

DPS Schedule 9 (Cyber Essentials Scheme)

1. Definitions

1.1 In this Schedule, the following words shall have the following meanings and they shall supplement Joint Schedule 1 (Definitions):

"Cyber Essentials Scheme"	the Cyber Essentials Scheme developed by the Government which provides a clear statement of the basic controls all organisations should implement to mitigate the risk from common internet based threats (as may be amended from time to time). Details of the Cyber Essentials Scheme can be found at: https://www.cyberessentials.ncsc.gov.uk/
"Cyber Essentials Basic Certificate"	the certificate awarded on the basis of self-assessment, verified by an independent certification body, under the Cyber Essentials Scheme and is the basic level of assurance;
"Cyber Essentials Certificate"	Cyber Essentials Basic Certificate to be provided by the Agency as set out on the Platform; and
"Cyber Essential Scheme Data"	sensitive and personal information and other relevant information as referred to in the Cyber Essentials Scheme.

2. What Certification do you need?

2.1 Where the DPS Appointment Form requires that the Agency provide a Cyber Essentials Certificate prior to the DPS Start Date the Agency shall provide a valid Cyber Essentials Certificate to CCS. Where the Agency fails to comply with this Paragraph it shall be prohibited from commencing the provision of Goods or Services under any Contract until such time as the Agency has evidenced to CCS its compliance with this Paragraph 2.1.

2.2 Where the Agency continues to process data during the Contract Period of any Order Contract the Agency shall deliver to CCS evidence of renewal of the Cyber Essentials Certificate on each anniversary of the first applicable certificate obtained by the Agency under Paragraph 2.1.

2.3 Where the Agency is due to process data after the Start date of the first Order Contract but before the end of the DPS Period or Contract Period of the last Order Contract, the Agency shall deliver to CCS evidence of:

- 2.3.1 a valid and current Cyber Essentials Certificate before the Agency processes any such Cyber Essentials Scheme Data; and
- 2.3.2 renewal of the valid Cyber Essentials Certificate on each anniversary of the first Cyber Essentials Scheme certificate obtained by the Agency under Paragraph 2.1.

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- 2.4 In the event that the Agency fails to comply with Paragraphs 2.2 or 2.3 (as applicable), CCS reserves the right to terminate this Contract for material Default.
- 2.5 The Agency shall ensure that all Sub-Contracts with Subcontractors who Process Cyber Essentials Data contain provisions no less onerous on the Subcontractors than those imposed on the Agency under this Contract in respect of the Cyber Essentials Scheme under Paragraph 2.1 of this Schedule.
- 2.6 This Schedule shall survive termination or expiry of this Contract and each and any Order Contract.