



Department  
for Education

**Consultation response form**

**Consultation closing date: 17 February 2016 Your comments must reach  
us by that date**

# **British schools overseas: standards and inspection arrangements**

**If you would prefer to respond online to this consultation please use the following link: <https://www.education.gov.uk/consultations>**

We are seeking to bring the standards for inspection of British Schools Overseas (BSOs) into line with the standards for independent schools in England, where revised standards were introduced in January 2015. We think that the essence and values of a British education should be evident in the way a BSO operates. It is important that parents can rely on the BSO 'brand' as a measure of quality, comparable with the education provided by independent schools in England. We understand this proposed alignment will bring challenges for some schools because of the cultural and legal context of their host country.

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

<b>Please tick if you want us to keep your response confidential.</b>	
Reason for confidentiality:	

Name: Colin Bell CEO
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Please tick if you are responding on behalf of your organisation.	X
Name of organisation (if applicable): Council of British International Schools	
Address: 55-56 Russell Square Bloomsbury London WC1B 4HP	

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by email: [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk) or by telephone: 0370 000 2288 or via the Department's ['Contact Us'](#) page.

Please insert an 'x' into one of the following boxes which best describes you as a respondent.

School	Inspectorate	X Representative organisation
Parent	Other	

Please specify:  COBIS is a global membership organisation for high quality British international schools worldwide. COBIS exists to serve, support and represent its member schools – their leaders, governors, staff and students by representing member schools with the British Government, educational bodies, and the corporate sector. With a global network of 253 COBIS Accredited, Member and Candidate Member schools and 178 commercial Supporting Members in over 74 countries, responses were received from a diverse range of high quality British international schools which educate approximately 150,000 students worldwide. COBIS has further consulted with the Federation of British International Schools in Asia (FOBISIA) with a school network of 53 schools.
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The Independent School Standards (ISS) which apply to independent schools in England have recently been revised to raise the bar on education and to make them generally more rigorous than the previous standards.

1 Do you support applying the same standards for BSOs regarding quality of education as for independent schools in England?

Yes

No

Not sure

Comments:

Improving standards and outcomes for students, their families, staff and the wider school community is the key driver for individuals and groups who responded to this consultation. The revision to BSO standards and inspection arrangements was welcomed by many. Members clearly voiced the opinion that keeping children safe and developing spiritual, moral, social and cultural character is of paramount importance.

Many feel this is what sets British education apart from other international competitors. However there are two areas that Members take issue with:

- Paragraph 2 (2) (i) is unnecessarily narrow from an international British school context. The belief is that any international school would aspire to prepare its pupils for a global society, not just a British society.
- Paragraph 5 is too focused on Britain (and England) to be relevant and appropriate to an overseas school. Our members would like to see this widened.

This is further discussed below in Question 2.

The new SMSC standard for independent schools in England requires schools to “actively promote the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs”.

The ISS also require schools to “actively promote principles which...encourage respect for other people, paying particular regards to the protected characteristics set out in the Equality Act 2010,” (Part 2, paragraph 5(b)(vii)). The protected characteristics are:

- (a) age
- (b) disability
- (c) gender reassignment
- (d) marriage and civil partnership
- (e) pregnancy and maternity
- (f) race
- (g) religion or belief
- (h) sex
- (i) sexual orientation

2 Having regard to the local context of host countries do you see issues with applying the same SMSC standards for BSOs as for independent schools in England? Please comment on what are they and how might they be overcome.

X

Yes

No

Not sure

## Comments:

By far, the most problematic area for schools in some jurisdictions is the new requirement to *"actively promote principles which ... encourage respect for other people, paying particular regards to the protected characteristics set out in the Equality Act 2010"*.

The main issue raised by members was that, whilst it is expected and hoped that ALL schools will encourage and develop respect for a wide range of life choices and situations, including those listed in the Equality Act; in certain countries it would be impossible to be as specific in teaching and learning activities as the regulations appear to demand.

Promoting respect for gay, lesbian and bisexual people, even though the practice of homosexuality is illegal in certain countries, particularly in the Middle East, South East Asia and parts of Central Africa, would have a "dramatic effect" in that Headteachers in British international schools in certain jurisdictions overseas would face imprisonment.

In Latin America most countries would accept these values as being important for schools to promote. However there are many variations across the region and even within countries, in terms of the legal position on issues such as gender reassignment and sexual orientation, that would make it difficult or even impossible to "actively" promote" those principles. The DfE therefore needs to define and clarify the term "actively promote."

In Latin America guided research and discussion of the issues would be acceptable provided that the school/and or teacher was not deemed to be taking a particular position or stance with the intention of influencing or "indoctrinating" students or other members of the school community.

