specified in this Commissioning Letter and Annexes incorporating the rights and obligations in the Call-off Terms and Conditions set out in the Framework Agreement.

Department for Business, Energy and Industrial Strategy

Name and Title	
Signature	
Date	12/02/19

Signed on behalf of RSM UK Consulting LLP

Name and Title	 RTNER
	
	

- **Appendix A Specification**

Background

The Committee on Fuel Poverty, an executive NDPB for whom BEIS sets aside a research budget each year, has requested BEIS commission a research project on the enforcement of new Minimum Energy Efficiency Standards (MEES). From 1 April 2018, the Minimum Energy Efficiency Standards have required private landlords to improve homes rated at Energy Performance Certificate Bands F or G to improve their property to E before renting it out, unless their property is eligible for an exemption. These regulations are an important part of decarbonization and reducing heating costs for fuel poor households, as per the Clean Growth Strategy. Future energy efficiency regulations for landlords are expected to put into place, requiring landlords to improve properties to an EPC Band C by 2030. The expected reductions in carbon emissions and fuel poverty are dependent on a high level of landlord compliance, which is meant to be enforced by Local Authorities.

Recent research (*The Warm Arm of the Law* and *The Evolving Private Rented Sector*) has identified several challenges with the enforcement of MEES by Local Authorities. In particular, Local Authorities are currently unable to identify landlords in violation of the regulations, and costs of enforcement may exceed Local Authorities' limited budgets. The Committee on Fuel Poverty is concerned this may lead to the under-enforcement of these regulations, leaving many vulnerable and low-income people in substandard tenancies.

This research seeks to address these challenges by asking the question: *To achieve the housing stock improvement and reduction in fuel poverty sought from the new Minimum Energy Efficiency Standards, what alternative enforcement models could be adopted and how might they work?*

The Committee on Fuel Poverty has proposed a research project aimed at clearly defining the problem and identifying potential options for better enforcement. The report will be released by the Committee for Fuel Poverty and used to inform its work advising Government on Fuel Poverty. It will also feed into Private Rented Sector and Fuel Poverty policy.

Aims and Objectives of the Project

The project aims to:

- Review existing literature regarding the effectiveness of existing monitoring and enforcement of PRS regulations.
- Appraise policy alternatives for enforcement, including considering a mandatory national landlord licensing scheme.
- Compare the identified alternatives systematically, considering the expected level of compliance and expected costs of each option.
- Suggest principles for effective future enforcement.

The questions we expect to be answered from the evidence review are:

1. How does the Government in England identify landlords, verify compliance, and enforce PRS regulations, and ensure tenant rights are protected? How well is this working? What are the barriers to enforcement?
2. How do governments/regulatory agencies identify landlords, verify compliance, and enforce regulations in other nations (including Scotland, Wales and Northern Ireland, as well as other countries with similar rental sectors)? How are tenant rights protected in the process?
3. Which new or innovative policy alternatives could improve identification of landlords, verification of compliance, enforcement of PRS regulations, and protection of tenant rights (e.g. putting the burden of compliance on letting agencies; using blockchain as part of a landlord register)?
- 4.

The questions we expect to be answered from interviews/seminars with stakeholders are:

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5. How effective, feasible, and deliverable might the above policy alternatives be? (Consider, for example, the value for money provided by the alternatives identified in question 2 and question 3.)
6. What key principles should a new enforcement scheme draw from? What do stakeholders consider to be the most important priorities when deciding between enforcement options? How could preferred options be funded?

Suggested Methodology

We expect contractors to set out their proposed research methods. We would expect their approach to include, but not be limited to, the following:

Phase 1: The first stage of the research will involve an evidence review of existing material. This will involve identifying relevant existing Fuel Poverty, Private Rented Sector, and regulation literature, assessing its robustness, synthesising it into one place and mapping out where the evidence gaps are. Contractors will be asked to set out their search strategy for identifying relevant literature and how they will assess the robustness of this. It is anticipated that this would include using a systematic approach through specific search terms (e.g. relating to the topic areas and key regulation in other countries) and looking at research citing the main existing evidence in the area. This may also include interviews with experts in the field, including academics, who can signpost researchers to key sources. It is anticipated up to 20 days of time would be spent on this stage of the research including the provision of a first stage report to the steering group. A key output of the first stage of the research will be an accessible, high level comparative assessment of different options for government enforcement of the Minimum Energy Efficiency Standards.

