



Project Name:
Hogarth Primary School - Nursery Provision
Ward: Brentwood South
Location: Riseway, Brentwood, Essex, CM15 8BG

Service Specification

Issued: 17-05-24

Key Dates

Launch/Publish	17-05-24
Closing Date for Submissions	28-06-24
Site Visit (appointment only)	05-06-24
Last Date to Request Business Management Support	14-06-24
Quality Assessment Visit	24-06-24 to 28-06-24
Moderation Panel and Interview Candidates must be available for interview during this week	08-07-24 to 12-07-24
Final Sign Off Meeting	Week commencing 15-07-24

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1. Background of Discovery Educational Trust

Discovery Educational Trust (DET) is a Trust of Opportunity.

The Trust's vision is that strong and effective leadership places its children and young people at the heart of everything it does.

DET values relationships, which are open and honest, underpinned by kindness, trustworthiness and compassion.

DET and its Schools work together as a Trust whilst engaging outwardly with a range of external partners to secure their key aim, which is to improve the life chances of all pupils, maximising their achievements, both academic and social.

As a Trust, DET aims to develop a vibrant partnership of primary and secondary schools, all united in one goal; to provide the best possible learning experience and environment, not only for its current children, but also for the next generation of pupils.

2. National Context

All Local Authorities have a statutory duty under the Childcare Act 2006 to ensure that there is sufficient and accessible high-quality early years and childcare provision to meet local demand. This includes the provision of childcare places for children aged between 0 and 5 years as well as wrap-around provision for school-aged children (5-11 or up to 19 for those with additional needs).

Funded Early Education Entitlement (FEEE) funding is at the heart of the Government's vision for all children to have access to high-quality early years education. This currently is available as follows;

- FEEE for **all** three and four-year olds - universal funded provision for every child from the term following their third birthday until they reach compulsory school age.
- FEEE2 for eligible disadvantaged two-year olds from the term after their second birthday.
- Extended Funded Entitlement (EFE - 30 hours) for eligible working families of three and four-year olds (term following their third birthday until they reach compulsory school age, subject to meeting eligibility criteria).
- To meet the new childcare expansion offer for eligible working families of children from the term after their second birthday (FEEE2W).
- From September 2024, to meet the new childcare expansion offer for eligible working families of children from the term after the child turns nine-months-old (FEEE1W).
- From September 2025, to meet the new childcare expansion offer of up to 30 hours, for eligible working families of children from nine-months-old to school age.

- These hours can be used over 38 weeks of the year (during school term time), or up to 52 weeks if fewer than total hours per week are used.
- 08.00 – 18.00 term-time wrap-around provision for primary-aged children from September 2024.

3. The Project

Discovery Educational Trust (DET) is looking for a new or existing childcare provider that is interested in entering into a 25-year lease arrangement to deliver a 30 place early years and childcare facility.

The Provider will enter into an annual funding contract with Essex County Council (ECC) to deliver a flexible range of FEEE places, meeting high quality standards.

The lease will be between DET and the provider. The cost of the lease is £20,000.00 per annum, inclusive of a contribution to the costs of maintenance of common items, for example, the maintenance of the shared roof of the building, with a rent review date on the fifth, tenth, fifteenth and twentieth anniversary of the lease. Full details of the lease terms will be set out in the accompanying Heads of Terms.

Note: the cost of the lease may vary dependent on the extent of the scope of the project (refer Scope section below, and, specifically, the final bullet point).

4. The Scope

4.1 The new facility will provide an opportunity for local families to access their child's full early years entitlement funding, alongside full day care provision to support working parents/carers and those wishing to access training opportunities.

4.2 The provision will be delivered in close working partnership with DET and its Trust Board and Hogarth Primary School and its Local School Committee and align with DET's and Hogarth Primary School's vision, ethos, aims and objectives.

4.3 The expectation is that a representative from Hogarth Primary School will link closely with the Provider's management team, sitting on the committee or board of trustees, if relevant.

4.4 Based on identified local need, the scope for the project includes:

- A fully inclusive full day care provision for children from two years;
- Flexible provision of FEEE2 places for eligible two-year olds;
- Flexible provision for two-year olds of eligible working parents (FEEE2W);
- Flexible provision of FEEE places for three and four-year olds (universal offer);

- Flexible provision of EFE places (30 hours) for three- and four-year olds of eligible working parents;
- High quality learning and development opportunities for all children;
- Close partnership working with DET, Hogarth Primary School, parents/carers, and local partners;
- Commitment to fully engage with integrated review assessments for FEEE2 children in partnership with the Essex Child and Family Wellbeing Service Family Hubs.

The scope for the project may also include:

- Wrap-around childcare (breakfast club, after-school club and all-year holiday provision) for school-aged children.

(Further information can be found at <https://www.gov.uk/transfers-takeovers> and <https://www.acas.org.uk/>).

4.5 Ofsted Rating

- Providers are expected to achieve/maintain a 'Good' or 'Outstanding' Ofsted judgement, and ensure that all regulatory legislation (Ofsted Framework) is adhered to.
- New childcare providers must commit to working towards achieving and maintaining a 'Good' or 'Outstanding' Ofsted judgement, and ensure that all regulatory legislation (Ofsted Framework) is adhered to.
- If, on inspection, the Ofsted rating falls to 'Inadequate', DET retains the option to terminate the lease.
- If, on inspection, the Ofsted rating falls to 'Requires Improvement' and is not, at least, 'Good' at the subsequent inspection, DET retains the option to terminate the lease.

