

58976 Wee Mack's Nursery

Confirm whether the Council has entered into and/or extended an ELCA with Wee Mack's Nursery on or since 2nd May 2025.

The Council did enter into an ELCA with Wee Mack's Nursery subsequent to 2 May 2025. In accordance with the report to the Council's Education, Children and Families Committee of 1 May 2025 (which can be found on our website at:

<https://democracy.edinburgh.gov.uk/ieListDocuments.aspx?CId=143&MId=7750>

Please refer to 'Item 7.3 – Early Years Provision and Staffing Review')

all partner providers of ELC that were in a Service Improvement Period due to Care Inspectorate inspection results were issued a temporary partnership agreement that was to be reviewed pending the outcome of their next inspection from the Care Inspectorate. See paragraph 2.4 of the report (which had previously been published in the papers for the meeting of the same Committee on 22 April 2025).

And if so;

- a. Confirm that the Council did so cognisant of Wee Mack's Nursery Care Inspectorate Grading of three 3s and one 4.

Please see the above response recording the Council's approach to the question of partner providers' Care Inspectorate ratings. Otherwise, while an information request under the Act may be in the form of a question, rather than a request for specific documents or information, the Act does not require a Scottish public authority to create new information that is not already held in recorded form by that Scottish public authority.

Responding to this part of your request would require the Council to create information. The Council, as a Scottish public authority, is not required to create information in order to answer a request for information under the Act.

- b. Confirm that the Council did so cognisant of our client's position involving the Council's refusal to progress our client's application and enter into an ELCA whilst our client holds a Care Inspectorate Grading of two 4s and two 5s.

As noted above, responding to this part of your request would require the Council to create information. The Council, as a Scottish public authority, is not required to create information in order to answer a request for information under the Act.

Please provide us with all information held (including correspondence and papers) regarding the Council's decision around entering into an ELCA with Wee Mack's.

As noted above the decision to offer all partner providers of ELC in a Service Improvement Period due to Care Inspectorate inspection results were issued a temporary partnership agreement was noted by the Council's Education, Children and Families Committee on 1 May 2025.

Please provide us with us with all information held (including correspondence and papers) regarding the Council's decision around entering into an ELCA with Family First Limited.

Certain information falling within the scope of this request is attached.

Third-party personal information has been redacted from the documents provided in compliance with the Data Protection Act 2018.

The other information falling within the scope of this request consists of confidential communications between solicitors and Council officers who requested their advice. This information is therefore withheld as it is subject to legal professional privilege.

Please provide the names of all settings for which applications for partnership with the Council were accepted between December 2021 and May 2025.

Willow Den Outdoor ELC; Smilechildcare Under 3's; Wee Macks Nursery; Headstart Leith Nursery and ESMS.

Along with:

- a. copies of the decision letters for each

The Council does not issue decision letters to ELC providers.

- b. confirmation for each of whether a site inspection took place prior to acceptance.

We do not hold a definitive record of whether site inspections took place. We can advise that, as a general matter, the Council's approach is to carry out site inspections at all new partner providers before an ELCA is entered into.

Although Smilechildcare Under 3's and Headstart Leith Nursery were existing providers and did not necessarily require an inspection, we do not hold record confirming that no inspections took place.