Clearly, a measure of pragmatism is required in different cultural environments. For example, over the years, Arab nations have made numerous concessions to both their cultural and religious practices in order to accommodate and promote western business investment. If other nations can do it, then surely it is not beyond the UK government to do likewise. In 2013, David Willets said, "There are few sectors of the UK economy with the capacity to grow and generate export earnings as impressive as education." It therefore needs pointing out that setting prestigious British curriculum schools on a collision course with their host nations is not going to further the cause, influence, access to soft power and export potential of British education. Many have recorded that a pedantic application of these standards with little appreciation of context could be disastrous. Many have concerns that much would depend on an intelligent, common-sense interpretation by any inspecting body or, more pertinently, any Lead Inspector.

The most disconcerting aspect of the draft is the very obvious insularity and the cultural insensitivity of the language, both of which are further implied in some of the 'requirements'. Detailed expectations on PSHE, and many other references are totally steeped in UK speak.

Members do fully support the values espoused as 'British Values' but are uncomfortable with the suggestion they are exclusively British. Many non-British schools and national education systems worldwide applying the same principles of SMSC which are practiced in the UK. In the same way, this is recognised by others to help students foster increased tolerance, respect and understanding of themselves and other people as well as creating a strong and balanced school curriculum.

A significant number of respondents highlighted that in many host countries where British overseas schools operate there is a legislative requirement for components of the host country curriculum, culture and language to be incorporated into school life and to be promoted. This situation when enshrined in a rule of law creates serious challenge when adhering to the sharing and teaching the principles of the Equalities Act 2010.

While schools understand the wish to benchmark quality, the overall impression for members is that this component of the revisions to the standards is insular and insensitive. In addition, many view them as failing to reflect experience of or to encompass British international schools.

The idea of British Schools Overseas having a quality "stamp", which was potentially good idea, has been lost, and this draft document is not fit for purpose with regards to truly international schools. There is a big difference between a British School overseas and reflecting what is our successful export: an international school overseas that follows the British tradition and curriculum. The proposed document has missed something along the way. Perhaps the problem is in the title itself - should it not be BISO - British International Schools Overseas?

Standard 3, relating to the welfare and safety of pupils, makes the same expectations of BSOs as of independent schools in England.

3 Do you support applying the same welfare, health and safety standards for BSOs as for independent schools in England?

X		
Yes	No	Not sure

Comments:

It is clearly recognised that children and young people all over the world have the same rights and needs. Child Safety is very important as every child has the right to protection, welfare and safety.

To work with, educate and support children is a privilege. Resoundingly, respondents commented that it is of paramount importance that those working with, or who have unsupervised access to children are rigorously vetted through criminal background checks. In addition, safer recruitment practices, induction, appraisal, training and relevant safeguarding and whistle blowing policies should be implemented on a daily basis. Each member of the school community; be they students, staff, parents, visitors and governors should not operate in culture of child protection and safeguarding complacency. This should be evaluated with rigour during the inspection process.

We would welcome anything that improves the welfare and safety of pupils in our schools. However it is important to point out that in general some countries do not have access to the same level of support from local government services and other external agencies that exist in the UK and therefore procedures for acting would almost certainly have to be adapted to local conditions and circumstances.

Fire safety – we want fire safety in BSOs to be at least as good as in independent schools in England.

4 Does the proposed wording “ensures compliance with fire standards which are at least as stringent as the Regulatory Reform (Fire Safety) Order 2005” make that clear?

X		
Yes	No	Not sure

Comments:

It is clearly recognised that children and young people all over the world have the same rights and needs. Child Safety is very important as every child has the right to protection, welfare and safety. The same also applies to fire standards. Most members agree with the statement on fire safety.

Members have asked for the requirements of the particular legislation to be clearly articulated and to be given clear guidance on what the expectations are.

The Regulatory Reform (Fire Safety) Order 2005 can be used as a guideline in most countries but certain aspects of it (e.g. the material used for fire doors, etc.) may be against the law in some countries for example Qatar. Fire regulations in most Middle East countries are based on the American model. While they are being revised regularly, we cannot assume that what is UK law would be accepted there if it contravenes current legislation.

Most countries in Latin America have fairly stringent safety standards and procedures because of being in an area with regular seismic activity. It is likely that they provide standards with respect to fire safety equivalent to those found in the Regulatory Reform (Fire Safety) Order 2005. There may be differences in detail but they will provide fire safety as good as independent schools in England.

5 Is this workable for your school?

Yes

No

X

Not sure

Comments:

Aspects of the BSO regulations may not be workable in all regions as local regulatory requirements will need to take precedence.

This may also create an additional burden on schools to demonstrate compliance against two sets of Fire safety regulations in order to meet the requirements of both.



