

## **How the British Council approaches international education contract opportunities**

This document describes how the British Council approaches contract opportunities funded by overseas governments and donors in the education sector – our Opportunity Development Process.

The British Council is the UK's international organisation for cultural relations and educational opportunities. We create friendly knowledge and understanding between the people of the UK and other countries. We do this by making a positive contribution to the UK and the countries we work with – changing lives by creating opportunities, building connections and engendering trust.

### **Aims of our education reform contracts work**

Within our charitable objectives, we support the strengthening and reform of education systems globally through our education (including English) contract work, with the aim of contributing to systemic improvement. Our commercial activity in education markets enables us to deliver our charitable objectives in a way that maximizes the scale and impact of our work

In the pursuit and delivery of education contracts we build relationships and create partnerships with UK and local organisations. Bringing mutual benefit to the UK and overseas countries is at the core of our contracts work.

Through this work, we aim to enhance the reputation of the UK as a provider of high quality educational solutions and services, and to generate value for the UK education sector through partnering with UK organisations, showcasing UK best practice in education, and developing the market for UK organisations to gain future opportunities.

### **The British Council and the Department for International Trade (DIT)**

We work in cooperation with DIT to achieve our distinct missions. The British Council's activity is International cultural relations, while DIT engages in trade promotion. British Council activity to support the UK sector includes:

- Generic promotion of UK education through our work in schools, skills, science, higher education and English.
- Providing market insight about national education systems on our International Education Services (IES) website.
- Informing the UK sector of commercial opportunities that we become aware of
- Making research findings available
- Inviting participation of UK organisations in specific educational and educational marketing events
- Providing marketing services to UK organisations under the 'Services for International Education Marketing' scheme (further details can be found [here](#))
- Seeking UK partners when we pursue or deliver projects and contracts.

### **Principles**

The British Council applies the following principles in approaching international education contracts:

**Fairness** - We share information about international markets and contract opportunities with the UK sector. We work in line with our policy on [fair competition](#).

**Alignment and partnership** - We only pursue opportunities that align with our charitable objectives. We work collaboratively with DIT, other UK public sector partners, and UK education providers to position UK expertise. We aim to work in partnership where it adds value to the client or benefits the UK without reducing value for the client.

**Consistency** - We apply a robust stage-gate process to aid decision-making around when to bid, when to partner and when to pass opportunities to other UK organisations.

**Transparency** - We share information about international markets and contract opportunities with the UK sector. We record our decisions around sharing and pursuit through the Opportunity Development Process.

## **How we work with and share information with the UK sector**

### **Market Information**

Through our presence on the ground, we gain insight into market developments that may lead to opportunities for UK providers. Our country websites provide information about British Council activity in each country where we operate. Our IES website gives an overview of the local education landscape in particular countries. This service is provided free to UK-registered education providers. We operate in line with our cultural relations mission and the geographical focus and prioritisation defined in our corporate plan. This determines the depth of information we have available in different markets.

### **Research Findings**

Where our work with governments related to education systems provides us with research and insights into education opportunities which may be of value to UK providers, we share the findings through our websites or events in-country or in the UK.

### **Contract opportunities**

Where we become aware of contract opportunities that are of interest to the UK sector and not already in an easily accessible public domain (for example published by UK or EU authorities), we share them - providing we have the consent of the contracting body. We share opportunities by posting them on our British Council [International Education Services \(IES\) website](#).

We also provide information to DIT for possible publication on the [Exporting is Great website](#) for international opportunities identified by UK government departments and agencies.

In the interests of transparency and fairness we prefer to respond to commercial contract opportunities through open tenders and we make this clear to potential clients and funding partners. In any instance where a client requests services from the British Council on a single-source (non-competitive) basis, we explain our policy to them, and guide the client to offer the opportunity as an open tender.

If the client states that they do not intend to run an open tender exercise then we assess the potential impact for the UK education sector and potential benefit to the UK, of the British Council pursuing the opportunity, including whether the British Council will be able to bring in UK partners. If we intend to pursue an opportunity on a single source basis, we consult with the local UK DIT or embassy to agree that our response is in the best national interests. In such circumstances there are often opportunities for the British Council to bring in UK suppliers to deliver some elements of the contract on a sub-contracting basis.

