

RESPONSE TO REQUEST 7(i) & 8(i) – WORKERS AND VOLUNTEERS

The procedures for recruiting and vetting of individuals employed or engaged by the British Council to work overseas have evolved during the past 20 years. A summary of the British Council's key changes to policy and procedure in its application of the English/Welsh statutory vetting and barring regime is set out in British Council's Response to the Inquiry's Rule 9 Request dated 4 July 2018. For further detail, the British Council refers the Inquiry to their Response to Request 1 and 2 of that letter and particularly pages 4 to 10 inclusive.

The British Council generally does not directly engage volunteers to work with the organisation. Some partner organisations engage volunteers as participants in the delivery of the programme. For example, Non-Governmental Organisations (NGOs) involved in the Premier Skills programme. It is a requirement that those NGOs implement safer recruitment requirements and carry out criminal records vetting of participants. Details are set out below.

RESPONSE TO REQUEST 7(ii) & 8(ii) – PARTNER ORGANISATIONS

The term 'partnerships' at the British Council covers a spectrum of financial and contractual relationships. The various types of relationships that the British Council engages in are captured in the British Council Partnering Typology (see item 41 of the document list below). The Typology breaks down relationships into eight forms: contract for services, grant agreement, sponsorship agreement, licensing agreement, alliance, consortium agreement, franchise agreement and joint venture. These relationships are defined and described within the Typology. Depending on the nature of the relationship and British Council's role

in the programme, contractual arrangements may require that the partnership organisation implement child protection measures or, alternatively, we may require that the partnering organisation adopt British Council's standards and policy.

Prior to entering into a partnering relationship, a process of due diligence is carried out to ensure and verify that the partner organisation is aligned with British Council's values, reputation, brand, charitable objectives and to ensure that it operates in accordance with British Council legal obligations. Once a potential partner has been identified, a risk assessment and an ethical and financial screening process is carried out prior to forming a decision as to whether to enter into the partnering relationship (see item 44 of the list below). The employee who holds overall responsibility for the specific partnership is accountable for ensuring this process is followed and for completing the risk assessment prior to entering into any contractual agreement.

The British Council uses standard contract templates when engaging in 'partnering' relationships with other organisations. Standard contract templates are housed in an online portal, the Global Model Contracts Portal, ('The portal'), which is hosted by British Council's external solicitors (see item 45 of the document list below). The portal is an easy to use resource for British Council staff looking for guidance on contractual documents and is used wherever possible when entering into contractual arrangements with other parties. The portal contains a comprehensive list of all standard contractual agreements which can be downloaded and adapted as required. Which contractual agreement is used in each circumstance is determined by the nature of the relationship (as defined by the Typology).

British Council's Child Protection, Contract Management and Legal Teams have assessed the standard contract templates on the portal and, where required, standard clauses covering responsibilities for child protection and criminal record vetting/safer recruitment have been included in the standard contract

template (see item 46 of the document list below). Each contract entered into is adapted according to the specific nature of the relationship and circumstances surrounding the agreement and therefore additional clauses and obligations can be added, as required.

Once the partnership has been entered into, in circumstances where British Council is collaborating closely with a partner, (for example, providing teaching in partnership premises), compliance with safer recruitment and child protection requirements is checked through child protection audits. Alternatively, issues might be identified and reported as part of the day-to-day operations. If it comes to the attention of the Child Protection Team that partners are not compliant with the policy and contractual agreement, the Child Protection Team and Country Director and/or programme manager will enter into dialogue to determine whether it is in the interest of keeping children safe to continue the partnership or whether to terminate the relationship.

In circumstances where British Council are not involved in the operation or delivery of a programme, (for example, a grant to a partner), compliance with safer recruitment and child protection requirements would be undertaken by the partner. For example, schools involved in the Connecting Classrooms programme would undertake the appropriate criminal records check of the teachers involved. See below for further details.