Phase 2: The second stage of the research will explore the feasibility of the options generated by the evidence review. Researchers would be expected to conduct 10-20 seminars and interviews with key stakeholders; for example, representatives from Local Authorities, Devolved Authorities, the Association of Local Authority Energy Officers and Environmental Health Officers, or the National Landlords Association. BEIS and/or the CFP may be able to assist with introductions to these stakeholders, although a list of potential interviewees should be generated by researchers. Additionally, this stage should include identification of potential costs of the most promising alternatives and how these options could be funded.

Deliverables

Slide pack (or similar electronic update) of interim findings (mid-February)

Final report (end of March)

Presentation to Committee on Fuel Poverty (date tbc)

Appendix B – Tender Response

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APPROACH

Our proposed approach uses a mixed methodology. The table below sets out our proposed methods and how they meet the objectives

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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- [REDACTED]
- [REDACTED]
- [REDACTED]
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[REDACTED]

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[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]



STAFF TO DELIVER

Our skills and expertise

Our proposed team has a strong track record in successful delivery of research in the field of housing, including regulation of the private rented sector. Examples include:

- **Evaluation of Rent Smart Wales** RSM undertook a longitudinal evaluation of the implementation of Part 1 of the Housing (Wales) Act 2014 via Rent Smart Wales over a three-year period. The evaluation commenced with the development of a Logic Model setting out the expected outputs/ outcomes. The review methodology comprised: desk research and analysis of internal monitoring data; quantitative surveys with landlords/ lettings agents and tenants; in-depth qualitative interviews with a sample of respondents; and in-depth telephone interviews with Local Authority representatives and key external stakeholders in the PRS.
- **Research into Letting Agents Fees to Tenants in Wales**. This research was led by [REDACTED], whilst at the Cambridge Centre for Housing and Planning Research. The Welsh Government commissioned this research into fees charged to tenants in the private rented sector across Wales. The aim was to broaden understanding on what constitutes a 'fee' or a 'charge' and the levels at which these are levied. It explores the potential impact on letting agents, landlords, tenants, and the private rented sector as a whole if these fees were to be banned.
- **Evaluation of Birmingham City Council Social Housing Allocations Scheme** to identify if the allocation scheme was working as intended and meeting its objectives of being transparent, fair, efficient and encouraging realism in allocating this scarce resource. The study involved speaking to policy makers and those who designed the current scheme, housing managers, housing associations, advice agencies, tenants and people on the housing register. These groups had a range of views about what was or was not working well. Data on the waiting list, housing allocations and the current housing stock was drawn on to establish which stock was most in demand, what was hard to let and why. There were over 40 recommendations made to the city council to help improve the allocation scheme.
- **Data analysis to support the evaluation of Newham's private rented landlord licensing scheme**. This work was led by [REDACTED], whilst at the Cambridge Centre for Housing and Planning Research. It involved analysis of data collected by the London Borough of Newham on the impact of compulsory borough-wide landlord licensing on rates of anti-social behaviour, crime and rent levels. The report was used to support the Borough's development of their scheme.
- **The effects of rent controls on supply and markets**. This project, commissioned by Shelter and led by [REDACTED], whilst at the Cambridge Centre for Housing and Planning Research, explored the possible effects of different rent control scenarios on the operation of the Private Rented Sector in England. Six different rent control options were considered, proposing different limits to rents and changes to security of tenure. A follow up study was later commissioned by the London Assembly's Housing Committee with a focus on the London housing market.

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External support would be needed from BEIS in steering the research, and providing contacts and introductions for some interviewees.

UNDERSTANDING THE PROJECT ENVIRONMENT

Interpretation of the project

The project looks at how the regulation of the Minimum Energy Efficiency Standard (MEES) is being enforced in the private rented sector (PRS) across England and how this could be improved. To do this we need to:

- establish the scale and location of the PRS stock that does not meet the MEES;
- understand the regulations and how these are currently enforced in England;
- understand different approaches to regulation in the devolved administrations within the UK to enforcement and monitoring regulation in the private rented sector;
- appraise a range of possible approaches to the problem;
- consult with a range of stakeholders including local authorities, landlords, tenant bodies, and academics to get their views on these different approaches and the possible impacts of these different schemes; and
- present the findings to BEIS to inform any introduction of new approaches to regulation of the MEES.

