



**EARLY LEARNING AND CHILDCARE EXPANSION 2020
FUNDED PROVIDER APPLICATION FORM**

PROVIDER NAME

--

Office Use Only	
Application Ref Number	
Date Application Received	

APPLICATION OVERVIEW

The Council has developed this process to align with both the policy requirements and requirements under Public Contracts (Scotland) Regulations 2015 and the Procurement Reform (Scotland) Act 2014.

The process reflects both the flexibility required for new settings to apply and be awarded contracts to offer the funded ELC entitlement whilst ensuring compliance with relevant legislation and guidance.

The purpose of the application process is to seek information to assure the Council that the Applicant is capable of delivering early learning and childcare in line with the National Standard and meet the contractual requirements

It is the intention that Applicants who are able to provide evidence that they meet the National Standard criteria, the contractual requirements, and confirm their acceptance of the terms and conditions will be awarded a contract.

This application process distinguishes between:

- Lot 1 – Nursery Services (including Private, Public and Third Sector Settings)
- Lot 2 – Childminding Services

This application process, resulting in an agreed contract with the Applicant (then referred to as the “Service Provider”), enables the Council to contract with Service Providers in order to ensure parents and carers can access their child’s funded entitlement.

There is no guarantee that any funded hours will be accessed with Service Providers who are awarded a Contract, and there is no guarantee of any business use, level of use or continuity of business during the lifetime of the Contract. Any mention contained herein relating to the volume or frequency of use is purely indicative of past usage and should not be regarded as confirmation of future use.

Applicants should note that, although there is no guarantee of any funded hours being awarded under the Contract, it is the intention of the Council to signpost parents and families to Service Providers with whom the Council has a contract in place.

The application process is as follows:

- Complete Part A of the Application Process
- Complete Part B of the Application Process
- Agree to the terms & conditions of contract template and follow the signing instructions (issued with the Application form)
- Return Parts A & B to the Council (electronically, to the following: 1140fundedprovidercontract@aberdeenshire.gov.uk)
- The Council will endeavour to complete the application/contractual process within one calendar month

The contract shall take effect on **17th August 2020** (the “Commencement Date”) and, unless terminated at an earlier date by operation of Law or in accordance with the terms and conditions of the contract shall expire on **21st August 2023** (the “Expiry Date. The Council may extend the contract for a period of up to **two years (two, one-year extensions)** until by giving not less than **three months’**

notice in writing to the Service Provider prior to the Expiry Date. The terms and conditions of the contract shall apply throughout any such extended period

PART A

Section A – Information concerning the Applicant, Form of Participation & Reliance on Capacity of other Entities

For the purposes of this form, any reference to the “Applicant” has the following meaning:

- any organisation/individual offering Early Learning and Childcare provision registered with the Care Inspectorate under day care of children or childminding registrations applying for one or more Setting to deliver the funded hours; and
- any person who is a member of the organisations administrative, management or supervisory body, or has powers of representation, decision or control.

Name of Applicant: (If applicable, as per Company’s House or OSCR registration)	
If applicable, Company’s House or OSCR (Scottish Charity) registration number:	
Please insert you Information Commissioner’s Office (ICO) registration number:	
Postal address Line 1:	
Postal address Line 2:	
Postal address Town/City:	
Postal address Postcode:	
Postal address Country:	
Telephone (including dialling code):	
Email:	
Applicant Legal Status:	<input type="checkbox"/> Sole Trader <input type="checkbox"/> Private Limited Company <input type="checkbox"/> Public Limited Company <input type="checkbox"/> Partnership <input type="checkbox"/> Other (eg, Childminder)
If “Other”, please specify legal status:	
Parent Company (if applicable):	
Is the Applicant participating in the process together with others? (i.e. as a group of nurseries that each have a separate company structure)	

If “ Yes ”, please indicate the role of the Applicant in the group (leader, responsible for specific tasks) and where applicable, name of the participating group.	
Does the Applicant rely on the capacities of other entities in order to provide the Service? (i.e. rely on other nurseries or childminders to provide the ELC services) Please note that if the Applicant states “ Yes ” to this question may result in the Council requesting further information	
Representative of the Applicant (authorised signatory):	
Job Title:	
Postal Address Line 1:	
Postal Address Line 2:	
Postal Address Town/City:	
Postal Address Region:	
Postal Address Postcode:	
Postal Address Country:	
Mobile:	
E-mail:	
Website:	

Section B – Mandatory and Discretionary Exclusions

The Applicant uses this as a self-declaration that they have not breached any of the mandatory exclusion grounds (or if they have, they can demonstrate to the Council’s satisfaction that they have taken remedial measures).

