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Tender

FTS050 Data Protection Services Framework

Highlands and Islands Enterprise
Wave Energy Scotland Limited
Orkney Research and Innovation Campus LLP
Cairngorm Mountain (Scotland) Ltd
South of Scotland Enterprise
HIE Ventures Ltd.
HIE Orkney

F02: Contract notice

Notice identifier: 2025/S 000-085069

Procurement identifier (OCID): ocds-h6vhtk-05fac3

Published 19 December 2025, 4:00pm

Section I: Contracting authority

I.1) Name and addresses

Highlands and Islands Enterprise

An Lòchran, 10 Inverness Campus

Inverness

IV2 5NA

Email

hieprocurement@hient.co.uk

Telephone

+44 1463245245

Country

United Kingdom

NUTS code

UKM6 - Highlands and Islands

Internet address(es)

Main address

<http://www.hie.co.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00313

I.1) Name and addresses

Wave Energy Scotland Limited

An Lòchran, 10 Inverness Campus

Inverness

IV2 5NA

Email

wesprocurement@hient.co.uk

Telephone

+44 1463245245

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.waveenergyscotland.co.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA24283

I.1) Name and addresses

Orkney Research and Innovation Campus LLP

The Robert Rendall Building, Franklin Road

Stromness

KW16 3AN

Email

enquiries@orkneycampus.co.uk

Telephone

+44 1463245245

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

<https://www.orkneycampus.co.uk/>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30475

I.1) Name and addresses

Cairngorm Mountain (Scotland) Ltd

Cairngorm Mountain, Cairngorm Ski Area

Aviemore

PH22 1RB

Email

info@caingormmountain.co.uk

Telephone

+44 1479861261

Country

United Kingdom

NUTS code

UKM62 - Inverness & Nairn and Moray, Badenoch & Strathspey

Internet address(es)

Main address

<https://www.cairngormmountain.co.uk/>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30513

I.1) Name and addresses

South of Scotland Enterprise

Carmont House, The Crichton, Bankend Road

Dumfries

DG1 4TA

Email

Finance@sose.scot

Telephone

+44 1750535901

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

<http://www.southofscotlandenterprise.com>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30448

I.1) Name and addresses

HIE Ventures Ltd.

Ord House Cradlehall Business Park, Caulfield Road North

Inverness

IV2 5GH

Email

enquiries@hient.co.uk

Telephone

+44 463713755

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

www.hie.co.uk

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30448

I.1) Name and addresses

HIE Orkney

An Lochran, 10 Inverness Campus

Inverness

Iv12 5BU

Email

enquiries@hient.co.uk

Telephone

+44 1463245245

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

www.hie.co.uk

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30448

I.2) Information about joint procurement

The contract involves joint procurement

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

www.publiccontractsscotland.gov.uk

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

www.publiccontractsscotland.gov.uk

I.4) Type of the contracting authority

Regional or local Agency/Office

I.5) Main activity

Economic and financial affairs

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

FTS050 Data Protection Services Framework

Reference number

FTS 050

II.1.2) Main CPV code

- 79410000 - Business and management consultancy services

II.1.3) Type of contract

Services

II.1.4) Short description

HIE requires a suitably qualified and experienced supplier to provide data protection services, including fulfilling Data Protection Officer duties under the General Data Protection Regulation and supporting the Data Protection Act 2018 including delivery of data protection advice, risk assessment and training.

This Framework is being procured for Highlands and Islands Enterprise (HIE) and on behalf of Wave Energy Scotland (WES), Orkney Research Innovation Campus (ORIC), HIE Orkney, HIE Ventures Ltd (HIEVL), Cairngorm Mountain (Scotland) Ltd (CMSL), South of Scotland Enterprise (SOSE) as well as any other Contracting Authority wholly or partly under the control of, and/or partly or wholly owned HIE or SOSE, at any point during the term of this Framework (subject to case-by-case approval by HIE).

It is expected that these services will be required from 8 April 2026 for an initial period of 3 years, unless terminated in accordance with the provisions of the Framework agreement, with HIE having the option to extend for a period or periods together not exceeding 1 year following the Initial Term. The 3-year budget currently available to deliver this service is between GBP 171,000 and GBP 216,000 (excluding VAT).

II.1.5) Estimated total value

Value excluding VAT: £287,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 79411100 - Business development consultancy services
- 75111200 - Legislative services
- 79212000 - Auditing services
- 72300000 - Data services

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

Objective 1 - Role of Data Protection Officer (DPO) as specified in the General Data Protection Regulations and in support of Data Protection Act 2018

Objective 2 - Monitor and remedy noncompliance and support personal data breach resolution

Objective 3 - Organisational Compliance with Data Protection Legislation

Objective 4 - Data Protection Impact Assessment (DPIA) process including advice and support

Objective 5 - Reporting and monitoring

II.2.5) Award criteria

Quality criterion - Name: Prompt Payment Standard Clause / Weighting: pass/fail

Quality criterion - Name: Cyber Security / Weighting: pass/fail

Quality criterion - Name: Payment of the Real Living Wage / Weighting: pass/fail

Quality criterion - Name: Management and Delivery Methodology / Weighting: 20%

Quality criterion - Name: Responsiveness and Business Continuity / Weighting: 13%

Quality criterion - Name: Management and Delivery Team / Weighting: 20%

Quality criterion - Name: Monitoring and Reporting of Community Benefits / Weighting: 2%

Quality criterion - Name: Fair Work Practices / Weighting: 5%

Price - Weighting: 40%

II.2.6) Estimated value

Value excluding VAT: £287,000

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

The contract will be awarded for an initial period of 3 years, unless terminated in accordance with the provisions of the Framework agreement, with HIE having the option to extend for a period or periods together not exceeding 1 year following the Initial Term.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

HIE reserves the right, on giving reasonable written notice from time to time, to require changes to the Services (whether by way of the removal of Services, the addition of new Services, or increasing or decreasing the Services or specifying the order in which the Services are to be performed or the locations where the Services are to be provided). HIE shall not require any such change other than where it is permitted by Regulation 72 of the Public Contracts (Scotland) Regulations 2015.

