



Lord Agnew Kt DL

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Dear Colleague

BSO policy update: October 2018

I am writing to update you on the Department for Education's policy on British schools overseas.

As you know, we introduced revised standards for BSOs in September 2017. We were aware that these standards would be challenging, but it was clear from our public consultation that schools wanted to be recognised for the high-quality provision on offer and so consequently we introduced these more robust standards, which are on a par with standards for independent schools in England.

We knew that some standards would be difficult to meet in some countries and so undertook to keep the situation under review and we have done so now that we have had a full year's experience of inspections being carried out according to the revised standards. At particular issue are the standards relating to fundamental British values and protected characteristics as follows:

Curriculum policy and plans

Part 1: 2(1)(b)(ii) do not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs

Part 1: 2(2)(d)(ii) encourages respect for other people, paying particular regard to the protected characteristics of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation as set out in the Equality Act 2010

Teaching

Part 1: 3(i) does not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs

Part 1: 3(j) does not discriminate against pupils because of their protected characteristics as set out in Part 6 of the Equality Act 2010

Spiritual, moral, social and cultural development of pupils

Part 2: 5(a) actively promotes the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs

Part 2: 5(b)(vi) encourage respect for other people, paying particular regard to the protected characteristics as set out in the Equality Act 2010


Part 2: 5 (b) (vii) encourage respect for democracy and support for participation in the democratic processes, including respect for the basis on which the law is made and applied in England”

Already some schools judged to be outstanding in all other aspects have been unable to meet one or more of the above because to do so would contravene the laws of their host country. Thus far our position has been to acknowledge this situation on our website but not to grant BSO accreditation.

Having carefully considered the situation again, we clearly do not wish to do anything to undermine the absolute commitment to uphold fundamental British values and respect for those with protected characteristics. However, we have come to the position that we should acknowledge the quality of schools which meet all the BSO standards other than those which would set them against local laws.

We will therefore be granting BSO accreditation to schools that cannot meet one or more of the standards listed above, but meet all the other standards, provided that they can evidence that meeting one or more of the standards above cannot be achieved lawfully in their host country. Where such evidence is forthcoming, we will acknowledge on our website that the school meets all the standards that it is able to meet in that country and therefore should be granted BSO accreditation in that country.

I can therefore confirm that our policy is now to accredit schools in countries where to meet certain standards would be in breach of host country laws, as long as there is evidence to substantiate this, and all the other standards are met.

Your Sincerely

THEODORE AGNEW