Relevant knowledge

Energy Efficiency Ratings and problems with inefficient stock

A dwelling meets the MEES if it has an Energy Efficiency Rating (EER) of Band E or above. There is a further aim to improve the stock so that most of privately rented sector has an EER of Band C or above by 2030. The most recent English Housing Survey (2016) shows around 320,000 homes are currently in the lowest two bands (F and G), meaning they fail to meet the MEES, and around 7% of these are in the PRS. Band D is the most common EER band, with around 15.5 million homes in Band D and E in 2016 (3.2 million in the private rented sector or about two thirds of all the private rented stock).

Energy Performance Certificate (EPC) Lodgement data gives an indication of the scale and location of stock which is below the minimum standard. Data has been collected since 2008 and is published by the Ministry for Housing Communities and Local Government. Not all properties have an EPC, and data by location and tenure is not published. It was estimated in 2013 that only around a quarter of dwellings in the private rented sector had an EPC, but the proportion is likely to have grown considerably since then as an EPC has been required to let a property to new tenants since October 2008, and most PRS tenants have been in their current home for less than ten years. Properties that do not currently meet the standard are more likely to be costly to heat. The modelled mean annual energy cost of a property in Band F (£2,124) is nearly one and a half times the heating cost of an average property in Band E (£1,425). Larger properties tend to be less efficient and have a lower rating than smaller properties. Owner-occupiers often choose to trade additional space for thermal efficiency, although this appears less of an issue in the PRS where people are less likely to be under-occupying homes (by number of bedrooms).

The costlier a property is to heat the more likely a household with a low income is to be in fuel poverty, and able to maintain a reasonable degree of warmth in their home. Fuel poverty is currently measured using the Low Income High Costs (LIHC) indicators. Under the LIHC indicator, a household is considered to be fuel poor if: they have required fuel costs that are above average (the national median level) and were they to spend that amount, they would be left with a residual income below the official poverty line. Improving efficiency and reducing costs is therefore an important way of taking a household out of fuel poverty. As well as fuel poverty, living in a home which is not warm can have a detrimental effect on health (both mental and physical). In addition to the impact on health

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and poverty, energy inefficient housing – whatever the income of the occupant - contributes to carbon emissions,

The private rented sector

Tenants are vulnerable to fuel poverty as they are, on average, less well off than owner-occupiers. They are also less able to make changes to their own homes to improve the energy efficiency. From a landlord's perspective, improving stock to make it more thermally efficient can be costly and this cost can be a barrier to either improving its efficiency or making it available for rent. The savings on fuel bills will, however, be enjoyed by the tenants rather than the landlord, meaning there is little financial incentive to improve homes, unless this will result in increased rents. Rents charged to the lowest income groups are in many cases effectively capped by limits on Local Housing Allowance, meaning landlords may see no financial returns from the work they do to improve energy-efficiency of their stock. There is however some evidence that improving the energy efficiency of a property could increase the property price.

MEES was introduced in April 2018 and applies to all privately rented properties, although there are exceptions, such as mixed-use properties, and holiday lets. Landlords should consider the scope of the regulations and whether it applies to their property or if exemptions apply, and look to make improvements to the EER where practical. Guidance for landlords on meeting MEES provides information on funding options available to pay for the work. Taking a "whole house" approach can involve designers using computer simulations to compare multiple combinations of variables to arrive at the most cost-effective and energy-efficient solution. This may be costly in the short term but if it can move towards meeting not just the current E rating but towards a C rating could be a good long term investment, preparing for changes to the standard in 2030.

Improving energy efficiency for tenants can lead to reducing their fuel bills which means they are better able and more likely to meet rents. It may also make a property more attractive for a growing market of long term tenants, reducing costly void periods.

Current approaches to enforcement in England

Local authorities are responsible for enforcing the MEES, either through environmental health or trading standards officers, which can be challenging in some two-tier authorities where environmental health teams work at the county level with trading standards operating at the district level.