### **Working in partnership**

We work in partnership with the UK sector in a wide variety of ways at different stages of opportunity development – sometimes in a lead role, sometimes as a partner. We believe that working in partnership with UK organisations has the potential to deliver a better outcome than working alone (for the client and/or beneficiary). We select partners based on relevant skill sets and experience for the contract and taking into account the requirements and time constraints of the procurement process. When approached by another UK organisation to partner in a subsidiary or subcontracting role providing services in a commercial contract we reserve the right to accept the offer and maintain confidentiality as agreed.

### **Stage-gated decision-making process for opportunity development – Contract Approval Process**

We apply a ‘stage-gated’ approach to opportunity development for contract opportunities of interest to the British Council by overseas governments and donors in the education sector. This means that opportunities are reviewed carefully against a range of criteria prior to deciding whether we will pursue the opportunity, partner with others to pursue, or choose not to pursue. An overview of this ‘Stage-gate Approvals’ process is attached as Annex 1.

The preliminary stage of the Contract Approval Process is the Opportunity Assessment Checklist. At this stage the opportunity is shared with the UK sector where appropriate (see contract opportunities, above, and part 2, question 2 in annex 2, below). Any contracts above 25,000 GBP in value must be assessed against a number of key criteria and recorded on the ‘Opportunity Assessment Checklist’ attached below in Annex 2.

- Record sharing of information about opportunity with UK sector via [IES](#)
- Rationale for information about the opportunity not being shared with UK sector, where applicable
- Fit with British Council mission, strategy and charitable objectives
- Market prioritisation
- Value to the client
- Legal/Tax constraints
- Compliance with British Council fair competition policy
- Possible inhibition of long-term market opportunity
- Financial Value
- Value to the UK, including proposed partnerships
- Final Decision, Approval and Sign off

British Council Country Directors and Regional Directors are accountable for reviewing opportunities at this preliminary stage. Their assessments are recorded at a local level and reviewed and logged at the global level. A monthly report is generated highlighting the number and value of opportunities that pass through the Opportunity Development Process. These records provide an auditable record of the British Council’s decisions surrounding a particular contract opportunity.

