

**To: Finance, Resources and Customer Services Policy Board**

**On: 23<sup>rd</sup> April 2019**

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**Report by: Joint Report by the Chief Executive and Director of Children's Services**

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**Heading:** Framework Agreement for Renfrewshire Council Early Learning and Childcare Places (RC-CPU-18-387)

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**1. Summary**

- 1.1 Renfrewshire Council have a statutory duty to provide early learning and childcare places to eligible children. In order to satisfy this requirement, the Council commissions placements in both local authority nurseries and private and voluntary sector nurseries currently for up to 600 hours per each eligible child. This Framework Agreement will include Childminders and phase in provisions to cover the expansion and increase of early learning and childcare to 1140 hours following the Scottish Government Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland ("Scottish Government Blueprint for 2020").
- 1.2 The purpose of this report is to seek approval from the Finance, Resources and Customer Services Policy Board to authorise the Head of Corporate Governance to award a place on the Framework Agreement to the tenderers detailed within Appendix 2 of this report.
- 1.3 This procurement exercise has been conducted in accordance with the Council's Standing Orders Relating to Contracts and the Public

## **2. Recommendations**

- 2.1 It is recommended that the Finance, Resources and Customer Services Policy Board authorise:
  - 2.2 The Head of Corporate Governance to award a place on the Framework Agreement to those tenderers listed in Appendix 2 of this report. Each award is subject to the tenderer meeting the Council's tendered requirements for Insurance, Health and Safety and provision of an Information Sharing Protocol.
  - 2.3 To award the Framework Agreement for an initial period of 16 months with the option to extend at the discretion of the Council for a further period of up to 12 months. The commencement date of the Framework Agreement is anticipated to be the 14<sup>th</sup> May 2019, with funding available for placements made under this Framework Agreement commencing on the 15<sup>th</sup> August 2019, at the start of the Autumn School Term 2019.
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## **3. Background**

- 3.1 Section 1 of the Education (Scotland) Act 1980 as amended by the Standards in Schools etc Act 2000 and 2014 Act, directs authorities on their duty to provide pre-school education. Renfrewshire Council has continued to observe this duty through the provision of places in local authority and in private and voluntary sector nurseries. Renfrewshire Council has been purchasing pre-school education places from the private and voluntary sector since 1998.
- 3.2 The Children and Young People (Scotland) Act 2014 places a duty on Councils' to provide additional flexibility in the provision of early learning and childcare places including the provision of 600 hours per annum and the provision of places for eligible 2 year olds. The Scottish Government Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland ("Scottish Government Blueprint for 2020") within nurseries (local authority, private and voluntary) and also Childminders increases the available number of hours for each eligible child to 1140 hours per annum.

- 3.3 This procurement process was conducted in accordance with the Public Contracts (Scotland) Regulations 2015 for an above EU Threshold Open Procedure for Social and Other Specific Services and the Council's Standing Orders Relating to Contracts. A contract notice was despatched via the Public Contracts Scotland portal and published by the Official Journal of the European Union (OJEU) on 24 December 2018 with a tender deadline of 12 noon on 28th January 2019.
- 3.4 During the tendering period, sixty-seven (67) Tenderers expressed an interest in the tender opportunity with fifty-six (56) responses submitted and one (1) late submission which was not considered further. Tenderers were required to complete the European Single Procurement Document (ESPD) which contained a pre-determined set of criteria. A list of tenderers who submitted a response is detailed in Appendix 1 of this report.
- 3.5 The Council confirmed to tenderers there was a maximum price per Fully Loaded Place for children 3-5 years and eligible children aged 2 years. All tenderers confirmed acceptance of no more than the maximum Price. An assessment was then carried out on the quality elements provided for in the Invitation to Tender in relation to insurance provision, health and safety provision, Care Inspectorate registration, Care Inspectorate grades and Education Scotland/HMIE grades.
- 3.6 Any Tenderer who was unable to evidence a grade 3 or above in relation to the Care Inspectorate or Education Scotland/HMIE (where appropriate) were subject to a Council Tender Assessment Visit prior to conclusion of the evaluation stage. These visits were undertaken by Officers from Children's Services. All tenderers who have been able to satisfy either a grade 3 or above in relation to the Care Inspectorate or Education Scotland/HMIE (where appropriate) or following the Council Tender Assessment Visit are detailed in Appendix 2 of this report.
- 3.7 The tender documentation detailed minimum requirements in relation to insurance provision and Health and Safety. Any provider unable to evidence the levels stated within the documentation must provide a commitment to obtaining the appropriate levels should they be successful, the Tenderers detailed in Appendix 2 of this report have all given this commitment therefore each of these Tenderers are recommended for award of conditional places on the Framework Arrangement until their respective requirement have been met.
- 3.8 Community Benefits were requested as part of this procurement process, the following Community Benefits is a summary of what will be

