

**Independent Non-
Maintained
Specialist Schools
New Business
Information and
Guidance**

Purpose of this document

The purpose of this document is to provide information for businesses who are interested in becoming a provider on Nottinghamshire's framework for Independent Non-Maintained Specialist Schools (INMSS).

What is the Independent Non-Maintained Special School (INMSS) Framework?

Most pupils within Nottinghamshire who experience a range of complex special educational needs are receiving their provision within maintained schools and Academies situated in the County. There remains a proportion of the schools' population whose needs cannot be met by provision maintained by Nottinghamshire.

Nottinghamshire County Council has a responsibility to provide education to children and young people (CYP) of statutory school age. It is envisaged that specialist education arrangements will be provided for those CYP whose needs cannot currently be met within a mainstream school or maintained special school and/or for whom small group/individualised provision is required.

Nottinghamshire County Council wishes to secure relationships with outstanding providers of education for pupils with complex needs across the spectrum of special educational needs/disabilities with the establishment of a new framework.

The overall aim is to secure a provision pathway for pupils who have a range of complex educational; cognitive; social, emotional and mental health; and physical needs. This entails commissioning a range of provision that is robust, resilient, flexible and creative and which matches the range of needs of this vulnerable cohort of pupils.

Providers are expected to be able to deliver services that meet the academic, vocational, social, emotional, physical and psychological health needs of pupils as identified by Nottinghamshire County Council (usually within an education, health and care plan).

Providers must be able to demonstrate that they are able to offer suitable educational provision for children and young people in one or more of the following:

- Key stage 2
- Key stage 3
- Key stage 4
- Post 16

The key aims of this service are:

- To enable CYP accessing specialist education provision to achieve aspirational educational outcomes and ensure aspirations are at the centre of what we do
- To raise attainment and narrow the attainment gap for CYP accessing specialist education by providing personalised learning to meet individual needs through clear learning pathways and transitions
- To prepare CYP for the next phase in their education and to prepare them for independence and adulthood

Specialist Education Market Position Statement

This is a key business intelligence document, which includes current supply and demand, and the Council's commissioning intentions around alternative education:

Read our market position statement below:

[Specialist Education Market Position Statement 2024 \[PDF\]](#)

Tender Information

East Midlands Tenders Portal

Providers wishing to offer provision as an independent non-maintained special school will need to apply for the specialist education tender. You can access the tender through the East Midlands Tender Portal <https://www.eastmidstenders.org/> Until 31st March 2024 the tender reference is DN165954 and from 1st April 2024 the tender reference will be DN694393.

The framework will operate in two lots – Lot 1 will be for a block contract arrangement that will cover placements in all areas of Nottinghamshire and will commence from 01st April 2024 for a period of five years until 31st March 2029. Lot 2 will be to create a framework of approved providers for placements located within the County and outside of Nottinghamshire. Education placements will be commissioned on an individual basis and will be required where the child or young person is not a suitable match to settings commissioned through Lot 1 and/or where there is insufficient capacity within Lot 1.

Read our supplier guide, which provides instructions on registering an interest and completing a tender response:

[simplified-supplier-system-user-guide.pdf \(nottinghamshire.gov.uk\)](#)

If you have any queries about using the East Midlands tenders portal, you can contact the Council's Procurement Team by emailing:

corporate.procurement@nottsc.gov.uk

Information on the tender application and process

You will need to complete a questionnaire, which has a set of standard questions, including financial, that are scored as pass/fail to ensure compliance with procurement regulations. You will also need to complete the schools form, which requires details including your current OFSTED rating, the primary needs of children and young people that you offer placements for, and the type of placement you offer.

If you are successful with your tender application, an essential checklist process will be undertaken to check that you have the relevant policies, procedures, and documentation in place before you will be accepted on the framework and can receive referrals.

NOTE: You will need to have an OFSTED evaluation of Good or above, or, if you are a new provider have been assessed by OFSTED as fulfilling the requirements of an INM special school and have been authorised to open.

Requirements

Insurances

£5 million public liability & £10 million employer's liability is required for all businesses as a minimum.

Regulations

It will be a condition of acceptance on the framework that providers are registered with Ofsted or Care and Training Inspectorate for Wales and are able to supply evidence of successful relevant inspections (i.e., established providers will need to provide evidence of an OFSTED inspection evaluated as 'Good' or above. New providers will need to demonstrate acceptance from OFSTED that they are eligible to operate as an INM School or AP free school: - Providers must confirm the DfE school registration number upon application). It should be noted that all subsequent OFSTED inspections should be rated as 'Good' or above and failure to achieve this level would have to be reported to Nottinghamshire County Council's Contract Management Team Immediately.