Since 2008 landlords have been required to have an EPC when advertising a property to let. Properties must be compliant with the MEES in order to be let.

Enforcing the MEES for existing tenants is less straightforward. The process involves identifying whether the property is not complying through inspections and checking whether it is on the exemptions register and serving a compliance notice if it is in breach. There are no routine inspections for properties in the PRS, and the mostly likely prompt for one would be a complaint from the tenant, who may be reluctant to do so if they think the landlord is likely to end their tenancy in retaliation. It also relies on them being aware of acceptable standard. The landlord must then provide evidence of compliance addressing the issues in the compliance notice. If the landlord fails to do this, the authority can impose a fine of up to £2,000. If a landlord lets a non-complying property for more than three months, this fine may increase to £4,000. These amounts are per property and per breach. The authority can also publish details of the landlord's breaches on a publicly accessible part of the PRS Exemptions Register for at least 12 months.

As well as costs to landlords, there is some evidence of low engagement between landlords and the energy efficiency sector. Improving information and standards about specialist contractors in this area may improve trust and willingness to engage in these works.

Barriers to enforcement in England

There are several barriers to enforcement of regulations for local authorities:

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• It is hard to identify landlords and properties which are not complying with regulations. There is no database of PRS properties in England and most local authority licensing schemes cover only a small proportion of the stock (such as HMOs). English Housing Survey data provides estimates for the number of properties not complying with MEES but cannot be used to identify specific properties, or to give an accurate estimate of numbers below regional level. More detailed data about individual EPCs can be obtained from the EPC register¹³, and cross referenced against land registry data to work out the landlord, but this only identifies properties with an EPC, not those without. Using data from Tenancy Deposit Schemes may offer a potential means to identify properties and landlords. There are different deposit schemes and how this data may be accessed and shared is not clear.

- There is a lack of resource at local authority level¹⁵. Due to budget cuts since 2010, trading standards and environmental health have reduced funding and staff to enforce MEES regulations. For example, Birmingham has five environmental health officers for a city of 1.1 million people (around 1 for every 100,000 properties). The Housing and Planning Act 2016 allows local authorities to keep money received through civil penalties and reuse it for housing enforcement purposes. However, for relatively small fines of around £2,000 (as would be imposed for breach of the MEES) this may not be enough to make pursuing non-compliant landlords worthwhile, if chasing single landlords over single properties takes a long time and most landlords comply when asked to, rather than paying a fine. The MHCLG Committee also noted a lack of political will. While resources have been cut, there is a large variety of what is being done locally which demonstrates the importance of leadership and steer in enforcing different regulations.
- There is evidence that enforcement can be patchy; The RLA reported to the MHCLG Committee that "among the 296 councils in England who responded to their there were just 467 prosecutions of landlords despite receiving 105,359 complaints" in 2016/17, FOI figures show around half of the landlords prosecuted were prosecuted by the London Borough of Newham, a borough that is unusual in having a borough-wide landlord licensing scheme.
- Because of the costs of prosecution, local authority officers may use other "soft" approaches (such as networking through landlord forums or providing advice) to promote compliance with regulation. It is harder to monitor how successful these approaches are as such engagements and their impacts are hard to capture in the official statistics (unlike prosecutions). It is also only possible to engage with the landlords who are open to such engagement, so this may not be useful in tackling the "bad actors" in the sector.
- Enforcement is largely reliant on tenants reporting issues with their landlords. Some tenants in more legally tenuous situations may be vulnerable to a lack of official support if they are unwilling or unable to engage with enforcement officers. The PRS in general offers relatively little security to tenants, who can be fearful of reporting their landlords for breach of standards, as they fear losing their home via a S21 eviction notice, which requires no wrongdoing on the tenants' part.

Other possible approaches

Other approaches to enforcing regulations include approaches from devolved administrations and other possibilities arising from policy discussions or changes in technology.