The mandatory and discretionary exclusion grounds are set out in [Appendix A](#) that Applicants are required to read before completing this declaration and by signing this form you confirm that you have read these.

Please note that the Council may request additional information from the Applicant regarding this section.

Mandatory Exclusions - Criminal Convictions

The Applicant confirms that they have read the grounds relating to criminal convictions as per [Regulation 58 \(1\) of The Public Contracts \(Scotland\) Regulations](#) (also in [Appendix A](#)) and confirm that the Applicant has NOT been the subject of a conviction within the last five years for one of the reasons listed in Regulation 58 of The Public Contracts (Scotland) Regulations 2015?

YES NO

Discretionary Exclusions

The Applicant confirms that they have read the grounds relating to discretionary exclusion grounds convictions as per [Regulation 58 \(3\) or 58 \(8\) of The Public Contracts \(Scotland\) Regulations](#) (also in

[Appendix A](#)) and confirms that the Applicant has NOT been the subject of a conviction within the last three years for one of the reasons listed in Regulation 58 of The Public Contracts (Scotland) Regulations 2015?

Taxes or social security contributions.

- Has the Applicant met all its obligations relating to the payment of taxes or social security contributions?

YES NO

Blacklisting

- Has the Applicant committed an act prohibited under the Employment Relations Act 1999 (Blacklists) Regulations 2010?

YES NO

Environmental, Social and Labour Law

- Has the Applicant breached its obligations in the fields of environmental law, social law or labour law?

YES NO

Insolvency, Conflicts of Interests or Professional Misconduct

- Is the Applicant in any of the following situations – bankrupt, insolvent, in an arrangement with creditor, its assets being administered by a liquidator, its business activities are suspended?

YES NO

- Is the Applicant guilty of grave professional misconduct?

YES NO

- Has the Applicant entered into agreements with other economic operators aimed at distorting competition?

YES NO

- Is the Applicant aware of any conflict of interest due to its participation in this procedure?

YES NO

- Has the Applicant been guilty of serious misrepresentation in supplying this information or has it withheld such information?

YES NO

If an Applicant has answered ‘Yes’ to any of the questions in Section B (excluding “Mandatory Exclusions - Criminal Convictions” and “Discretionary Exclusions”), this may result in its exclusion from the process.

The Applicant can provide evidence to show that it has taken sufficient and appropriate remedial action to demonstrate its reliability.

If you have answered Yes to any of the above questions, please provide details of any measures you have undertaken in the box below. The Council will take this information into account and a decision will be made regarding the Applicant's suitability to provide the service, based on the remedial action/s taken.

Section C - Insurances

- Does the Applicant hold, or commit to obtaining prior to the commencement of any subsequently awarded contract, the types and levels of insurance indicated below:
 - Employers Liability Insurance - £10million (if applicable)
 - Public Liability Insurance – minimum of £5million
 - Professional Indemnity - £50,000 (not mandatory)
 - Statutory Third-Party Motor Vehicle Insurance (only where Applicants will use their vehicles when undertaking activities under the Contract)

YES NO

For additional insurance comments:

Section D – Police Checks

Information Sharing with Police Scotland

Police Scotland is committed to partnership working and continually looks for opportunities to work more closely with partner authorities and organisations to detect, prevent and reduce crime. The Chief Constable of Police Scotland and the Council recognise that there is an opportunity for unscrupulous, criminal or corrupt persons and criminal enterprises to be involved in criminality and to make criminal financial gains from the provision of services to the Council. The Council also consider that it is beneficial for them to have access to information about such unscrupulous, criminal or corrupt persons, and criminal enterprises, who may seek to make gains from the provision of services to the Council, to enable them to properly and fully discharge their role for the prevention and detection of crime and other irregularities against the Council.

Applicants are advised that:

- consultation may take place with Police Scotland in relation to this Contract
- prior to the acceptance of any offers, Police Scotland may be invited to review the proposed organisation(s)
- if the Applicant is a limited Company, the Council may require details of all personnel connected with the Company.

Section E –Care Inspectorate Registration and Setting Information

The Applicant confirms that the following information regarding its registration with the Care Inspectorate (in relation to both Provider and Service information) is correct, the following Early Learning and Childcare Setting is registered with the Care Inspectorate, and that the Setting should be considered for award (in line with the evidence provided).

