

FRAMEWORK SCHEDULE 4: LETTER OF APPOINTMENT AND CALL-OFF TERMS

Part 1: Letter of Appointment

4 Matthew Parker St,
London,
United Kingdom,
SW1H 9NP

Dear Sirs

Letter of Appointment

This letter of Appointment is issued in accordance with the provisions of the Framework Agreement (RM6004) between CCS and the Supplier dated [REDACTED]. Capitalised terms and expressions used in this letter have the same meanings as in the Call-Off Terms unless the context otherwise requires.

Reference Number:	CR20029
From:	Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London, SW1H 0ET ("Customer")
To:	Behavioural Insights Ltd, 4 Matthew Parker St, London, United Kingdom, SW1H 9NP ("Supplier")

Effective Date:	Tuesday, 31 st March 2020
Expiry Date:	End date of initial period Tuesday, 30th June 2020 (or if break clause is initiated). Notice period for cancellation is 30 days.

Services required	Set out in Section 2, Part B (Specification) of the DPS Agreement and refined by: <ul style="list-style-type: none">- The Customer's Project Specification attached at Appendix A and the Supplier's Proposal attached at Appendix B.
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Key Individuals:	BEIS Project Manager – [REDACTED]
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Call-Off Contract Charges (including any applicable discount(s), but excluding VAT):	£35,000.00 Excluding VAT.
Insurance Requirements	As per Call-off Terms and Conditions.
SPECIAL TERMS	<p>GDPR – Annex A</p> <p>BREAK CLAUSE</p> <p>Contract review point - After stages 1 -2 there should be a break clause. At this stage BEIS reserves the right to terminate the project. Bidders must clearly signal this break clause within their pricing and proposed methodology.</p>

FORMATION OF CALL-OFF CONTRACT

BY SIGNING AND RETURNING THIS LETTER OF APPOINTMENT (which may be done by electronic means) the Supplier agrees to enter a Call-Off Contract with the Customer to provide the Services in accordance with the terms of this letter and the Call-Off Terms.

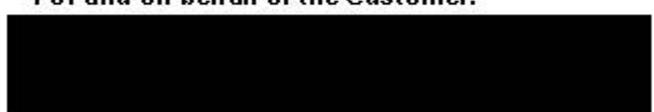
The Parties hereby acknowledge and agree that they have read this letter and the Call-Off Terms.

The Parties hereby acknowledge and agree that this Call-Off Contract shall be formed when the Customer acknowledges (which may be done by electronic means) the receipt of the signed copy of this letter from the Supplier within two (2) Working Days from such receipt.

For and on behalf of the Supplier:



For and on behalf of the Customer:



01/04/2020

APPENDIX A

Customer Project Specification

1. Background

What is the strategic context for this work?

The National Living Wage (NLW) or National Minimum Wage (NMW) (collectively referred to here as the Minimum Wage) applies to all workers (excluding the self-employed) and is the minimum hourly rate of pay an employer can pay.

The NMW was introduced in 1999 to prevent employers paying exploitatively low wages, with its objective being to maximise the pay of low paid workers without damaging their employment prospects. The NLW was introduced in 2016, to ensure a labour market that works for everyone, both in terms of fair pay and fair working conditions. The Department for Business, Energy and Industrial Strategy (BEIS) is responsible for Minimum Wage policy, including setting the Minimum Wage rates¹ and for all aspects of compliance and enforcement.

Nearly all workers in the UK are entitled to the Minimum Wage² and the Government is committed to ensuring that every worker entitled to the minimum wage receives it. Enforcement of the legislation is therefore essential to support workers in receiving the money they are legally due and to hold employers to account when they have broken the law.

Her Majesty's Revenue and Customs (HMRC) enforce the Minimum Wage on behalf of BEIS. Enforcement of Minimum Wage is critically important – we estimate that in April 2019 approximately 424,000 workers were underpaid the Minimum Wage³. The Government is clear that any worker who is underpaid Minimum Wage is entitled to what they are owed, so it is crucial that HMRC identify and robustly investigate any suspected case of underpayment.

We have made good progress in enforcement of the Minimum Wage, particularly as HMRC's budget for enforcement has increased over recent years (standing at approximately £26 million for the 2019/20 financial year). Results of this increased funding have been seen in the enforcement statistics that we produce. In the last financial year (2018/19), HMRC identified a record £24.4 million in arrears for over 220,000 workers.