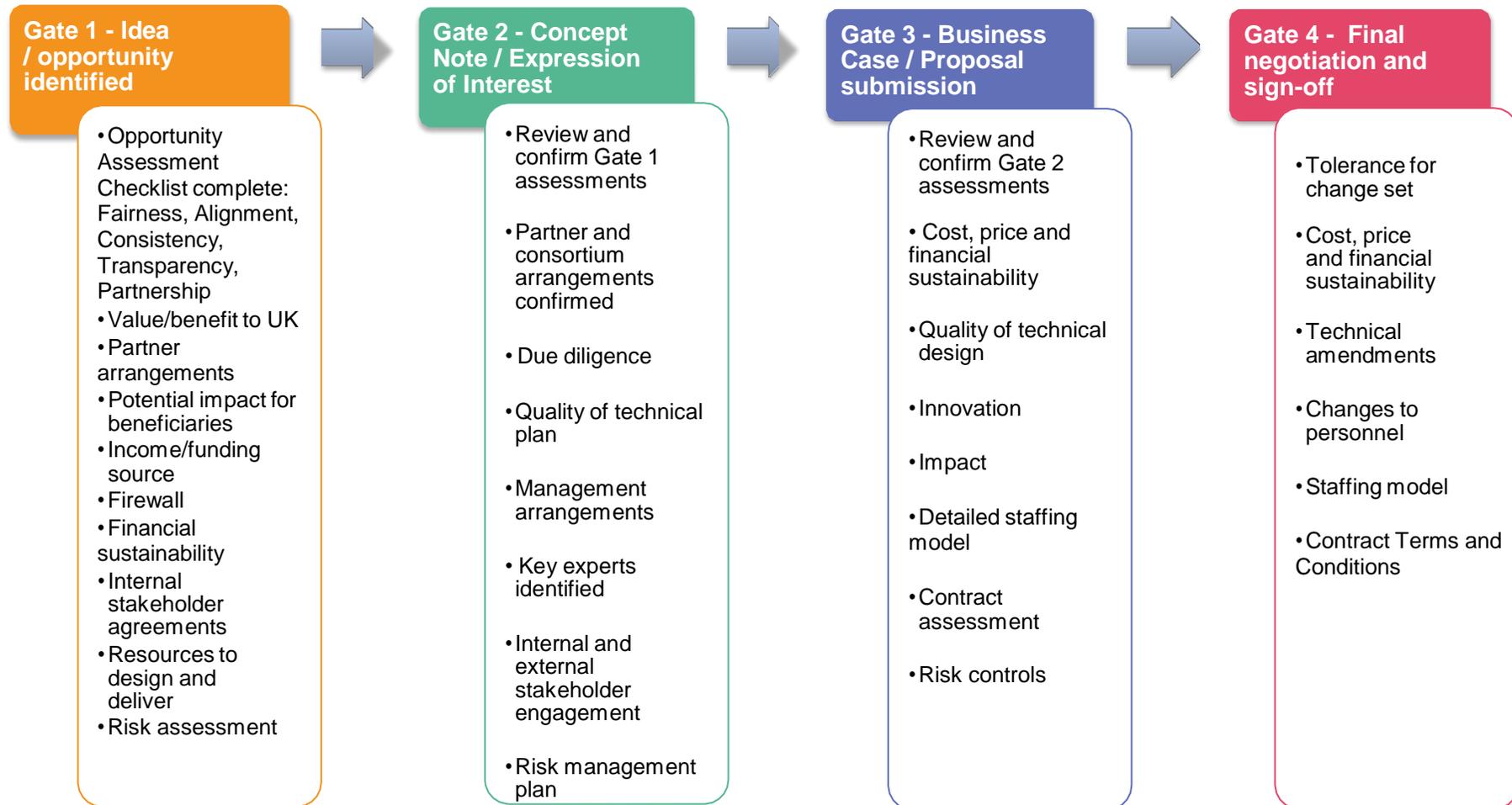
### **Feedback**

Your feedback on this policy is valued. Please e-mail [general.enquiries@britishcouncil.org](mailto:general.enquiries@britishcouncil.org) with your comments on an on-going basis.

Date of Document: 01 July 2019

Next review: 1 April 2020

## Stage-Gate Approvals Process



## Opportunity Assessment Checklist (OAC)

### Part 1. Basic information

**This document must be completed for all opportunities above GBP 25,000.** It should be completed for all opportunities regardless of location or sector – not just Education or English, but also Exams, Society, Arts or any combination of the same.

The Opportunity Assessment Checklist (OAC) is used by the British Council to ensure we share relevant opportunities with other organisations in the UK and help decide whether we should pursue an opportunity or not. It constitutes the initial part of our audit trail for any opportunity and is intended to be made available in its entirety to our external auditors, or the wider public under Freedom of Information requests.

The OAC precedes stage 1 of the [Contract Approval Process \(CAP\)](#), which is the fuller internal decision-making mechanism for assessing the feasibility and viability of an opportunity.

**Please return the form to [OAC@britishcouncil.org](mailto:OAC@britishcouncil.org) after all sections have been completed.**

|  |   |
|--|---|
| <b>Region:</b>   | <b>Country:</b>   |
| <b>Pursuit lead:</b>   | <b>Sector</b> (or 'workstream'):                            |
| <b>Opportunity name:</b>   |   |
| <b>Short description:</b>  |   |
| <b>Contextual background:</b>  |   |
| <b>Expected duration:</b>  | <b>Expected start date:</b>                                 |
| <b>Client / funder:</b>  |   |
| <b>Total value (in GBP):</b>   | £   |
| <b>Will British Council grant-in-aid funds (state-aid) be used in pursuit or delivery of this opportunity? (If "no", this is a non-state-aid opportunity).</b> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <b>If the British Council is co-funding the opportunity, the estimated contribution is:</b>  | £   |
| <b>Date of opportunity identification:</b>   |   |
| <b>Method of opportunity identification:</b>   |   |