Provider Information

Service Provider Number*	Service Provider Name*	Service Provider Registered Address*

*The Provider Name, Number and Address MUST match the Care Inspectorate registration certificate for the Service.

Setting Information (including Care Inspectorate Service Information)

Only a Setting registered under the Provider Number/Name above can be included in the table below. In the following table, “Service” is used in place of “Setting” to match the terminology used by the Care Inspectorate on registration certificates.

Service Name**	Service Number**	Service Address**	Basis upon which premises are occupied? (eg, Owner, Mortgaged, Lease)	Has the Service had a formal complaint raised against it via, or been under investigation by, the Care Inspectorate or SSSC in the last 12 months? ¹ (Yes/No)	Are there any conditions of registration for this Service? If ‘Yes’, please provide details	Opening Hours	Number of Registered Places	Number of Funded Places available for 2-year olds	Number of Funded Places available for 3- and 4-year olds

**The Service Name, Number and Address MUST match the Care Inspectorate registration certificate for the Service.

Section F – Qualifications

Which Early Learning and Qualification(s) do you as a childminder or the manager of your nursery/playgroup hold?

If you are working towards a qualification, please list them below. Also insert the anticipated completion date for the qualification.

Acceptance of the Terms and Conditions of Contract

Does the Applicant accept the Terms and Conditions of Contract for Early Learning and Childcare Services relevant to the lot(s) for which you are offering?

Please note that selecting "NO" as a response may result in your offer not being considered further.

YES NO

Section G – Acceptance of Sustainable Rate & Support Package

Does the Applicant accept the Sustainable Rate & Support Package for Early Learning and Childcare Services relevant to the lot(s) for which you are offering?

Please note that selecting "NO" as a response may result in your offer not being considered further.

YES NO

Section H – Child Protection

Does the Applicant confirm that they have an up-to-date child protection policy in place and that all staff have received training on child protection within the last 12months?

Please note that selecting "NO" as a response may result in your offer not being considered further.

YES NO

Section I – Food Hygiene / Food Safety

Does the Applicant confirm that they have an up-to-date food hygiene and safety policy and required licenses in place?

Please note that selecting "NO" as a response may result in your offer not being considered further.

YES NO

Section J – Health and Safety

Does the Applicant confirm that they have an up-to-date and regularly reviewed, health and safety policy in place that complies with all relevant law and guidance?

Please note that selecting "NO" as a response may result in your offer not being considered further.

YES NO

Section K – SSSC Registration (not applicable for Childminders)

State the SSSC registration number of the Manager

NOTE TO APPLICANT: Please note that the Council may, as part of the Application Process, request evidence regarding Sections B to J (inclusive) to assure themselves that these questions have been answered accurately by the Applicant.

PART B

Introduction

The following link to the National policy sets out the approach, and the national standard, which all applicants wishing to deliver services will have to meet:

[Funding follows the child and the national standard for early learning and childcare providers: principles and practice](#)

Part B of this application process distinguishes between:

- Lot 1 – Nursery Services (including Private and Third Sector Settings)
- Lot 2 – Childminding Services

For a successful application, please complete the appropriate Lot/s information:

Lot 1– Nursery Services (including Private and Third Sector Settings)

Q1. Please insert your current grades in all Care Inspectorate themes and date of last inspection:

Theme	Date Inspected	Grade Awarded
Care and Support		
Environment		
Staffing		
Management and Leadership		

Q2. If any of your current grades are below grade 4, please detail your improvement plan and remedial actions (attach if appropriate):

--

Q3. Please detail your commitment to Fair Work Practices (FWP) by selecting the fair work practices that your organisation offers staff. If you offer additional FWP, please include them at the bottom:

Fair Working Practice	Offered by your organisation (tick)
Fair Pay – payment of the Real Living Wage to childcare workers	
No inappropriate use of zero hours contracts or exploitative working	

Policies and practices which are understood and applied that respect health, safety, and wellbeing	
Opportunities for flexible working	
Training and development opportunities	
Promotion and progression practices	
Ensuring the mental and physical health of staff	
Autonomy, opportunities to problem solve and make a difference	
Openness, transparency, dialogue and tolerance of different views	
Union recognition and collective bargaining	

Additional Fair Work Practices

Q4. The Council may request and/or carry-out the following checks – are these available/ acceptable?

- Access to Staff Rota/Register YES NO
- Access to Child Register YES NO
- Access to a copy of annual accounts YES NO
- Carrying out a credit check YES NO
- Business Continuity Plan YES NO
- Fire Audit/Action Plan YES NO
- Staff Training Plan YES NO

Please note that selecting "NO" as a response may result in your application not being considered further

Q5. Confirm that you have attached the Parent/Carer Handbook with sample invoice template.