The Framework/Call-off Contracts may be modified for reasons including but not limited to:

- Changes to budget availability
- Organisation/s bringing the services in-house fully or partially and so the services are no longer required / reduced services are required
- The addition of similar services
- Increasing the volume of the services
- Change in legislative requirements resulting in increased or reduced service

In these situations, for the call-off contracts, HIE will agree a price variation based on the pricing submitted as part of your bid, for example, using the hourly rate to increase/reduce the services by a number of hours. Other framework users may also modify their relevant call-off contracts.

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2.14) Additional information

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions

4A2A Bidders must provide, or commit to provide prior to the commencement of the framework agreement, an up-to-date Level 1 disclosure from Disclosure Scotland for the DPO, the DPO's deputy/ies and all personnel with access to Framework User systems or business information. (Information on how to apply for a Level 1 disclosure is available online at <https://www.mygov.scot/apply-for-level-1-disclosure>.)

III.1.2) Economic and financial standing

Minimum level(s) of standards possibly required

It is a requirement of this Contract that bidders hold, or can commit to obtain prior to the commencement of any subsequently awarded Contract, the types and levels of insurance indicated below:

4B5A Professional Risk Indemnity - GBP 3 million for each and every claim

4B5B Employer's (Compulsory) Liability Insurance - GBP 5M for each and every claim.

4B.6 (not scored)

HIE as a public body must comply with HMRC IR35 provisions. Therefore, where you are bidding as a personal service company (PSC) or will be using a personal service company to provide services under the contract please identify these PSC (s) in your response to 4B6.

III.1.3) Technical and professional ability

Minimum level(s) of standards possibly required

4C4 If bidders intend to use a supply chain to deliver the requirements detailed in the Contract Notice, they should confirm they have (or have access to) the relevant supply chain management and tracking systems to ensure a resilient and sustainable supply chain. Please refer to Scope of Requirements for full requirements. If bidders do not pay at least 95% of valid invoices on time and are unable to provide a proportionate and timely improvement plan, their organisation will not be selected to participate further in this procurement.(pass/fail)

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

See Scope of Requirements and Tender Guidance document.

III.2.3) Information about staff responsible for the performance of the contract

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

Framework agreement with a single operator

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.2) Time limit for receipt of tenders or requests to participate

Date

9 February 2026

Local time

12:00pm

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Duration in months: 3 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

9 February 2026

Local time

12:00pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: HIE reserves the right to re-tender for these services upon termination or at the end of the contract, including any extension period.

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

SPD Q 2D1: Bidders are required to state, in so far as they are known, the subcontractors they propose to use. Such subcontractors are required to complete the relevant parts of the SPD (Sections A and B of Part II and Part III only) - the lead bidder is to collate and submit the SPD responses as part of their tender response. Copies of the SPD for completion by subcontractors can be downloaded by the lead bidder from the online SPD module in Part II.

It is estimated that the total value of the framework over the maximum duration of 4 years will be GBP 287,000 (excluding VAT). This is the figure which has been used in II.1.5 & II.2.6.

Where bidders rely on the capacity of other entities in order to meet selection criteria they are required to provide information relating to these entities with the relevant supporting SPD documentation being submitted.

SPD 3D.12 Bidders should refer to the "Conflict of Interest" Section within the Scope of Requirements when completing this question.

The Award criteria (Questions 4-8) will be marked according to the following criteria - refer to the tender documents for the evaluation criteria for Questions 1-3 and the minimum threshold score for Questions 4-6:

0 - Unacceptable - Nil or inadequate response which fails to demonstrate an ability to meet the requirement.

1 - Poor - Response is partially relevant but generally poor. It addresses some elements of the requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled.

2 - Acceptable - Response is relevant and acceptable. It addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas.

3 - Good - Response is relevant and good. It is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.

4 - Excellent - Response is completely relevant and excellent overall. It is comprehensive, unambiguous and demonstrate a thorough understanding of the requirement and provides details of how the requirement will be met in full.

Tenders must be submitted via the PCS postbox and must be received by the published deadline. Late tenders will not be accepted and HIE will reject any submissions received after the deadline. Email or hard copy responses will not be accepted.

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=816177.

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at https://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx.

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

Community benefits are included in this requirement. For more information see: <https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

see tender documents

(SC Ref:816177)

Download the ESPD document here:

https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=816177

VI.4) Procedures for review

VI.4.1) Review body

Inverness Sheriff Court and Justice of the Peace Court

The Inverness Justice Centre, Longman Road

Inverness

IV1 1AH

Email

inverness@scotcourts.gov.uk

Telephone

+44 1463230782

Country

United Kingdom

Internet address

<https://www.scotcourts.gov.uk/the-courts/court-locations/inverness-sheriff-court-and-justice-of-the-peace-court>