

**From:**  
**To:**  
**Subject:** Bright Stars Nurseries/Your client: East Lothian Council  
**Date:** 14 September 2022 09:13:12

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FYI

**Service Manager - Governance  
Solicitor  
East Lothian Council | John Muir House | Haddington | EH41 3HA**

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**From:**  
**Sent:** 13 September 2022 17:13  
**To:**  
**Cc:**  
**Subject:** RE: Our client: Bright Stars Nurseries/Your client: East Lothian Council

Dear

I note your client's position as intimated in your e-mail below.

East Lothian Council remains committed to ensuring that all Early Learning and Childcare settings are of a consistently high standard to ensure the best possible quality experience for children and families at such an important stage of a child's development. The Council takes its responsibility as primary guarantor of quality very seriously and is required to ensure that all settings providing 1140 funded hours meet or exceed the National Standard.

We have now had the opportunity to see your client's press release and statement to parents and my client is very disappointed in the terms of these. This is again an example of your client's miscommunication of the position particularly regarding the references to a sudden decision and also that we are being asked to reconsider. We also note that your client has also arranged a parents' meeting for later this week and remain concerned about the accuracy of the information your client will provide to parents. This is not in our opinion a demonstration of your client's alleged hopes that it can work constructively with the Council and raises concerns regarding the leadership of Bright Stars.

Notwithstanding the above your client's stated commitment to invest in the four East Lothian nurseries is noted and, if approached, Council Officers would work constructively with your client and their staff to provide guidance on steps to be taken/required to re-build confidence and to evidence that these settings meet the National Standards. This

will not be without significant work from your client and positive engagement with the Council and Care Inspectorate will be essential. Finally, it is noted that your client hopes that they will be in a position to enter into a contract with the Council to be a funded 1140 hours provider at the end of this term. The Council's position remains as set out in our earlier communication sent on Thursday 1st September, that the Council may review this position on application after a period of 12 months, should there be evidence of improvement that is substantiated by the Care Inspectorate in respect of any of your establishments. For this position to change significant changes would be required to be demonstrated.

Yours sincerely

**Service Manager - Governance  
Solicitor**

**East Lothian Council | John Muir House | Haddington | EH41 3HA**

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**From:**

**Sent:** 13 September 2022 10:05

**To:**

**Cc:**

**Subject:** Our client: Bright Stars Nurseries/Your client: East Lothian Council

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Dear

Further to our call, I am writing to inform you that, after carefully considering its position and the best interests of the children and families that our client's four East Lothian nurseries serve, our client has taken the decision not to proceed at this time with its proposed Petition to the Court of Session.

This decision will allow our client to focus all its efforts on the welfare of children, parents and staff associated with its nurseries. Our client's priority is to continue with its planned programme of more than £300,000 investment and improvement in facilities and staff development at the four nurseries.

Our client advises that it is now one of the largest nursery operators in the UK and it takes pride in the strong reputation of all its nurseries. Our client advises that its organisation is 100% focused on providing safe, high quality early years education and care: this quality is supported by external experts with the vast majority of its 79 nurseries rated highly by the Care Inspectorate and Ofsted.

As part of our client's commitment to putting the interests of the children care first, and to provide stability to their families, Bright Stars Nurseries has asked us to inform you that they have undertaken to make up the additional financial burden of over £362,000 which would have been received from the Council, to cover the shortfall in funding for all eligible children until the end of this term.

They hope this will offer sufficient time to give the Council the confidence that the safety, care and education of the children they fund is in the best possible hands with Bright Stars.

Given the Council's intention to make its decision public at 10am today, our client is in the process of informing its teams and parents of the situation. It has also arranged a parents' meeting for later this week.

Our client hopes that it can work constructively with the Council to resolve the Council's concerns in the best interests of families in Haddington and North Berwick.

Kind regards,