

60525 Wee Macks Nursery

Please provide:

All information held (including correspondence and papers) regarding the decision to grant Wee Macks Nursery a one-year Service Improvement Period ('SIP') contract from August 2025.

The Council did enter into an ELCA with Wee Mack's Nursery in August 2025. A copy of that ELCA is enclosed. In accordance with the [report to the Council's Education, Children and Families Committee of 01/05/25](#) and the [meeting minutes](#) of the same date, 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).

All information held (including correspondence and papers) relating to the Out of Partnership Process initiated with Wee Mack's in October 2025, including the notice issued and the intended January 2026 revocation date.

[This information is attached.](#)

All information held (including correspondence, papers and records) in relation to the meeting between Donna Murray and parents on 28 October 2025, and the subsequent decision to overturn the partnership revocation, including any meeting notes and decision records. all information held (including correspondence and papers) since 2022 regarding Family First Nursery's Limited's application for partnership, including all communications with Hannah Rutherford (Nursery Manager).

[Some information falling within the scope of this request is enclosed, namely information relating to the meeting and the decision to postpone the termination of Wee Macks Nursery's ELCA \(as explained in our letter of 27/03/26, it is incorrect to say that there was a "decision to overturn the partnership revocation"; the termination of Wee Macks Nursery's ELCA was postponed from December 2025 to August 2026, but the decision to terminate was not overturned\). The reasons for both the termination and the postponement were explained in our letter of 27/03/26.](#)

[Commercially sensitive information such as factor relating to performance cannot be released. The Council's view is that disclosure of this information to the public at large is likely to substantially prejudice the commercial interests of the other party, as placing into the public domain details of their performance may negatively impact their ability of them engaging in future procurement exercises.](#)

Please provide:

All information held (including correspondence and papers) since 2022 regarding Family First Nursery's Limited's application for partnership, including all communications with Hannah Rutherford (Nursery Manager).

[Some information falling within the scope of this request is enclosed.](#)

The information that you are requesting forms part of confidential communications between solicitors and the council officers that have requested the advice and is protected in terms of legal professional privilege (i.e. it has a claim to confidentiality of communications which could be maintained in legal proceedings under section 36(1) of the Act). Consequently, your request is subject to the exemption contained within section 36(1) and it is not possible to provide you with the information that you have requested.

We refer to your Answer 4A in response to our previous FOI (reference number 58976). Please note the Council's Criteria and Process document for Application for Partnership at point 7 notes 'The Provider will be notified in writing of this decision.'

Please provide:

The written partnership decision notification for the following providers, or otherwise confirm that the partnership decision-making process was not followed as per the Council's Criteria and Process document for Application for Partnership:

Willow Den Outdoor ELC;

Smilechildcare Under 3's;

Wee Macks Nursery;

Headstart Leith Nursery; and

ESMS;

[This information is attached.](#)

The execution date for each signed ELCA for the above noted settings.

[Willow Den Outdoor ELC – 15/02/22 and 07/03/22.](#)

[Smilechildcare Under 3's – 16/08/21 and 19/08/21.](#)

[Wee Macks Nursery – 20/12/21 and 22/12/21.](#)

[Headstart Leith Nursery – 18/11/21 and 23/11/21.](#)

[ESMS – 28/03/22.](#)

We refer to your Answer 4b in response to our previous FOI (reference number 58976). Please note the Council's Criteria and Process document for Application for Partnership Criteria at Point 2 (see Annex 1) notes the Provider must 'have been subject to at least one inspection by the Care Inspectorate and a quality assurance visit from Council officers. NB – In very special circumstances, the Council may decide to issue a temporary contract until the nursery has been inspected by the Care Inspectorate.' On this basis, we would expect that the Council must hold this information to make the decision to allow each of those settings to enter into partnership.

Please provide:

All information and records held in relation to site visits for the settings listed at Q3a) since site visits are considered criteria that must be satisfied before partnership is granted, except if in very special circumstances.

All information and records held regarding any special circumstances relevant to the above for the noted settings that were accepted into partnership?

We are unable to provide you with the information requested because it is not held by the Council.