

**FLEXIBLE LEARNING PATHWAYS**

# SELECTION QUESTIONNAIRE

**FOR APPROVED SERVICE PROVIDERS**

Please complete and return to:

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The purpose of a flexible learning pathway at stage 3 of the staged intervention process is to meet learner’s needs when there is a significant risk of exclusion or disengagement, and other interventions have been exhausted.

A flexible learning pathway is considered to be an individual, flexible and holistic learner-centred programme of support delivered through a variety of practical skills and experiences in different environments. This educational programme is created to address core personal and social competencies, promote self-esteem and confidence and address specific individual educational targets, and can be implemented at any age and stage of the learner’s education.

Third Sector or private service providers offering learner-centred programmes are required to complete the Selection Questionnaire for Approved Service Providers prior to services being commissioned to ensure that the service / support meets the requirements of Aberdeenshire’s Education and Children’s Services.

Services can only be commissioned following approval by Aberdeenshire’s Education and Children’s Services.

**Section A – Organisation Information**

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| A1 | Full legal name of organisation submitting questionnaire |  |
| A2 | Contact name of person submitting the questionnaire on behalf of the organisation |  |
| A3 | Contact position (eg Director, sole proprietor etc) |  |
| A4 | Postal address for all correspondence |  |
| A5 | Email address for all correspondence |  |
| A6 | Telephone number |  |
| A8 | State whether your organisation trades as a sole trader, partnership, private limited company or other (please specify) |  |
| A9 | Company registration number |  |
| A10 | Registered office address (if applicable and different from the address given at A2) |  |
| A11 | Please provide details of the names and responsibilities of each of the Directors or Partners of your organisation |  |
| A12 | If your organisation is a member of a group of companies, give the names and addresses of the ultimate holding company and any other subsidiaries involved in services associated with those offered by you to the Council |  |
| A13 | Please give a brief synopsis of your organisation’s trading history (including details of its foundation and number of employees) |  |
| A14 | Is your organisation a member of any representative body? If yes, please provide details |  |

**Section B – Criteria for Rejection of Economic Operators**

Questions B1 to B7 relate to offences introduced by the Bribery Act 2010 and the Criminal Justice and Licensing (Scotland) Act 2010 and positive answer to any question will result in mandatory exclusion from the panel of approved suppliers.

Questions B8 to B14 are grounds for discretionary exclusion. A positive answer in relation to any of these questions may result in exclusion from the panel of approved suppliers.