- Landlord registration. Being able to identify which properties are in the PRS would be a useful starting point for local authorities seeking to enforce the MEES. England is currently the only part of the UK to not have a central landlord register. Locally there are selective licensing schemes, but these mostly target low demand housing or housing in local areas experiencing anti-social behaviour, or shared housing/HMOs. The devolved authorities all have existing registers of landlords:
 - Rent Smart Wales²² has been in place since 2015, and ensures compliance in partnership with the Welsh local authorities. As it is a national register, landlords only need to register and apply for one licence, which is convenient if they have properties in more than one authority. As well as leading enforcement actions against landlords and letting agents

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not complying with regulations, RentSmart Wales provides information for tenants and training for landlords and agents.

- The Scottish Landlord Register²³ was set up in December 2017. It costs £55 per authority and £11 per property (although discounts apply for HMOs, applications made by charities and some other exceptions). Landlords register every three years. As with Rent Smart Wales, the scheme provides information to tenants and landlords. Because it has been running for a little over a year, the website for the scheme is still in BETA and the information available about enforcement actions is limited.
- The Northern Ireland Landlord Registration Scheme operates in Northern Ireland. As with the other schemes it provides a central information about landlords and their properties, provides education and support to landlords, promotes good practice and ensures the right advice and help is available.

- In 2017, the Scottish government introduced a new type of tenancy which improves the security and predictability for tenants and provides appropriate safeguards for landlords, lenders and investors, This provides protection for tenants by specifying “comprehensive and robust grounds for repossession” which will protect tenants from retaliation from complaints²⁵. A similar scheme would be of benefit here in allowing more protection for tenants if they did come forward with complaints.

- The review of evidence proposed as part of this project will allow us to consider other policy alternatives and better understand mechanisms such as the use of blockchain in setting up a landlord register, and the role of letting agents in complying with regulations and ensuring that landlords also do so.

Using our knowledge to ensure successful delivery

We have extensive knowledge of the issues facing the PRS and challenges in regulation. The project director, [REDACTED] has authored the following reports in this field:

We at RSM also undertook the evaluation for the Welsh Government of Rent Smart Wales.

Anna will ensure that the whole team are briefed fully on the issues facing landlords, to ensure that we are able to engage with the sector and understand their concerns. When undertaking the analysis of the impact of a possible ban on letting agents’ fees to tenants for the Welsh Government, Anna spoke to a range of actors with differing views (including landlords, tenants and letting agents’ representatives). She was able to tease out facts from opinions, put opposing views to respondents and develop a strongly evidenced and independent overview of the likely outcome of a ban on fees to tenants, supported by research in Scotland where a similar ban had been in place for several years. Our research team would apply a similar approach to this project, understanding where respondents are coming from, but putting opposing views to them to develop the arguments around enforcement of the MEES in the PRS. An economic framework for understanding likely impacts on landlord behaviour (improving a property or selling it), increases in energy efficiency and rents would be employed.

PROJECT PLAN AND TIMESCALES

The outline project plan is shown in the chart below:

	Jan		Feb				March			
Stages and dates (week commencing)	21	28	4	11	18	25	4	11	18	25
Contract award and commencement	█									
Project Initiation Meeting		█								
Progress reports (by phone)			█		█		█		█	
PID agreed			█							
Review of evidence and interviews with experts		█	█	█	█					



		agendas. We maintain close contact with clients and would discuss any changes required at the earliest possible opportunity, revising the research methods, focus, or if required the budget for research accordingly.	
Delayed turnaround of inception report or draft survey	High	Deadlines are outlined above and will be confirmed in the PID. Slippage to be identified and flagged within two days. There is some contingency built into the review of evidence and analysis and write up. Delays of more than a week are likely to set back the project's completion date. Significant delays may mean we have resource booked at the wrong periods which could cause further delays.	Medium
Key RSM staff unavailable	Low	Reserve staff are already identified if any should be unavailable. This is shown in the staff to deliver section of this proposal.	Low
Poor attendance at workshops	Medium	We will ensure potential attendees are identified and they are contacted well in advance. We will ensure the venue is at a convenient location for to maximise attendance, ie somewhere central to the region and well-linked. The planned period for workshops is shortly after fuel poverty awareness day (15 th February) and this would be a good opportunity to promote events.	Low
Key stakeholders unwilling to be interviewed	Medium	To fit with schedules, interviewees will be offered slots over a period of two weeks and interviews undertaken by phone. A third week has been identified to undertake any interviews not secured in this two-week period (for instance because a specific individual is on leave).	Low
Insufficient information available about alternatives for enforcement of energy efficiency standards in PRS from other countries	Medium	We will have a plan and checklist of the type of information we will need to assess and compare different alternatives together. If insufficient information is available from published sources, we will speak to people from the relevant authorities/organisations where possible to complete the checklist of information needed.	Low