delivered as part of this Framework Agreement. A full breakdown of the Community Benefits to be delivered can be found in Appendix 3:

Business Advice/Support to an SME/Social Enterprise/Voluntary Organisation	5
Event to promote Supply Chain opportunities	1
Financial Support	2
Graduate	1
Industry Awareness Event	18
Industry Transfer to School	3
Job for Unemployed (Priority Group)	2
Job for Unemployed Individual	6
Modern Apprenticeships	26
Non Financial Support for a Community Project	6
S/NVQ (or equivalent)	39
Work Experience Placement 14-16	34
Work Experience Placements 16+	24

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## Implications of the Report

1. **Financial** – Using Dun & Bradstreet, the financial status of twenty-four of the fifty-four Tenderers was assessed which confirmed that these organisations satisfied the Council's requirements in relation to financial stability. Further assurance as to financial stability is being sought from the remaining recommended tenderers.
2. **HR & Organisational Development** - None
3. **Community/Council Planning –**
  - Our Renfrewshire is thriving – the establishments are within Renfrewshire with many of the people providing the service residing in Renfrewshire
  - Our Renfrewshire is fair - ensuring all eligible children have the opportunity of a place within a local establishment
  - Reshaping our place, our economy and our future – Services delivered under this Framework Agreement will be provided by a skilled workforce. People benefit from services that continually improve.
  - Tackling inequality, ensuring opportunities for all – Flexible early learning and childcare places may support parents back into employment
  - Working together to improve outcomes – The services delivered helps to improve outcomes for children within Renfrewshire

4. **Legal** - This procurement was carried out in accordance with the Public Contracts (Scotland) Regulations 2015 and the Council's Standing Orders Relating to Contracts using an above EU Open Procedure for Social and Other Specific Services
5. **Property/Assets** - None
6. **Information Technology** - None
7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** - The submissions will be assessed by Renfrewshire Council's Health and Safety Officers, where they are required meet the necessary requirements prior to the removal of the conditional award on the Framework Agreement.
9. **Procurement** – The procurement procedures outlined within this report shall ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government.
10. **Risk** – The submissions will be assessed by Renfrewshire Council's Risk Officer and are required to meet the necessary requirements prior to the removal of the conditional award on the Framework Agreement
11. **Privacy Impact** - The Framework Agreement contains Renfrewshire Council's General Conditions of Contract data protection provisions. All organisations awarded on to the Framework Agreement will be Data Controllers and, as such, have a legal responsibility to comply with Data Protection legislation when collecting, processing and storing personal data of those receiving a service. No Data Protection Impact Assessment was conducted or deemed necessary on the basis the service provided by the organisation awarded on to the Framework Agreement will not involve new technologies or other ways of processing personal data. All tenderers will be required to complete the Council's Information Sharing Protocol prior to the removal of the conditional award on the Framework Agreement.

12. **Cosla Policy Position** –Not Applicable.