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| Have any of the directors, partners or any other person who has powers of representation, decision or control of the organisation ever been convicted of any of the following offences? If you answer yes to any of these questions please give details. Please note that by virtue of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2007, information in relation to spent convictions is also required to be disclosed. |
| B1 | The common law offence of conspiracy where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA or an offence under sections 28 or 30 of the Criminal Justice and Licensing (Scotland) Act 2010 |  |
| B2 | Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906, where the offence relates to active corruption as defined in Article 3 of the Council Act of 26th May 1997 and Article 3(1) of the Council Joint Action 98/742/JHA |  |
| B3 | Bribery or corruption within the meaning of sections 68 and 69 of the Criminal Justice (Scotland) Act 2003 where the offence relates to active corruption, or bribery within the meaning of sections 1 or 6 of the Bribery Act 2010 |  |
| B4 | The common law offence of incitement to commit a crime |  |
| B5 | Fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Communities, within the meaning of:* the offence of cheating the Revenue
* the common law offence of fraud
* the common law offence of theft or fraud
* fraudulent trading within the meaning of section 458 of the Companies Act 1985 or section 993 of the Companies Act 2006
* fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994
* an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993
* the common law offence of uttering
* the common law offence of attempting to pervert the cause of justice
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| B6 | Money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002 or the Money Laundering Regulations 2007, or an offence in connection with proceeds of drug trafficking within the meaning of sections 49, 50 or 51 of the Drug Trafficking Act 1994 |  |
| B7 | Any other offence within the meaning of Article 45(1) of the Public Sector Directive as defined by the national law of any relevant state |  |
| Please answer yes or no to the following questions: if you answer yes to any question, please enclose details separately. |
| B8 | Are you, or is any Director or Partner, an individual in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy, restriction order or a debt relief restriction order made against them or has made any composition or arrangement with or for the benefit of creditors or had made any conveyance or assignment for the benefit of creditors or appears unable to pay, or to have no reasonable prospect of being unable to pay, a debt within the meaning of section 268 of the Insolvency Act 1986 (d), or article 242 of the Insolvency (Northern Ireland) Order 1989(d), or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of their estate, or is the subject of any similar procedure under law of any other state? |  |
| B9 | Is the organisation a partnership constituted under Scots law that has been granted a trust deed or become otherwise apparently insolvent, or the subject of a petition presented for sequestration of its estate? |  |
| B10 | Is the organisation a company or other entity within the meaning of section 255 of the Enterprise Act 2002(f) which has passed a resolution or is the subject of an order by the court for the company’s winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or has had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company’s business or any part thereof or is the subject of the above procedures or is the subject of similar proceedings under the law of any other state? |  |
| B11 | Has the organisation been convicted of a criminal offence concerning its business or professional conduct by a judgement which has the force of res judicata (a matter already settled in court)? |  |
| B12 | Has the organisation committed an act of grave misconduct in the course of its business or profession? |  |
| B13 | Has the organisation failed to fulfil obligations relating to the payment of social security contributions in accordance with the legal provision of the United Kingdom or the country in which it is established? |  |
| B14 | Has the organisation failed to fulfil obligations relating to the payment of taxes in accordance with the legal provisions of the United Kingdom or the country in which it is established? |  |

**Section C – Financial Standing and Professional Ability**

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| C1 | Who is the person to whom any financial queries should be addressed (if different from the person named at A2)? | Name:Telephone:Email: |
| C2 | Please provide contact details for 2 referees for services delivered within the last two years that are similar to the services you will be delivering to Aberdeenshire Council | 1) Referee Organisation:Contact Name:Title:Email address:Postal address:2) Referee Organisation:Contact Name:Title:Email address:Postal address: |
| C3 | If appropriate, please provide information about your registration with the Care InspectorateHas the Care Inspectorate, its predecessors or equivalents ever issued an improvement notice and/or cancelled registration of any services you or your organisation has provided? | Registration Number:Registration Categories:Registration Date:Yes, details enclosed separately Or No |
| C4 | Does the organisation have policies and procedures that include the following?* All members of staff must provide two references, one of which must be from the current or most recent employer
* All members of staff having direct contact with service users must be subject to an appropriate level of Disclosure or provide appropriate PVG Scheme membership information if carrying out regulated work
* That the organisation is responsible for ensuring that the above two points apply to any sub- contractors or agency staff
 | Yes, details enclosed separatelyOrNo |
| C5 | Is it your policy as an employer to comply with the obligation contained in the Equality Act 2010 and accordingly your practice not to treat individuals or groups of people less favourably than other individuals or groups because of their gender, colour, race, nationality, ethnic origin, marital status, age, sexual orientation or disability? Does the organisation have policies and procedures that include the following:* Elimination of discrimination, harassment and victimisation
* Advancement of equality of opportunity between those who have protected characteristics and those who don’t
* Fostering of good relations between those who have protected characteristics and those who don’t
 | Yes, details enclosed separatelyOrNoYes, details enclosed separatelyOrNo |
| C6 | Please list the relevant qualifications and training held by those providing services. | Name:Qualifications / trainingName:Qualifications / Training Name:Qualifications / TrainingName:Qualifications / Training |

**Section D – Health & Safety**

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| D1 | Please submit a copy of your Health & Safety Policy? |  |
| D2 | If operating as a food business, are you registered with the Environmental Health Service? | Yes, details enclosed separatelyOrNo |