Part 4 the ISS contains detailed requirements on checking the suitability of staff. Some of this is not applicable to BSOs, while there are other considerations relating to the recruitment of staff overseas. The revised standards are intended to ensure a rigorous but practicable approach

6 Do you agree that the revised standards regarding suitability of staff, supply staff and governors are appropriate and can be delivered?

Yes	No	X	Not sure
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Comments:

In principle yes, with the proviso that procedures such as police checks are not always available or as reliable as in the UK.

11 The DfE may not appreciate the operational complexities of British Schools Overseas be they individual or as part of a group.

The national regional contexts need to be taken into account.

The one problem that schools in certain parts of the world would have is that there is no DBS equivalent there. For example, there is no regulation in Asia and similarly in the Czech Republic there is no requirement to issue clearance certificates for staff.

While staff can and will be checked on their time spent in the UK and in other countries, there is no such thing as a criminal records check of the kind available in England.

When staff move on, schools can only supply what the authorities give them. A report to the police for a criminal offence can in some jurisdictions lead to immediate repatriation. However, for example with Sharia law in force in many Muslim countries-it can never be guaranteed that what is illegal there would also be illegal in a democracy and vice versa.

Members have suggested that the new Interpol Criminal Background Checks should be run in tandem with or in place of the current DBS checks for all new staff whether they are UK staff or International staff. References to medical fitness should be removed from the standards as in the Netherlands it is illegal to request this information from an individual whereas in Brazil it is a legal requirement to have this information prior to offering a position of employment.

Part 5 was written with schools in England in mind but should be applicable to BSOs wherever they may be located.

7 Do you support applying the same premises and accommodation standards for BSOs as for independent schools in England?

Yes

No

Not sure

Comments:

In principle yes. Most countries have their own regulations, which will be largely equivalent to those laid out in the standards. There may be some minor variations related to climatic and cultural differences. Prescriptions connected to water are out of place for example in hot climates.

The guidance relating to temperature and hot water to avoid scalding is too prescriptive.

Standard 6, relating to the provision of information for parents, carers and others, largely replicates the ISS although references to children with education and health care plans, which only apply in England, have been removed.

8 Do you support applying the same standards on provision of information for BSOs as for independent schools in England?

Yes

No

Not sure

Comments:

It is important to be aware that for many international schools, public examination results are not the only indicator of quality education, given that often they run alongside local education systems with their own assessment frameworks.

Standard 7, the manner in which complaints are handled, also mirrors the ISS.

9 Do you support applying the same standards for BSOs as for independent schools in England?

Yes

No

Not sure

Comments:

Again many countries will have their own established complaints procedures, which would have to take precedence where the school is subject to local regulations.

BSOs already had a leadership and management standard. This part brings it in line with the new leadership and management standard for independent schools in England

10 Do you support applying the same standards of leadership and management for BSOs as for independent schools in England?

Yes

X No

Not sure

Comments:

Members noted that there are only 8 lines on this standard compared to almost a page of text on the complaints standard. These suggested standards for both leadership and for governance are currently thin and unambitious.

This part only applies to BSOs which have boarding provision. We have largely replicated the National Minimum Standards for Boarding Schools in England to afford a similar level of quality for boarding provision in BSOs.

11 Do you support applying the same boarding standards for BSOs as for independent schools in England?

X

Yes

No

Not sure

Comments:

Members feel that this is an area in which being too prescriptive may mean that some schools fail despite being adequate.

This is true for low cost schools that may be fit for purpose but not luxurious or to the standard expected in the UK. Members have suggested that it would be helpful to express clearly a minimum standard.

Themes relating to Fire Safety and safeguarding checks have been addressed in previous sections.

12 Are there any standards which are not clear and which inspectors would find it difficult to find evidence for?

Yes

No

Not sure

Comments:

As mentioned previously under SMSC

13 Are there any standards which would be difficult to meet because of the local context of the country in which the school operates and how might they be overcome?

Yes

No

Not sure

Comments:

There is a fundamental and real need for the BSO standards and inspection system to take more account of the range of contexts in which schools operate. Pragmatically in most cases there only needs to be a preceding phrase about what is appropriate and legal in the local context and host country. Many commented that it would be positively welcomed if the system could go back to these taking precedence. For example, these could be anything from how buildings adapt to climate, to fundamental British values. For example, a host country may not be a democratic society outside the school perimeter however a school can democratically elect its head girl or boy and encourage respect between perhaps ethnic and religious groups.

Schools may currently use a BSO logo once they have passed their inspection.