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**List of Background Papers**

none

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## **Appendix 1**

### **Framework Agreement for Early Learning and Childcare Placements List of Tenders Received**

<b>Tenderer</b>	<b>Establishment Area</b>
3 Bears Nursery Ltd	Renfrew
Abbey Mill Childcare Ltd	Paisley
Children's Hour Ltd t/a Abbey Nursery Houston	Houston
Angela McMaster (Sole trader)	Johnstone
Barbara Snodgrass (Sole trader)	Johnstone
Bertram Nurseries Limited t/a Happitots Glasgow Airport	Paisley
Bright Horizons Family Solutions Limited t/a Renfrew Early Learning and Childcare Nursery	Renfrew
Apple Blossom Children's Nursery Ltd t/a Bright Starts Nursery	Renfrew
Cairellot Nursery Ltd	Bishopton
Carli's Kindergarten Ltd	Erskine
Carole's Kiddies (Sole trader)	Erskine
Heather Murphy t/a Carriagehill Nursery (2 Establishments) <ul style="list-style-type: none"> <li>• Carriagehill</li> <li>• Green Road</li> </ul>	Paisley
Catherine Whyte Childminding (Sole trader)	Erskine
Catherine Young Childminding (Sole trader)	Glasgow
Cee Cee's Childcare (Sole trader)	Renfrew
Childcare First Ltd t/a Rainbow Nursery	Paisley
Collin Care Ltd t/a Rivendale Nursery	Bridge of Weir
Collin Care Ltd t/a Glencoats Lodge	Paisley
Enchanted Forest Nursery Ltd	Erskine
Erskine Community Nursery SCIO – Bargarran (Community Nursery)	Erskine
Erskine Community Nursery SCIO – St Anne's (Community Nursery)	Erskine
Fiona Murray Childminding (Sole trader)	Bishopton
Gleniffer Nursery Limited	Johnstone
Gryffe Manor Nursery Ltd	Johnstone
Helen Smith Childminding Services (Sole trader)	Houston
Helen Wardrop (Sole trader)	Renfrew
Inchinnan Community Nursery (Community Nursery)	Renfrew
Insafe Hands Childcare Ltd	Renfrew
Karen Chalmers Childminding (Sole trader)	Renfrew
Karen Finnie Childminding (Sole trader)	Erskine
Kelly Rix Childminding (Sole trader)	Houston
Kerry Goudie Childminding (Sole trader)	Renfrew
Kilbarchan Community Nursery SCIO (Community Nursery)	Johnstone
Kirsty's House Childminding Service (Sole trader)	Bishopton
Leaps & Bounds (Scotland) Ltd	Paisley
Lee McKinlay Childminding (Sole trader)	Lochwinnoch

Linwood Community Childcare	Linwood
Linwood Community Development Trust	Linwood
Little Flowers Ltd	Renfrew
Little Munchkins Childcare (Sole trader)	Bishopton
Kilpatrick Leisure Ltd t/a Little Pandas Nursery	Erskine
Lorna Macfadyen Childminding Service (Sole trader)	Erskine
Lynda's Childcare (Sole trader)	Johnstone
Mary Norrie (Sole trader)	Renfrew
Maxwellton Park Nursery & OSC (Registered Charity)	Paisley
Mid Gavin Nursery Ltd	Howwood
Genesis (J&T) Ltd t/a Nursery Times	Paisley
Orchard Grove Nurseries Ltd	Paisley
Ram 204 ltd t/a Abbey Nursery	Paisley
Ram 211ltd TA Little Learners	Paisley
Roin Limited t/a Jennyswell Nursery	Paisley
Stepping Stones Nursery (Partnership)	Johnstone
Valarie's Childminding Service (Sole trader)	Bridge Of Weir
West College Scotland (Registered Charity)	Paisley