YES NO

Lot 2– Childminding Services (including Private and Third Sector Settings)

Q1. Please insert your current grades in all Care Inspectorate themes and date of last inspection:

Theme	Date Inspected	Grade Awarded
Care and Support		
Environment		
Staffing		
Management and Leadership		

Q2. If any of your current grades are below grade 4, please detail your improvement plan and remedial actions (attach if appropriate):

Q3. If applicable, please detail your commitment to Fair Work Practices (FWP) by selecting the fair work practices that your organisation offers staff. If you offer additional FWP, please include them at the bottom:

Fair Working Practice	Offered by your organisation (tick)
Fair Pay – payment of the Real Living Wage to childcare workers	
No inappropriate use of zero hours contracts or exploitative working	
Policies and practices which are understood and applied that respect health, safety, and wellbeing	
Opportunities for flexible working	
Training and development opportunities	
Promotion and progression practices	
Ensuring the mental and physical health of staff	
Autonomy, opportunities to problem solve and make a difference	

Openness, transparency, dialogue and tolerance of different views	
Union recognition and collective bargaining	

Additional Fair Work Practices

Q4. The Council may request and/or carry-out the following checks – are these available/ acceptable?

- Care Inspectorate self-assessment form YES NO
- Access to Child Register YES NO
- Access to a copy of annual accounts YES NO
- HMRC self-employment confirmation YES NO
- Business Continuity Plan YES NO
- Fire Audit/Action Plan YES NO
- Training Plan YES NO

Please note that selecting "NO" as a response may result in your application not being considered further

Q5. Confirm that you have attached your Parent/Carer Handbook with sample invoice template

YES NO

Terms & Conditions of Contract

As noted in Section F (page 8), the Applicant must review and consider the Terms & Conditions of Contract and all the associated Schedules. It is important that the Applicant fully understands the Contract. Any questions/comments must be sent to the Council for consideration at the earliest opportunity.

Signing - Representative of the Applicant

The undersigned formally declare that the information stated above is accurate and correct and that it has been submitted in full awareness of the consequences of serious misrepresentation.

The undersigned formally declares to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where the Council has the possibility of obtaining the supporting documentation concerned directly by accessing a national database.

The undersigned formally consents to the Council gaining access to documents supporting the information, which has been provided in this Application.

Signature:	
Name:	
Position:	
Date:	
Place:	

Appendix A: Mandatory and Discretionary Exclusion Grounds

The table below lists the mandatory and discretionary exclusion grounds, which apply to EU-regulated and regulated procurements.

<i>Mandatory Exclusion Grounds</i>
Criminal Convictions - Conviction by final judgement of a criminal offence as per Regulation 58 (1) of The Public Contracts (Scotland) Regulations 2015:
<ul style="list-style-type: none"> • Participation in a criminal organisation • Bribery, corruption or conspiracy • Fraud • Terrorist offences or offences linked to terrorist activities • Money laundering or terrorist financing • Drug trafficking • Child labour and other forms of trafficking in human beings
<i>Discretionary Exclusion Grounds</i>
Breach of The Employment Relations Act 1999 (Blacklists) Regulations 2010
Breach of tax and social security obligations
<ul style="list-style-type: none"> • Established by judicial or administrative decision
Breach of tax and social security obligations
<ul style="list-style-type: none"> • Established by any appropriate means
Breach of environmental, social and labour laws
Economic operator is subject to bankruptcy, insolvency or winding up proceedings
Grave professional misconduct, which renders the economic operator's integrity questionable
Where the contracting authority has sufficiently plausible indications that the economic operator has entered into agreements with other economic operators to distort competition
Conflict of interest which cannot be effectively remedied by other less intrusive measures
Distortion of competition from the prior involvement of the economic operator in the preparation of the procurement exercise, that cannot be remedied by other less intrusive measures
Economic operator has shown significant or persistent deficiencies in the performance of a substantive requirement under a previous contract, which led to early termination of that contract, damages or other comparable sanctions
Economic operator is guilty of serious misrepresentation in supplying the information required for the verification of absence of grounds for exclusion or fulfilment of the selection criteria
Economic operator has undertaken to unduly influence the decision-making process of the organisation, to obtain confidential information to gain undue advantages or to negatively provide misleading information that may have a material influence on decision concerning exclusion, selection and award