4.6 The successful Provider must have regard for the Equality Act 2010, which places a legal duty on practitioners to eliminate discriminatory practice and to promote equality of opportunity and access for all children, regardless of their own or their parents'/carers' race, disability, religion, gender, age, gender identity, pregnancy or maternity or sexual orientation.

4.7 The successful Provider must have regard to the 0-25 SEND Code of Practice, which requires Early Years settings to actively promote equality of opportunity for children with special educational needs or disabilities (SEND), remove barriers to participation, make reasonable adjustments to prevent disadvantage and ensure that children with medical conditions receive the support that they need. Providers are required to promote their service for children with SEND on the Essex Local Offer.

4.8 The successful Provider must provide monitoring information on a termly basis for the first year of operation to DET (refer Section 5.6 below).

5. Technical Requirements

5.1 Regulation

The successful Provider is expected, at all times, to meet its registration requirements under Ofsted's Inspection Framework, specifically, under the following headings:

- Environment;
- Facilities;
- Access;
- Sustainability.

5.2 Funded Early Education Entitlement

The successful Provider is expected to:

- Sign up, on an annual basis, for the duration of the building's lease term to the Essex Early Education Funding Contract (Funded Early Education Entitlements and Special Educational Needs Inclusion Funding);
- Provide a flexible FEEE offer for eligible two-year olds and all three- and four-year olds;
- Offer EFE places for 30 hours for eligible three- and four-year olds;
- Offer FEEE2W to meet the new childcare expansion offer for eligible working families of children from the term after their second birthday;
- From September 2024, to meet the new childcare expansion offer for eligible working families of children from the term after the child turns nine-months-old (FEEE1W);
- From September 2025, to meet the new childcare expansion offer of up to 30 hours for eligible working families of children from nine-months-old to school age;
- Comply with the terms of the above FEEE contract at all times;
- Undertake integrated reviews for all FEEE2 children, in partnership with the Essex Child and Family Wellbeing Service Family Hubs.

5.3 The successful Provider is expected to comply fully with the General Data Protection Regulations 2018 (GDPR).

5.4 Safeguarding

The successful Provider is expected to:

- Adhere to Southend, Essex and Thurrock (SET) Safeguarding Children and Adult Guidelines:

<https://www.escb.co.uk/media/2739/set-procedures-may2022.pdf>

<https://www.escb.co.uk/media/2736/set-procedures-amendments-2022.docx>

- Ensure that safeguarding policies and procedures align with those adopted by DET and its Schools.
- Work within guidelines set out in the following documents: Keeping Children Safe in Education 2023 (as amended from time to time), Working Together to Safeguard Children, and the PREVENT duty for England and Wales.

5.5 Sustainability

The successful Provider is expected to:

- Develop a suitable business model, which factors in a sound knowledge and understanding of local demographics;
- Undertake detailed market research to demonstrate the needs of the local community;
- Provide an affordable service that balances FEEE and private income generation that promotes sustainability in the long-term.

5.6 Monitoring, Recording and Reporting

The successful Provider is expected to:

- Provide termly monitoring information for the first year of operation, as agreed by DET/Hogarth Primary School and the successful Provider, and submit a copy of annual audited accounts on completion to DET;
- Update the Essex Early Years Provider Portal as changes occur, and submit childcare sufficiency data termly;
- Undertake a FEEE audit with the Essex Early Years team within the first year of operation.

Additionally, termly quality assurance visits will be undertaken by DET/Hogarth Primary School in partnership with the Essex Early Years team.

5.7 Health and Safety Requirements

The successful Provider is expected to:

- Hold and maintain the appropriate Health and Safety policies;
- Ensure that they are embedded in service delivery.

5.8 Insurance

The successful Provider is expected to have the following insurances in place:

- Public liability insurance with a limit of indemnity of not less than ten million pounds (£10,000,000) in relation to any one claim or series of claims arising from the Project; and
- Employer's liability insurance with a limit of indemnity of not less than ten million pounds (£10,000,000) in relation to any one claim or series of claims arising from the Project; and

- Professional Indemnity Insurance with an indemnity limit of one million pounds (£1,000,000).

5.9 Site Visit

Site visits for any interested parties can be arranged to take place on Wednesday 5 June. These can be arranged by emailing the School Business Manager at Hogarth Primary School on finance@hogarth.essex.sch.uk or by telephoning the School Office on 01277 212216.

**** The successful Provider is expected, at all times, to seek independent legal and financial advice to ensure that it is fully informed of its legal responsibilities and understands any liabilities that it needs to consider, such as the redundancy commitments associated with the TUPE of staff.

****The contract to deliver the funded early years entitlements exists between the successful Provider and Essex County Council, as the Local Authority. Thereafter, the lease and all terms and conditions are a separate contract between DET and the successful Provider. Due Diligence is required to be undertaken by both parties (including independent legal and financial advice).