Our enforcement approach aims to encourage continued compliance and deter further non-compliance⁴. Enforcement relies as much on persuasion and influencing decision-making as it does on punishment. The Director of Labour Market Enforcement⁵ identified that there are two broad approaches within enforcement: compliance and deterrence, with the most effective enforcement being a combination of the two.

¹ Gov.uk “National Minimum Wage and National Living Wage rates”

² Gov.uk “The National Minimum Wage and Living Wage”

³ Department for Business, Energy and Industrial Strategy (2020) “National Living Wage and National Minimum Wage: Government evidence on compliance and enforcement, 2019”

⁴ Director of Labour Market Enforcement (2018) “United Kingdom Labour Market Enforcement Strategy 2018/19”

⁵ Ibid

Encouraging compliance is based on the idea that violations of the law are a result of a lack of information (ignorance) and/or incompetence, rather than deliberate behaviour on the part of the employer. The main approach, therefore, for encouraging compliance is to improve the information available to employers; on the assumption that employers will become compliant with the law once they better understand it.

HMRC undertake a range of activities as part of their enforcement, both to promote compliance (e.g. mass email mailouts, educational webinars and employer engagement events) and to deter future underpayment (e.g. issuing fines, disqualifying directors from management boards and in extreme cases, prosecuting employers).

However, it is important to ensure that our enforcement reaches the right employers and generates the right kind of meaningful impact and behaviour change. HMRC's bulk email campaigns are one of the most efficient ways to communicate with a large number of employers. **It is therefore important to understand the impact of this strand of work in order to develop future enforcement strategy** (both for Minimum Wage itself, as well as for other areas of labour market enforcement).

We therefore want to understand the impact of HMRC's mass email campaigns (which form a large part of the programme of work to educate employers about Minimum Wage legislation and promote compliance). **We would like to commission an email trial that utilises behavioural insights to build on, develop, and expand a previous HMRC email trial.**

What evidence / analysis / research already exists in this area?

Behavioural insights is the application of behavioural science (the study of human behaviour) to policy making, design and implementation. It helps us better understand how employers, the public and stakeholders may respond to certain policy scenarios. It can also help us understand what motivates and influences the behaviour of the people targeted by the policy intervention.

Behavioural 'nudges' are inexpensive small policy alterations that have disproportionately large beneficial effects (e.g. automatically enrolling members of the public into private pensions schemes, providing they meet the qualifying criteria). 'Nudges' are a relatively small, subtle, change in policy that encourages people to change their behaviour to meet the aims of the policy. Behavioural insights can encourage behavioural change; for example, using social normative messages to encourage employers to comply with the Minimum Wage.

Enforcing the Minimum Wage can be challenging. HMRC works with employers both to promote compliance and tackle difficult topics (e.g. the potential for illegal underpayment of workers). This task is especially difficult given that some employers view HMRC (the tax authority) with hostility. HMRC therefore conducted an initial email trial two years ago, incorporating behavioural 'nudges' to understand what specific messages and language worked best for changing the behaviour of employers who are instinctively wary of HMRC.

HMRC sent over 600,000 emails to employers who had signed up to their Minimum Wage information list. HMRC tested four different emails in their trial (with an additional control group), making slightly alterations to wording and language to see whether these changes prompted more employers to engage with a link to further NMW information and guidance:

- **Control** – 'The government recently published the latest list of employers named for underpaying their workers the national minimum wage. Avoid making the same

mistakes, read our guide for employers on complying with the national minimum wage'

- **Curiosity (1)** – 'The government recently published the latest list of employers named for underpaying their workers the national minimum wage. You may be surprised at the error's employers make. Read our guide for employers on complying with the national minimum wage'
- **Curiosity (2)** – 'The government recently published the latest list of employers named for underpaying their workers the national minimum wage. You may be surprised to learn that even if you pay above the minimum wage you could still be liable for underpayment. Read our guide for employers on complying with the national minimum wage.'
- **Inclusion** - 'The government recently published the latest list of employers named for underpaying their workers the national minimum wage. Even if you pay above the minimum wage you could still be liable for underpayment, read our guide for employers on complying with the national minimum wage.'
- **Salience** - 'The government recently published the latest list of employers named for underpaying their workers the national minimum wage. Lots of companies don't realise they have workers who are underpaid. Don't get caught out, read our guide for employers on complying with the national minimum wage.'