## **Appendix 2**

### **Tenderers recommended for conditional award of place on Framework Agreement**

<b>Tenderer</b>	<b>Establishment Area</b>
3 Bears Nursery Ltd	Renfrew
Abbey Mill Childcare Ltd	Paisley
Children's Hour Ltd t/a Abbey Nursery Houston	Houston
Angela McMaster (Sole trader)	Johnstone
Barbara Snodgrass (Sole trader)	Johnstone
Bertram Nurseries Limited t/a Happitots Glasgow Airport	Paisley
Bright Horizons Family Solutions Limited t/a Renfrew Early Learning and Childcare Nursery	Renfrew
Apple Blossom Children's Nursery Ltd t/a Bright Starts Nursery	Renfrew
Cairellot Nursery Ltd	Bishopton
Carli's Kindergarten Ltd	Erskine
Carole's Kiddies (Sole trader)	Erskine
Heather Murphy t/a Carriagehill Nursery (2 Establishments) <ul style="list-style-type: none"> <li>Carriagehill</li> <li>Green Road</li> </ul>	Paisley
Catherine Whyte Childminding (Sole trader)	Erskine
Catherine Young Childminding (Sole trader)	Glasgow
Cee Cee's Childcare (Sole trader)	Renfrew
Childcare First Ltd t/a Rainbow Nursery	Paisley
Collin Care Ltd t/a Rivendale Nursery	Bridge of Weir
Collin Care Ltd t/a Glencoats Lodge	Paisley
Enchanted Forest Nursery Ltd	Erskine
Erskine Community Nursery SCIO – Bargarran (Community Nursery)	Erskine
Erskine Community Nursery SCIO – St Anne's (Community Nursery)	Erskine
Fiona Murray Childminding (Sole trader)	Bishopton
Gleniffer Nursery Limited	Johnstone
Gryffe Manor Nursery Ltd	Johnstone
Helen Smith Childminding Services (Sole trader)	Houston
Helen Wardrop (Sole trader)	Renfrew
Inchinnan Community Nursery (Community Nursery)	Renfrew
Karen Chalmers Childminding (Sole trader)	Renfrew
Karen Finnie Childminding (Sole trader)	Erskine
Kelly Rix Childminding (Sole trader)	Houston
Kerry Goudie Childminding (Sole trader)	Renfrew
Kilbarchan Community Nursery SCIO (Community Nursery)	Johnstone
Leaps & Bounds (Scotland) Ltd	Paisley
Lee McKinlay Childminding (Sole trader)	Lochwinnoch
Linwood Community Childcare	Linwood
Linwood Community Development Trust	Linwood

Little Flowers Ltd	Renfrew
Little Munchkins Childcare (Sole trader)	Bishopton
Kilpatrick Leisure Ltd t/a Little Pandas Nursery	Erskine
Lorna Macfadyen Childminding Service (Sole trader)	Erskine
Lynda's Childcare (Sole trader)	Johnstone
Mary Norrie (Sole trader)	Renfrew
Maxwellton Park Nursery & OSC (Registered Charity)	Paisley
Mid Gavin Nursery Ltd	Howwood
Genesis (J&T) Ltd t/a Nursery Times	Paisley
Orchard Grove Nurseries Ltd	Paisley
Ram 204 ltd t/a Abbey Nursery	Paisley
Ram 211ltd TA Little Learners	Paisley
Roin Limited t/a Jennyswell Nursery	Paisley
Stepping Stones Nursery (Partnership)	Johnstone
Valarie's Childminding Service (Sole trader)	Bridge Of Weir
West College Scotland (Registered Charity)	Paisley