Legislation

Organisations must comply with all relevant legislation relating to the service, which includes any updates and amendments. It is the providers responsibility to keep up to date with any such developments.

Listed below is some of the legislation that providers are expected to be compliant with and is not meant to be exhaustive:

- The Children and Families Act 2014: [Children and Families Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/6)
- Keeping Children Safe in Education: [Keeping children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363651/Keeping-children-safe-in-education-2016.pdf)
- Prevent Duty 2015: [Revised Prevent duty guidance: for England and Wales - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363651/Revised-Prevent-duty-guidance-for-England-and-Wales-2015.pdf)
- The Care Act 2014: [Care Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/18) / [Care Act factsheets - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363651/Care-act-factsheets-2014.pdf)
- The Children Act 1989 and 2004: [Children Act 1989 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1989/27) / [Children Act 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2004/31)
- The Adoption and Children Act 2002: [Adoption and Children Act 2002 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2002/18)
- Education Act 1996, 2002 and 2011: [Education Act 1996 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1996/54) / [Education Act 2002 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2002/26) / [Education Act 2011 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2011/25)
- Health and Social Care Act 2001, 2008, 2012 and 2022 / [Health and Social Care Act 2001 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2001/15) / [Health and Social Care Act 2008 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2008/14) / [Health and Social Care Act 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2012/12) / [Health and Care Act 2022 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2022/1)
- Safeguarding of Vulnerable Groups Act 2006: [Safeguarding Vulnerable Groups Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/16)
- Mental Health Act 1983 and 2007: [Mental Health Act 1983 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1983/53) / [Mental Health Act 2007 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2007/12)
- Mental Capacity Act 2005: [Mental Capacity Act 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2005/9)
- Housing Act 1996: [Housing Act 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2004/30)
- The Equality Act 2010: [Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2010/15)
- National Health Service Act 2006: [National Health Service Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/42)
- Sex Offenders Act 1997 as amended by part 2 of the Sexual Offences Act 2003: [Sexual Offences Act 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2003/42)
- Police and Justice Act 2006: [Police and Justice Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/11)
- The Data Protection Act 1998 and 2018: [Data Protection Act 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1998/29) / [Data Protection Act 2018 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2018/12)
- The Chronically sick and Disabled Act 1970: [Chronically Sick and Disabled Persons Act 1970 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1970/18)

Statutory Guidance

Providers must ensure that their provision is compliant with the following statutory guidance:

- [Promoting the education of looked-after and previously looked-after children - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363651/Promoting-the-education-of-looked-after-and-previously-looked-after-children-2016.pdf)
- [SEND code of practice: 0 to 25 years - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363651/SEND-code-of-practice-0-to-25-years-2014.pdf)
- [Education and Skills Funding Agency - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363651/Education-and-Skills-Funding-Agency-2016.pdf)
- [Keeping children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363651/Keeping-children-safe-in-education-2016.pdf)

Policies and Procedures

The organisation will need to have robust written policies, procedures, and codes of practice, which should include adequate instruction, guidance, and support for staff in the function and delivery of the service outlined within the service specification.

The policies and procedures documents should reflect DfE guidance to include:

- Safeguarding – identifying, logging and reporting of concerns, designated lead for child protection, contact details for [Nottinghamshire County Council's Multi-Agency Safeguarding Hub \(MASH\)](#)
- Safer Recruitment Procedures – [Nottinghamshire Children's Safeguarding Children Partnership Guidance](#)
- Behaviour management
- Anti-bullying
- Online safety and behaviour
- Risk assessment – individual/environmental/activities
- Care Planning – Assessments/support plans/reviews
- Health and safety
- Lone working
- Incident/Accident/Emergency procedures
- Confidentiality and data protection
- Equal opportunities
- Whistleblowing
- Code of conduct
- Business continuity plan (to include risk assessment and contingency in relation to interruption or closure of the service i.e., power cut, inclement weather, unforeseen staff absence)
- Moving and handling
- Complaints and compliments
- Grievance
- Supervision

Resources

Provider must provide a physical environment and resources needed for CYP to Achieve their goals. The educational provision necessary to meet the needs of these pupils may include:

- flexible teaching arrangements
- appropriate seating, acoustic conditioning and lighting
- adaptations to the physical environment in the school/residential accommodation
- specific policies and procedures that safeguard learning
- access to alternative and augmentative forms of communication, in particular ICT

- access to a range of specialist support services
- provision of tactile and kinaesthetic learning resources
- access to amplification aids and systems for sound and vision
- regular, consistent and frequent access to a range of specialist support services, particularly medical services that will include palliative care
- access to the curriculum through specialists' aids, equipment and furniture

Partnership Working

Providers will need to work closely with the Local Authority and participate in a multi-agency approach to planning, reviewing, and monitoring progress of all pupils. Particular emphasis will be on developing effective working relationships with parents and carers. Providers will work collaboratively with a wide range of organisations and stakeholders to promote the ongoing development of high-quality services and adopt a 'team around the young person' approach to identify needs and provide support.

Quality Assurance and Contract Management

Nottinghamshire County Council operates a robust quality assurance management process. If you are successful with your tender application an essential checklist process will be undertaken to check that you have the relevant policies, procedures, and documentation in place. You will also need to complete a Children's Quality Assessment Framework (C-QAF) self-validation form which documents the relevant policies, procedures and processes.

The Provider must meet the Council's Children's Quality Assessment Framework (C-QAF) standard C as a minimum for all core objectives. This includes risk assessment and support planning, health and safety, safeguarding, fair access and diversity, young people empowerment, and management of provision. The Provider will be required to self-assess against the C-QAF on an annual basis.

A C-QAF validation visit may also take place unless a provider has received an OFSTED rating of "good" or above in the past two years. If a visit to the service takes place evidence requested will include, but is not limited to:

- Pupil files
- Personnel records demonstrating staff experience
- DBS record list of current staff
- Staff Training List
- Supervision records
- Health & safety inspection records
- Incident/safeguarding log
- Complaints log
- Policies and procedures (as listed above)

Contract Management

Contract management meetings will be held termly or annually, depending on the volume of Nottinghamshire young people in the service, and shall be designed to share and exchange information that will support continuous improvement of service provision. Where the provider has 5 or more Nottinghamshire placements, the Council will complete an annual contract monitoring review to ensure that the service is being delivered in accordance with the contract.

Business Support and Advice (All Businesses):

D2N2 Growth Hub

Offer advice and guidance on starting and growing a business including a free business health check.

<https://www.d2n2growthhub.co.uk/>

Tel: 0333 006 9178

Nottingham Business Ventures

Offer advice and support on starting and growing a business. They also offer free training on starting up and running a business.

<https://nbv.co.uk/>

Tel: 0844 887 2568 or Email: enquiries@nbv.co.uk

East Midlands Chamber

Offer tailored business advice and support.

<https://www.emc-dnl.co.uk/supporting-growth/business-advice-and-support/>

Tel: 0333 053 8639

Mansfield and Ashfield 2020

Offer a support network for businesses.

<https://mansfieldandashfield2020.com/>

Tel: 01623 422010 or Email: admin@mansfieldandashfield2020.com

Nottinghamshire County Council Microprovider Support

Can offer advice to small businesses who have ten or less full-time equivalent workers (paid or unpaid) and are independent or any larger organisation. The support will include listening to ideas and giving professional feedback, helping businesses to understand legal and regulatory requirements and advice on training and insurances.

<https://www.nottinghamshire.gov.uk/business-community/supporting-social-care-businesses/setting-up-a-small-social-care-enterprise>

Tel: 0300 500 80 80

Voluntary Sector Organisations

Community Accounting Plus

They are a charity who help other voluntary and community organisations manage themselves well in all areas of accounting and finance. They hold regular finance surgeries for businesses.

<https://www.caplus.org.uk/>

Tel: 0115 9470839

National Council for Voluntary Organisations (NCVO)

Offer a Consultancy Service, which includes tailored support around governance, strategy and organisational development.

<https://www.ncvo.org.uk/practical-support/consultancy>

Tel: 020 7713 6161 or email: ncvo@ncvo.org.uk

Nottinghamshire County Council Communities Team

Offer practical support such as help with writing a constitution, advice on policies, preparing accounts and budgeting. They can also offer financial advice and support.

<https://www.nottinghamshire.gov.uk/council-and-democracy/get-involved/supporting-voluntary-sector>

Tel: 0115 9772041 or email: cvs.team@nottscc.gov.uk