This trial confirmed that one particular form of messaging worked well (messages around 'Curiosity'), but the way in which the trial was designed meant that these findings could not be extended any further. It is not possible to link the list of employer emails included in the trial to wider administrative data to understand whether these emails were effective for any particular *types* of employer – the trial was conducted in isolation from administrative data due to data protection concerns, and data from the original email trial has since been deleted. This means that there is no data to conduct further analysis on, even if we were able to link it to the rest of HMRC's data.

We would therefore like to re-run this trial, generating a data set that can be linked to wider HMRC administrative data and which will establish whether there are any types of email that are effective in changing the behaviour of specific *types* of employer.

What decisions / processes will this work inform?

We expect that the findings from this work will contribute to several strands of Minimum Wage enforcement. Most directly, it will help inform the future targeting and design of future email campaigns – helping HMRC to use tailored language that best engages specific types of employers and encourages them to become / remain compliant with Minimum Wage legislation. This work will also impact HMRC's promotional work more generally, informing the design and language used in their guidance, educational webinars and podcasts and engagement with specific groups of employers.

Whilst the emails in this trial will be specific to Minimum Wage policy, we hope that there will be general learnings that can be applied to the activities of other labour market enforcement bodies (e.g. the activities of Employment Agency Standards, the Gangmasters and Labour Abuse Authority and the Director of Labour Market Enforcement).

2. Aims and Objectives of the Project

In this research, our key aims are to:

- Understand the impact of HMRC's email campaigns,

- Utilise behavioural insights theory to understand how specific types of email and uses of language can prompt employers to engage with Minimum Wage guidance and educational material, and,
- Utilise data science techniques to link data from this trial to wider HMRC administrative data to establish whether particular types of email and language change the behaviour of specific groups / typologies of employer.

More specifically, the research questions that we would like to answer to answer include:

- Does HMRC's email campaign prompt employers to engage with Minimum Wage information and guidance?
- What types of emails and are most effective in encouraging employers to engage with Minimum Wage information and guidance?
- Are there particular forms of wording that change the behaviour of employers, and encourage them to become more engaged with educational Minimum Wage material?
- Which groups / types of employers, if any, respond particularly well to particular forms of wording in these emails?
- What language / forms of wording should be taken forward for use in wider Minimum Wage promotional activity?

3. Suggested Methodology

In summary, we are seeking a bidder to:

- **Undertake initial qualitative research** to establish what kind of messages work best to change the behaviour of employers affected by Minimum Wage legislation (Stage 1 below)
- **Design emails that utilise behavioural insights theory**, and which use different forms of wording to establish which emails are most effective at encouraging employers to engage with additional Minimum Wage information linked in the email (Stage 2 below)
- **Use an HMRC-constructed data set from the trial (containing administrative dataset) to produce a final research report and 'lessons learned' session**, identifying: a) an overall level, which emails were most effective at encouraging engagement with Minimum Wage information, b), whether any email designs worked better for specific groups of employers and c), any key takeaways for future labour market enforcement (Stage 5 below)

PLEASE NOTE THIS REQUIREMENT IS FOR THE COMPLETION OF STAGE 1, STAGE 2 AND STAGE 5 ONLY. STAGE 3 AND STAGE 4 WILL BE COMPLETED BY HMRC.

The key stages of the project are as follows:

1. Initial qualitative stage

We expect that the project will have an initial qualitative stage, to review existing behavioural insights work and to understand the subjects of the research (employers) better. The successful bidder will be responsible for this stage of the research.

We believe it would be valuable to conduct a literature review and number of qualitative interviews / focus groups with employers to understand how they view HMRC and what messages / language would encourage them to seek further information and engage with

Minimum Wage educational material. We expect that the findings from this stage would inform the design of the emails used in the main trial.

Given that this stage of the project is to inform the email design (and not to collect actual data), we welcome bidders' views on how this stage would be best carried out. At a minimum, **we would expect bidders to interview / focus on the groups of employers who we'd be most interested in understanding during the email trials** (e.g. particular sectors, and / or types of employer).

We welcome bidders' proposals on how this stage of the research would be best carried out. **Whilst we specify above that bidders are to cost for a minimum 10 interviews and one focus group, we want to give bidders the flexibility to choose a research design that they think would best suit the needs of the project.** We welcome detail on how participants would be selected and recruited, and what issues would be covered in any qualitative work.