Examples of Partnering Relationships

Connecting Classrooms

Connecting Classrooms is a partnership programme between the British Council and the Department for International Development (DFID) managed through a Memorandum of Understanding. Using financial contributions provided by British Council and DFID, the British Council awards funding to support a wide range of activities for teachers and schools, including teacher exchange programmes, curriculum reform projects and professional development and training for teachers.

Funding is awarded to Government or state funded schools, or suppliers who deliver activities such as teacher training programmes. The contract governing the relationship between British Council (i.e. the funding provider) and a school or supplier (i.e. the funding recipient) includes standard provisions related to safeguarding. This requires the funding recipient to comply with the British Council's Child Protection Policy and ensure that it (and that any individual engaged by it to carry out a Regulated Activity in connection with its services) obtains an appropriate criminal record/DBS check in line with legislative requirements. The requirement to carry out safer recruitment of staff (i.e. criminal record vetting process) lies with the school or supplier taking part in the activity for which the funding was awarded. Procedures are in place to ensure that the safeguards are implemented through management control checks and supplier management, as well as internal and external reviews through audit.

In addition, the DFID Supplier Code of Conduct (applicable to Connecting Classrooms and any other DFID-funded programmes) requires that British Council provide assurances that we are compliant with the Code of Conduct which includes safeguarding requirements.

Premier Skills

Premier Skills is a co-created and co-funded partnership project between British Council and Premier League. Premier Skills uses UK expertise in football to create opportunities for young people all over the world. Currently, Premier Skills focuses on three core areas/projects:

1. Premier League club coaches provide face-to-face training for grassroots coaches and referees, giving them the skills and support to develop their own community football projects.
2. The programme delivers community projects which uses football as a vehicle for creating opportunities or benefits within local communities. These are usually delivered in partnership with local football associations, community groups or Non-Governmental Organisations (“NGOs”) and may focus, for example, on assisting young people, including the most vulnerable in society, to become better integrated in their local communities, to develop skills for employability or to raise self-esteem. These programmes are flexible and are adapted with local partners to meet their needs and to tackle specific issues relevant to that country.
3. Premier Skills English, an online platform where teachers and learners of English are given free, learning material drawing on football-based content.

British Council’s partnership with the Premier League in relation to the Premier Skills programme is managed through an operational alliance agreement. This is re-negotiated every 3 years. The contractual agreement includes a comprehensive safeguarding and protecting children and vulnerable adults’ clause. This provides that each party warrants that that they will comply with all legislation and statutory guidance relevant to the safeguarding and protection of children and British Council’s Child Protection Policy.

Responsibility for criminal record vetting of individuals engaged in the programme falls on both parties, with each party responsible for ensuring that it, (and any individual engaged by it to carry out Regulated Activity in connection with Premier Skills, in a permanent, non-permanent role or as a volunteer), is subject to an enhanced DBS check, or the local equivalent. Any personnel engaged by either British Council or the Premier League must sign a British Council Self-Declaration Form declaring that he or she has no background, (including criminal convictions), related to child protection issues. This is included in a schedule to the contractual agreement and an example of a British Council Self-Declaration Form is included at item 48 of the document list below. A schedule to the agreement also includes an adapted version of British Council's Partnering Responsibilities for Child Protection Document (see item 43 of the document list below) clearly outlining the Premier League's responsibilities in relation to child protection and criminal record vetting.

In practice and in relation to No.1 above, the Premier League has provided British Council with assurances that all coaches and umpires deployed overseas as part of the Premier Skills programme have undergone the relevant DBS check.

When British Council works with local partners (local football associations, NGO's, etc.) to undertake a community football project as set out at No.2 above, British Council will enter into an individual contractual arrangement with that partner. The British Council Premier Skills team in the UK provides the local country office that is managing the project with an operational alliance template (based on the overarching operational alliance agreement between British Council and Premier League). The agreements are adapted according to the specific nature of the relationship and project, adhering to local laws. The British Council have a Child Safe Project Plan and Risk Assessment in place for Premier Skills (item 49 of the document list below). This is used to monitor compliance with partner obligations, highlighting actions that have been taken and actions that are on-going. To ensure compliance and due diligence, the Risk Assessment is undertaken annually.