- Annex A General Data Protection Regulations

1. Data Protection

The Supplier will be compliant with the Data Protection Legislation, as defined in the terms and conditions applying to this opportunity. A guide to The General Data Protection Regulation published by the Information Commissioner's Office can be found [here](#).

The only processing that the Supplier is authorised to do is listed in Annex 1 by the Contracting Authority and may not be determined by the Supplier.

Annex 1: Processing, Personal Data and Data Subjects

(1) The contact details of the Contracting Authority Data Protection Officer are:

The Contracting Authority Data Protection Officer
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Email: dataprotection@beis.gov.uk

(2) The contact details of the Supplier Data Protection Officer (or if not applicable, details of the person responsible for data protection in the organisation) are:

██

(3) The Supplier shall comply with any further written instructions with respect to processing by the Contracting Authority.

(4) Any such further instructions shall be incorporated into this Annex 1.

Description	Details
Subject matter of the processing	The processing is needed in order to ensure that the Supplier can effectively deliver the contract to provide a report on fuel poverty and private tenancies, which will include interview data. The processing of names and business contact details of staff of both the Contracting Authority and Supplier will be necessary to deliver the Services exchanged during the course of the Contract, and to undertake Contract and performance management. The Contract itself will include the names and

	business contact details of staff of both the Contracting Authority and the Supplier involved in managing the Contract.
Duration of the processing	Processing will take place from 28 th February 2019 for the Commencement of the Contract. The Contract will end on 31 st March 2019.
Nature and purposes of the processing	<p>The nature of the processing will include collection, recording, and use of data.</p> <p>Processing takes place for the purposes of research.</p> <p>The nature of processing will include the storage and use of names and business contact details of staff of both the Contracting Authority and the Supplier as necessary to deliver the Services and to undertake Contract and performance management. The Contract itself will include the names and business contact details of staff of both the Contracting Authority and the Supplier involved in managing the Contract.</p>
Type of Personal Data	<p>Interview or focus group data from individuals in their professional capacity, as well as their contact details.</p> <p>Names, business telephone numbers and email addresses, office location and position of staff of both the Contracting Authority and the Supplier as necessary to deliver the Services and to undertake Contract and performance management. The Contract itself will include the names and business contact details of staff of both the Contracting Authority and the Supplier involved in managing the Contract.</p>
Categories of Data Subject	<p>Interviewees</p> <p>Staff of the Contracting Authority and the Supplier, including where those employees are named within the Contract itself or involved</p>

	within Contract management.
<p>Plan for return and destruction of the data once the processing is complete</p> <p>UNLESS requirement under European Union or European member state law to preserve that type of data</p>	<p>The Personal Data will be retained by the Supplier for a twelve-month retention period, following which the Supplier will delete the Personal Data and erase the Personal Data from any computers, storage devices and storage media that are to be retained by the Supplier after the expiry of the Contract and the retention period. The Supplier will certify to the Contracting Authority that it has completed such deletion.</p> <p>Where Personal Data is contained within the Contract documentation, this will be retained in line with the Department's privacy notice found within the Procurement Documents.</p>

The Contracting Authority will be relying on consent as the relevant legal basis of processing. The Supplier will ensure that all communications requesting the provision on personal data allow for the data subject to provide clear, affirmative, informed, freely given and unambiguous consent, which requires a positive 'opt-in.' the Supplier will have mechanisms in place to ensure that consent is recorded and shown through an audit trail.

GDPR Questionnaire

The Supplier shall complete and return the questionnaire to the contact named in the Contract on the following date from the Commencement of the Contract.

The Supplier agrees that any financial burden associated with the completion and submission of this questionnaire at any time, shall be at the Suppliers cost to do so and will not be reimbursable.



GDPR Assurance
Questionnaire May1