Following this stage of the project, we would expect the successful bidder to produce a **short summary report** outlining findings from the literature review / qualitative research, highlighting implications for the design of the trial emails (discussed below).

2. Email design

Using the insights from the stage described above, the successful bidder will be responsible for designing a suite of emails (that draw on behavioural insights theory) to send to the employers who have signed up to HMRC's Minimum Wage email distribution list.

Whilst we expect to draw on the messages used by HMRC in their initial study, we expect the successful bidder to add to and improve them (using insights / learnings from the initial qualitative stage described above). These emails will include a hyperlink to further Minimum Wage information / guidance (to be developed by HMRC and BEIS).

Contract review point - After stages 1 and 2 there should be a break clause. At this stage BEIS reserves the right to terminate the project. Bidders must clearly signal this break clause within their pricing and proposed methodology.

3. Email mail out

The emails described above will then be sent to the employers who have subscribed to HMRC's Minimum Wage email distribution list.

HMRC's Minimum Wage email distribution list sits separately to their administrative data. This means that it will be difficult to select employers to take part in the email trial, and to ensure that our selection is representative (thus enabling robust sub-group analysis which determines which iterations of the emails are most effective at changing the behaviour of specific *types* of employer).

To select the employers to include in the mail out, HMRC will first draw a large random sample of employers from their overarching administrative data. They will select employers by choosing a random sample of PAYE references. Following this, HMRC will match this sample of employers to their email distribution list, using PAYE references as the matching variable. We will be drawing sample and linking with PAYE references because they are the only unique identifier common between administrative HMRC data and the email distribution list. PAYE references are also representative of the UK employer population. We will to draw

much more sample from the overarching administrative data than is needed for matching to the email distribution list, so that we can accommodate imprecise / low match rates.

HMRC will then email the employers that have been successfully matched. **This is not an element of the project that the successful bidder would be responsible for. The email trial would be sent to employers by HMRC from their systems, using the emails designed by the successful bidder outlined above in Stage 2.** During the trial, HMRC will record the employers who clicked through to the further Minimum Wage guidance / information described above

We expect to email each version of the email to a large number of employers, as we want to conduct robust size and sector analysis for each iteration of the email. Based on last year's trial (i.e. the number of emails that were tested) and ONS business population estimates⁶, we expect to send each version of the email to a minimum 5,400 employers. No employer would receive more than one version of the email.

Bidders should note that this is a smaller sample than the previous email trial (where an approximate 600,000 employers were emailed). We have to be more conservative in our ambition because manually linking HMRC PAYE references and administrative data to the NMW email distribution list is time and resource intensive.

We believe this initial estimate of 5,400 employers per email interaction achieves a good balance, giving a large enough number of employers in each of the email trials to enable subgroup analysis by size and sector, whilst also minimising the number of PAYE references that need to be drawn and matched. **We would be happy to discuss ideal sample sizes with the successful bidder** (and indeed welcome their views in any proposals), **as well as the number of PAYE references that would need to be first drawn as a starting sample from the overarching HMRC administrative data.**

4. Data linking

Due to HMRC data protection measures it is not possible to concurrently create one database that includes both the outcome of the email trial (i.e. whether an employer clicks on the link to the Minimum Wage guidance discussed above) and wider HMRC administrative data. HMRC's administrative data sits separately to the database that will be used for the email trial. HMRC will therefore manually append employer information to the data from the email trial.

Following the trial, HMRC will manually append demographic variables from the overarching administrative data where PAYE references were originally drawn in Stage 3. At a minimum we expect to append overarching demographic variables (e.g. employer size, sector, number of workers etc.), but welcome bidders' views on other variables which would be of value.

Following this, **HMRC will create an anonymised data set.** This will contain the outcome of the email trial (i.e. whether employers clicked through to the additional Minimum Wage information) and demographic characteristics agreed with the successful bidder. **This will then be securely transferred to the successful bidder, who will be expected to undertake any additional data cleaning / coding to enable analysis for the report** (discussed in Stage 5 below).

Bidders should note that we are still finalising the details of Stages 3 and 4 and expect to have established a working process and responsibilities for data linking by the time the

⁶ ONS (2019) "Business Population Estimates 2019"

project is commissioned. We look forward to discussing this in depth during an inception meeting with the successful bidder.

