

Fair Trading Complaints Procedures

1. Introduction

The British Council engages in trading activities with the objective of supporting its charitable objects. The principles by which the British Council undertakes trading activity or interacts with the commercial market are set out in the Fair Trading Policy.

A Fair Trading complaint is a complaint about the way the British Council has interacted with commercial markets or conducted its trading activities. Generally a Fair Trading complaint will arise from a perceived failure to comply with the Fair Trading Policy.

Please note that this procedure only applies to Fair Trading complaints. You should refer to the [‘Requesting information and making a complaints’ web page](#) for other types of complaint.

The Executive Board of the British Council is responsible in the first instance for considering Fair Trading complaints. Normally the Executive Board will appoint the Private Secretary to the Chief Executive as case officer for investigation of the Fair Trading complaint. Following completion of the investigation, the Private Secretary to the Chief Executive will present a report of his/her investigation to the Executive Board for adjudication.

If you are dissatisfied with the decision of the Executive Board, you may appeal to the Board of Trustees. Individual appeals are administered by the Secretary to the British Council.

2. How to make a Fair Trading complaint

If you wish to make a Fair Trading complaint, this should be done in writing to:-

Private Secretary to the Chief Executive
British Council
10 Spring Gardens
London
SW1A 2BN
United Kingdom

To assist in the investigation of your Fair Trading complaint, you should include the following information:

- Full details of your Fair Trading complaint and any supporting documentation
- Reference to relevant sections of the Fair Trading Policy which you think may have been breached
- Your contact details

3. Procedure to be followed for Fair Trading complaints

The Private Secretary to the Chief Executive will acknowledge your Fair Trading complaint within 10 working days of receipt. The acknowledgement will also explain the procedure to be followed. The Private Secretary to the Chief Executive may ask you to supply further information before the Fair Trading complaint can be fully investigated. Vexatious or trivial complaints will be rejected.

If your complaint relates primarily to issues of competition law or State Aid, it may also be made directly to the Office of Fair Trading or the European Commission respectively.

Once you have supplied any further information requested, the investigation will continue and, on completion, a report will be provided to the Executive Board for adjudication.

Once the investigation is complete, and following adjudication by the Executive Board, the Chief Executive will write to you to outline its findings.

If your Fair Trading complaint is upheld, the Chief Executive will instruct the relevant part of the British Council to remedy any breaches and ensure that they are not repeated. If your Fair Trading complaint is not upheld, the reasoning for this decision will be clearly explained.

4. What if you are dissatisfied with the outcome

If you are not satisfied with the decision of the Executive Board, you can appeal to the Board of Trustees. You have two months following the decision of the Executive Board in which to appeal.

Grounds for appeal

The Board of Trustees will consider your appeal only if:-

- The complaint relates to an alleged breach of the Fair Trading Policy; and
- The complaint has been considered through the full Fair Trading complaints procedure set out above.

How to make an appeal

If you wish to appeal against the decision of the Executive Board following the investigation of a Fair Trading complaint, this should be done in writing to:-

Secretary to the Board of Trustees
British Council
10 Spring Gardens
London SW1A 2BN
United Kingdom

You should include the following information:-

- A summary of your original Fair Trading complaint, including the alleged breach of the Fair Trading Policy; and
- The reasons why you are dissatisfied with the outcome of the original Fair Trading complaint; and
- Your contact details.

Procedure to be followed for appeals

On receipt, consideration will be given as to whether the case meets the grounds for appeal. The Secretary to the Board of Trustees will acknowledge your Fair Trading complaint within 10 working days of receipt.

If the case meets the grounds for appeal, the acknowledgment will also explain the procedure to be followed. If the case does not meet the grounds for appeal, the reasons will be explained in the acknowledgment. You may be asked to supply further information. Vexatious or trivial appeals will be rejected.

If your complaint relates primarily to issues of competition law or State Aid, it may also be made directly to the Office of Fair Trading or the European Commission respectively.

Once investigation of your appeal is complete, the case will be considered by the Board of Trustees, who will make a decision based on the appeal report.

Following consideration by the Board of Trustees, the Secretary to the Board of Trustees will write to you to outline the decision of the Board of Trustees and explain its reasoning. If your appeal is upheld, the letter will outline any remedial action determined by the Board of Trustees. Such remedial action may include:-

- A written apology from the Board of Trustees or the Executive Board as appropriate.
- An instruction to the Executive Board to stop certain activities, change the way in which those activities are performed or other action to ensure that the breach is not repeated.
- A request to the Executive Board to investigate and consider disciplinary action against individual staff members in accordance with the British Council's Disciplinary and Grievance Procedure.

If your Fair Trading complaint is not upheld, the reasoning for this decision will be clearly explained.

Details of all appeals and findings (except any confidential details or personal data) will be published on the British Council website.

The decision of the Board of Trustees is the final stage of this procedure.