

CASE SUMMARY 19

Date Reported: 12 July 2007

Country: Egypt

British Council Case Number: DH 2007

Background

The British Council was established in Egypt in 1938. Today it is a large country operation. We directly employ 371 full-time staff plus 24 part-time or temporary teachers in Egypt. 54 of our staff are UK nationals.

The British Council Egypt has 5 English Language Teaching (ELT) centres and 16,000 registered young learners per year (or 4000 per term), including 550 registrations from children under the age of 5 years. We deliver the International General Certificate of Secondary Education (IGCSE) qualification to 120 international and foreign language secondary schools, who together serve nearly 100,000 pupils. Additionally, we deliver English language, professional and university exams across Egypt. We had 35,000 minors taking exams in the past 12 months.

We deliver work in Arts, Science, Education and Society in Egypt. We currently have 3 partnership programmes that are working directly with or impacting on children.

The British Council has a designated Child Protection Focal Point officer and Deputy Child Protection Focal Point in place. Additionally, the Child Protection National Working Group coordinates the implementation and review of the national Child Safe Action Plan, has links with local partners and provides child protection briefing sessions.

Child Protection Challenges

Harmful practices such as FGM, early forced marriage and physical abuse is culturally acceptable. Existing child protection legislation is weak, poorly implemented and monitored. Corruption is considered widespread and law enforcement activity is limited.

Allegations / Incident

On 12 July 2007, a Police Officer working with Operation Sycamore, (a joint Home Office and Police operation to locate 27,000 persons convicted of serious offences abroad), contacted the British Council. Whilst processing a backlog of criminal convictions records, they had discovered a person they were looking for, David Hoyle, was travelling inbound on a flight from Cairo to the UK. On questioning Mr Hoyle on arrival at Heathrow, they discovered that he worked as a teacher for a British Council teaching centre in Cairo.

The Police Officer informed the British Council that Mr Hoyle had two convictions for possession of child pornography; one given in the UK during the 1990s, the other provided in France on 24 June 2002. A part of his sentence given in France he was banned from having contact with minors or any charity for five years. In addition, he had been banned from teaching by the Department for Education in the UK on 4 October 2000 and additionally, he had been convicted of seven offences related to possession of drugs. The Police ViSOR Register, (Dangerous Persons Database), listed Mr Hoyle as a 'potentially dangerous person' to children and vulnerable adults and advised that he should not be put in a position of trust or responsibility for the care or welfare of either of those groups.

Investigation

The British Council checked the Mr Hoyle's employment records. He had applied in November 2006 for a post in Tunisia but had not been recruited to that position. He had been referred to the teaching post in Cairo and began teaching at the British Council teaching centre in January 2007. When signing his employment contract, he had signed a British Council Child Protection Declaration indicating that he had no convictions.

On 17 July 2007, the Police confirmed that they had confiscated Mr Hoyle's passport on arrival at Heathrow Airport. They confirmed that they may raise charges against him on the basis that he had falsely signed a declaration with British Council and had been working with children in organisations he had been banned from under the terms of his convictions.

The British Council in Cairo informed the British Embassy in Egypt and it was agreed that the local authorities would not be involved pending the outcome of UK Police investigations. Further, within three days of the Police notification, the Country Director Egypt, Acting Regional Director, Legal Advisor to the British Council and Regional Human Resources Director provided recommendations to the Teaching Centre Manager in Cairo to dismiss Mr Hoyle without notice and with immediate effect for gross misconduct under the British Council's Disciplinary Procedure in place at the time on the basis that, on recruitment, Mr Hoyle had failed to disclose when asked any convictions which would have precluded him from employment with the British Council.

Mr Hoyle appealed his dismissal in writing dated 19 July 2007, stating that his convictions in France did not relate to physical child abuse and that he had completed psychiatric therapy as instructed by the French Judge. Further that he had not known that he was listed on a register of offenders and only became aware of this on arrival at Heathrow and that he had not attempted to work with children and was teaching business English to adults. His appeal was rejected.

The Police requested a copy of the signed British Council Child Protection Declaration. Some internal concern was raised regarding the release of the Mr Hoyle's personal data without consent, but it was decided that the declaration should be released.

Criminal Records Clearance

Further investigation on 17 July 2007, established that David Hoyle had been recruited in London and had been working with adults only in Egypt since the commencement of his employment. However, concern was raised internally as it was not clear whether a criminal records bureau check had been requested and checked when he had been recruited and whether there were any gaps in British Council procedures for recruitment. It was found that Mr Hoyle had been employed in post prior to a criminal records check being carried out. In light of this information, it was decided that all staff throughout the organisation would be requested to undergo an up to date criminal records bureau check if their work involved children. Correspondence was sent out to all staff by the Director of Human Resources asking that they confirm by 10 August 2007 that Child Protection Policy had been applied. A copy of the letter is exhibited to this case summary.

On 13 August 2007, the Regional Human Resources Director met with the Police and confirmed the action taken to carry out CRB checks retrospectively for all 1800 teaching staff to obtain any checks that were missing. The Police confirmed they had returned Mr Hoyle's passport to him.

Outcome

Mr Hoyle returned to the British Council teaching centre in Cairo. He advised that he would be travelling to the Ukraine to find employment. The British Council offices in Kiev were alerted and advised not to employ him.

No further information was received from the Police

EXHIBITS

1. Signed Child Protection Declaration dated 15 January 2007
2. British Council Child Protection Policy 2006
3. British Council Disciplinary Procedure, Grievances and Appeals, January 2007
4. Letter from Director HR to all Staff requesting review and adherence to Child Protection Policy