Bidders should note that if it becomes apparent that Stages 3 and 4 will not be possible, or that HMRC cannot undertake the work, we will look to commission this part of the research separately to an external contractor. Similarly, if it is not possible to create a data set that contains administrative data, the project will be terminated after the completion of Stage 2. We will instead use the insights from Stages 1 and 2 to inform the design of a future email trial where data linking can be assured.

5. Analysis and reporting

The successful bidder will be required to use the anonymised data set described in Stage 4 to write a final report, looking at which emails worked best at an overall level, and whether any messaging worked well for particular groups / types of employer. As the original starting sample is not 'pure' (i.e. it is based on a list of employers who actively opted in to receive HMRC Minimum Wage information), we expect the successful bidder to assess the distribution of employers in the final data (e.g. its composition by different employer characteristics) and acknowledge any imbalances (and limitations for the analysis) in the report. **The successful bidder will be responsible for producing this report, and we would look for evidence of skills in data analysis and reporting in any proposals we receive.**

Bidders should allow for two drafts of the report and one round of comments at the first stage, subject to the quality of the first draft. Additionally, we expect to be involved during the early stages of reporting, when an outline is agreed. The report will be made publicly available on gov.uk, so will need to be formatted according to a pre-specified style guide. This will be supplied to the successful bidder in due course. The report must be submitted in MS Word (or compatible with MS Word) format. **The successful bidder is responsible for quality assuring, proof-reading and formatting all written research outputs.**

Following this final report, **the successful bidder will also be expected to organise and deliver a 'lessons learned' session for the BEIS Minimum Wage team, as well as HMRC's enforcement, analysis and data science teams.** We would also want other stakeholders from across labour market enforcement to attend this session and receive the report, as insights from this project may have implications across wider labour market enforcement.

We welcome bidders' views on how this session would be best delivered (i.e. via PowerPoint or an alternative method). Whilst we anticipate that this session will be held at BEIS' head office (in London), bidders should be prepared to deliver the session simultaneously via teleconference facilities for colleagues based remotely.

We intend for this to be a research project that is completed in a relatively short amount of time. We would like to receive a final report by the end of June 2020. To that end, we anticipate that the final data set will be available by the end of May, and that a first draft of the report and plans for the 'lessons learned' session will be completed in early June. We would like bidders to comment on the feasibility of such a timetable in their proposals.

Project Management Arrangements

The contractor will name a project leader who will act as the day to day point of contact over the course of the project and will deal directly with the BEIS Project Manager who will expect a weekly update on the project's progress via email or phone. We will require the successful bidder to provide timely project updates in order to ensure that we are aware of any likely

delays. **Bidders should cost for regular project updates, as well as a minimum of three face-to-face meetings** (one inception meeting, one 'lessons learned' session and one mid-project review).

Quality & Ethical Standards in Research

As alluded to above, this study will be subject to the rigorous standards of design, analysis, reporting and documentation set out in the Market Research Society (MRS)⁷ and GSR⁸ codes of conduct. We would require the successful bidder to handle all data in accordance with GDPR best practice guidance, and to adhere to any restrictions imposed by HMRC during the data linking process. We expect any sensitive findings to be anonymised in a final report, and for it not to be possible to identify individual employers in the findings. Bidders are required to demonstrate that they have a good understanding of these data protection requirements in their proposals.

4. Deliverables

At a minimum (and as outlined above), we expect to receive the following research outputs:

- Short summary report summarising the qualitative stage of the research / literature review
- Draft emails for the email nudge trial, drawing on behavioural insight's theory in their drafting
- A final anonymised data file, containing information from the email trial and accompany employer demographic information. Whilst HMRC will produce this file in the first instance, we would like to receive a copy of the file used by the successful bidder in reporting (containing any additional data cleaning / coding) so we can replicate the analysis
- A research report, written to publishable standard
- A 'lessons learned' session summarising key findings from the project and takeaways for future enforcement activity
- Regular project updates, and three face-to-face meetings

Timescales

The project is expected to start immediately after the contract has been awarded. It is critical that we be ready to undertake the email trial in April, as HMRC have a set timetable for sending out these mass email campaigns, and we are seeking to fit in with this. The Department envisages that the first draft of the final report will be completed in by the end of June 2020, and that key findings will be presented alongside this.