## **Appendix 3**

### **Community Benefit's Breakdown per Tenderer**

<b>Tenderer</b>	<b>Community Benefits Offered</b>
Abbey Mill Childcare Ltd	8 x Work Experience Placement for an individual aged 14-16 years of age, 4 x S/NVQ (or equivalent), 1 x Industry Awareness Event, 1 x Non-Financial Support for a Community Project
Childrens Hour Ltd t/a Abbey Nursery Houston	2 x Jobs for unemployed, 3 x Modern Apprenticeship's, 2 x Work Experience for 16+, 2 x Work Experience Placement for an individual aged 14-16 years of age, 5 x S/NVQ (or equivalent), 1x Business Advice/Support to an SME/Social Enterprise/Voluntary Organisation, 1x Non-Financial support for a Community Project
Bertram Nurseries Limited t/a Happitots Glasgow Airport	1 x job for an individual from a priority group (where appropriate). 1 x Graduate, 1 x Modern Apprenticeship, 1 x Work Experience Placement for an individual 16+, 1 x S/NVQ (or equivalent), 1 x Work Experience Placement for an individual aged 14-16 years of age
Apple Blossom Children's Nursery Ltd t/a Bright Starts Nursery	2 x Jobs for an unemployed individual, 3 x Modern Apprenticeship's, 2 x Work Experience Placements for an individual 16+ Years of age, 2 x Work Experience Placement for an individual aged 14-16 years of age, 5 x S/NVQ (or equivalent), 1 x Business Advice/Support to an SME/Social Enterprise/Voluntary Organisation, 1 x Non-financial support for a Community Project
Heather Murphy t/a Carriagehill Nursery - Carriagehill	2 x Modern Apprenticeship's, 1x Work Experience Placement for an individual aged 14-16 years of age, 1x S/NVQ (or equivalent), 1x Industry Awareness Event
Collin Care Ltd t/a Rivendale	2 x Modern Apprenticeship's, 1x Work Experience Placements for an individual 16+ Years of age, 1 x Work Experience Placement for an individual aged 14-16 years of age, 2 x S/NVQ (or equivalent)
Colin Care t/a Glencoats Lodge	2x Modern Apprenticeship's, 1 x Work Experience Placements for an individual 16+ Years of age, 1x Work Experience Placement for an individual aged 14-16 years of age, 2 x S/NVQ (or equivalent)

Enchanted Forest Nursery Ltd	5 x Modern Apprenticeship's, 1 x Work Experience Placements for an individual 16+ Years of age, 1 x Work Experience Placement for an individual aged 14-16 years of age, 5 x S/NVQ (or equivalent), 3 x Industry Awareness Events, 1 x Financial Support for Community
Erskine Community Nursery SCIO - Bargarran	1 x Modern Apprenticeship, 3 x Work Experience Placements for an individual 16+ Years of age, 3x Work Experience Placement for an individual aged 14-16 years of age, 1x S/NVQ (or Equivalent), 1 x Non-Financial Support
Erskine Community Nursery SCIO - St Anne's	1 x Modern Apprenticeship, 3 x Work Experience Placements for an individual 16+ Years of age 3x Work Experience Placement for an individual aged 14-16 years of age, 1x S/NVQ (or equivalent), 1 x Non-Financial Support
Heather Murphy T/A Carriagehill Nursery - Green Road	2x Modern Apprenticeship's, 1x Work Experience Placements for an individual 16+ Years of age 2x Work Experience Placement for an individual aged 14-16 years of age
Linwood Community Development Trust	2x Modern Apprenticeship's, 6x Work Experience Placements for an individual 16+ Years of age 6x Work Experience Placement for an individual aged 14-16 years of age, 6x S/NVQ (or equivalent), 12x Industry Awareness Events, 3x Industry Skill Transfer to Schools, 3x Business Advice, 1x Event to promote supply chain opportunities
Kilpatrick Leisure Ltd t/a Little Pandas Nursery	1x Job for unemployed, 1x Modern Apprenticeship, 1x Work Experience Placement for an individual aged 14-16 years of age, 5x S/NVQ (or equivalent)
Maxwellton Park Nursery & OSC	1x Job for unemployed, 1x Job for unemployed (priority Group), 1x Modern Apprenticeship, 1x Graduate, 1x Work Experience Placements for an individual 16+ Years of age, 1x Work Experience Placement for an individual aged 14-16 years of age, 1x S/NVQ, 1x Industry Awareness Event, 1x Financial Support to Community, 1x Non-Financial Support to Community Project
Orchard Grove Nursery Ltd	1x Work Experience Placement for an individual aged 14-16 years of age
West College Scotland	1x Work Experience Placements for an individual 16+ Years of age, 1x Work Experience Placement for an individual aged 14-16 years of age