14 Do you have any comments on the logo or its use?

Yes

No

Not sure

Comments:

Members find the BSO logo unimpressive and uninspiring. The design of the BSO logo is totally ineffective. The feeling is that it does not represent the DfE in any way, or the purpose of BSO - neither the 'British' nor 'Overseas' nor 'Education' element. In short it does nothing to convey a premium kite mark of global quality. Many schools commented that they have chosen not to publish the logo on their website and marketing collateral due to its amateur design. A design to reflect a government crest would have added much needed gravitas and would have been welcomed by many. As British education is a reputable export of high economic and cultural value, to have no corporate publication guidelines connected to this logo is a shock to many as is the fact that expense has been incurred to protect such a weak design through the Paris convention. A new design would be welcomed by the market.

It is important to maintain the high quality of the BSO scheme and it is the inspection regime which provides the assurance that schools are meeting the robust standards.

15 Are the arrangements for the inspection of BSOs satisfactory? Do you have any comments based on your experience of being inspected as a BSO which would help improve the inspection regime?

Yes

No

Not sure

## Comments:

Most feel that it is important to work to and to be inspected against the same standards which apply to UK independent schools while acknowledging some local limitations. This enables BSOs to attain an international standard of high quality and repute which is recognised by and respected by students, parents and staff from a rich diversity of nationalities.

Overall, members feel that by taking into account the regulatory and legal requirements of the host country and with less reference to specific UK legislation and “UK ideals” the standards provide a workable set of criteria for good and outstanding international British curriculum schools to be judged against as a measure of real quality which is comparable with the education provided by independent schools in England. A totally UK-centric approach is neither sensible nor appropriate.

On a separate note, members are concerned that there are already unacceptable differences in standards and interpretation across the inspectorates. There needs to be greater precision in the application of standards. There must be greater consistency across all inspectorates in terms of report format and the evidence that must be provided.

Members have questioned whether accredited BSO inspectorates are equally likely to be able to cope with the revised format. What implications will the new standards have for:

- Costs of the inspection?
- Size of inspection teams. Does this allow for the potential use of peer inspectors?
- Interpretation of standards?
- Duration of inspections?
- Quality of inspection reports
- Quality, professional background and training of inspectors?

To conclude, whilst the many of the proposed revisions are seen as positive, the three overriding concerns were that respondents:

1. want to ensure that revised standards are fit for purpose
2. that they reflect and encompass the real world in which British overseas schools operate
3. and that that they remain relevant and represent the best interests of the growing export of British education in the school and wider education sector.

COBIS takes the strong view that, to ignore these concerns would be deeply regrettable. In fact, it would place the long term future of the BSO inspection system in serious jeopardy.

We want to strike the right balance between assuring that BSO standards are being maintained and that burdens on schools are not excessive.

16 Do you think that the inspection frequency for BSO recognition purposes should be (a) 3 years; (b) 4 years; or (c) 5 years?

3 years	4 years	X	5 years
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Comments:

Members are keen to know why British Schools Overseas are subjected a higher frequency of inspections compared to the UK.

The take-up of BSO inspection (around 100 schools worldwide) has been and remains disappointingly small. Some of the best British international schools overseas remain unattracted by it. Over the past 5 years, COBIS has nevertheless seen over 100 BSO inspection reports where all schools have met if not exceeded the requirements of all the standards. COBIS Accredited Member Schools have an excellent track record of improvement therefore on this basis alone - and as in England - the schools should be inspected less frequently.

Many commented that maintaining a three year BSO cycle is unnecessary and prohibitively expensive particularly for those schools based far from the UK, which incur the expense of long haul flights. While the cost of inspection and regulation every 3 years might be acceptable in the UK, there is a strong feeling that the cycle should move to every 5 years. The significant cost of a BSO inspection, every three years can be the equivalent to the cost of recruiting and employing a high quality new teacher. When probed further, respondents suggested that for schools that have already met the standards successfully a five-year cycle is all that is needed - perhaps with an interim 'compliance' visit.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

<b>Please acknowledge this reply.</b>	X
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Email address for acknowledgement: [ceo@cobis.org.uk](mailto:ceo@cobis.org.uk)

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, please confirm below if you would be willing to be contacted again from time to time either for research or to send through consultation documents?

Yes

No

All DfE public consultations are required to meet the Cabinet Office [consultation principles](#).

The key consultation principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
- departments will need to give more thought to how they engage with and use real discussion with affected parties and experts as well as the expertise of civil service learning to make well informed decisions
- departments should explain what responses they have received and how these have been used in formulating policy
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy
- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

**Completed responses should be sent by 17 February 2016**

Send by post to: Elaine Haste, Independent Education and Boarding Team, Level 3  
Bishopsgate House, Feethams, Darlington, DL1 5QE

Send by email to: [BritishSchools.OVERSEAS@education.gsi.gov.uk](mailto:BritishSchools.OVERSEAS@education.gsi.gov.uk)

If you have any comments on how DfE consultations are conducted, please email: [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk)

**Thank you for taking time to respond to this consultation.**