Bidders are required to set out the feasibility of achieving our proposed approach within this timescale. They are required to set out a detailed timetable for doing so in their proposal. It is important to ensure that tenderers are realistic with their timings, as the successful bidder will be expected to work to them throughout the project.

⁷ MRS Code of Conduct

⁸ GSR Professional Guidance - Ethical Assurance for Social Research in Government

Annex A (GDPR)

General Data Protection Regulations (GDPR)

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: [REDACTED]

(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: [To be completed by the Supplier] [REDACTED]

(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 data processed as part of the National Minimum Wage (NMW) email nudge trial is held, formatted and analysed in a secure way compliant with the GDPR and other

data protection regulations.

Throughout the project, the recipient is permitted to store and analyse an anonymised data set generated by the email trial. This data will include the outcome of the trial (whether an employer accessed further NMW information and guidance), alongside anonymised demographic information about the employer.

As the focus of the NMW email nudge trial is on understanding which type of emails and messaging are most effective at encouraging employers to engage with further NMW information and guidance, no personal data will be collected beyond. Only high-level information about the employer (e.g. employer name, sector, number of employees) will be collected.

The processing of names and business contact details of staff of both the Contracting Authority and

	<p>Supplier will be necessary to deliver the Services exchanged during the course of the Contract, and to undertake Contract and performance management.</p> <p>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>
<p>Duration of the processing</p>	<p>Processing will take place from 30th March 2020 for the Commencement of the Contract. The Contract will end on 30th June 2020 but may be extended until 31st December 2020.</p>
<p>Nature and purposes of the processing</p>	<p>The nature of the processing will include organisation, structuring, storage, adaptation or alteration, use, alignment or combination, restriction, erasure or destruction of data (either by automated or other means, e.g. destruction by a third party).</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>
<p>Type of Personal Data</p>	<p>As the focus of the NMW email nudge trial is on understanding which type of emails and messaging are most effective at encouraging employers to engage with further NMW information and guidance, no personal data will be collected beyond. Only high-level information about the employer (e.g. employer name, sector, number of employees) will be collected.</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>
<p>Categories of Data Subject</p>	<p>This project will gather data from employers subscribed to HMRC's NMW email information distribution list. As the focus of the NMW email nudge trial is on understanding which type of emails and messaging are most effective at encouraging employers to engage with further NMW information and guidance, no personal data will be collected beyond high-level information about the employer (e.g. employer name,</p>

	<p>sector, number of employees).</p> <p>Staff of the Contracting Authority and the Supplier, including where those employees are named within the Contract itself or involved within Contract management.</p>
<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 three month retention period, following which the Supplier will provide the Contracting Authority with a complete and uncorrupted version of the Personal Data in electronic form (or such other format as reasonably required by the Contracting Authority) and erase from any computers, storage devices and storage media that are to be retained by the Supplier the expiry of the Contract and the Supplier 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</p>

	<p>will be retained in line with the Department's privacy notice found within the Procurement Documents.</p>
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2. Cyber Security

In line with HM Government's Cyber Essentials Scheme, the Supplier will hold valid Cyber Essentials certification OR Cyber Essentials Plus by the time of contract award. Evidence of the certification must be provided to the Contracting Authority in order for the contract to be awarded.

Evidence of renewal of certification must then be provided to the Contracting Authority on each anniversary of the first applicable certificate obtained by the Supplier for the duration of the Contract. In the event the Supplier fails to comply, the Contracting Authority reserves the right to terminate the Contract for material breach in line with the Standard Terms and Conditions of Contract.

If the Supplier already holds ISO27001 accreditation (or equivalent), no further Cyber Essentials certification will be necessary provided that the certification body carrying out this verification is approved to issue a Cyber Essentials certificate by one of the accreditation bodies.

3. GDPR Questionnaire

The Supplier agrees that during any term of the contract, or extension, it shall complete and return the attached questionnaire as advised below.

The Supplier shall complete and return the questionnaire to the contact named in the Contract on the commencement of the Contract.

Note: The Contracting Authority also reserves the right to amend or increase these frequencies, as it deems necessary to secure assurance with regards to compliance.

The Contracting Authority requires such interim assurances to ensure that the Supplier is still compliant with the needs of the GDPR Act due to the implications of a breach.

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