**Part 2. Sharing: Consider whether this market opportunity would be of interest to United Kingdom (UK) organisations other than the British Council.**

|  |   |
|--|---|
| <b>2.1. Is this an opportunity to be shared with the UK sector?</b>  |   |
| <i>If your answer is “yes” you must complete Part 3.</i>   |   |
| Remember that in this context, “sharing” means that British Council publicises, advertises or re-advertises the opportunity via our <a href="#">International Education Services website</a> <sup>1</sup> (IES) so that other UK organisations can be made aware of the opportunity and apply for it if they wish to do so.  | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b> |
| <b>2.2 If you have answered “no” to 2.1, what is the rationale for <u>not</u> sharing the opportunity with the UK sector?</b>  |   |
| <i>The below lists valid reasons where the British Council would not share an opportunity via IES. Tick the one that best applies.</i>   |   |
| <p>a. The opportunity is already in the UK public domain which UK organisations can normally be expected to access.</p> <p><i>This includes opportunities advertised by the European Commission (EC) or the UK government including the Department for International Development (DFID), as well as other large multinational donors who publish opportunities via their own websites. It does not include opportunities from national authorities (especially ministries of education) outside of the UK.</i></p> <p><b>Please provide a link to the website where this opportunity is published.</b></p> | <input type="checkbox"/>  |
| <p>b. This is activity that the British Council is developing using its own grant-in-aid funds, either on its own or in partnership with other organisations (sometimes called ‘co-creation’). By default, this means it is not an opportunity that has arisen from the market and so there is no requirement to share at this stage.</p>  | <input type="checkbox"/>  |
| <p>c. This is a proposal to win grant funding from a Trust or Foundation type organisation and not an invitation to tender.</p> <p><b>Please specify potential source of funding.</b></p>  | <input type="checkbox"/>  |

<sup>1</sup> Any organisations who are registered subscribers to the IES site will automatically get notified of publicised opportunities. Local BC staff in-country are responsible for preparing and uploading the notification.

**NOTE** – It is acknowledged that IES is clearly an Education-focussed site and function. Nevertheless, in the absence of an alternative, BC and the UK government Department for International Trade (DIT) have agreed that this is the most appropriate place to share all opportunities where sharing is merited, including non-Education ones. DIT will support British Council in sharing more widely if required.

|  |                          |
|--|--------------------------|
| <p>d. The British Council has already succeeded in open competition to win a place on a framework, preferred supplier list, or some other form of restricted tender – meaning the opportunity is only advertised to a closed group of organisations that includes the British Council. <i>This includes EC and DFID frameworks.</i></p>  | <input type="checkbox"/> |
| <p>e. The client wishes to go ahead with the opportunity on a single-source basis and will not give us permission to share it with the UK sector.</p> <p><b><i>Please provide more detail and proactively discuss with DIT in your country as per part 2.3, declaring that we have been approached and how we intend to engage UK partners.</i></b></p>  | <input type="checkbox"/> |
| <p><b>2.3 Collaboration with UK Department for International Trade (DIT)<sup>2</sup></b></p>   |                          |
| <p><b><u>In the following circumstances you must consult with DIT in your country:</u></b></p> <ol style="list-style-type: none"> <li>1. Whenever we post an opportunity on IES, to ensure DIT are aware of the opportunity and can re-post it on their own systems as appropriate.</li> <li>2. Whenever the client wishes to go ahead with the opportunity on a single-source basis and will not give us permission to share it with the UK.</li> </ol> <p><b><i>In these instances, Part 1 (Basic information) and Part 2 (Sharing) should be shared with DIT. This formal policy has been agreed between British Council and DIT.</i></b></p> |                          |
| <p><b>DIT colleague consulted:</b></p>   |                          |
| <p><b>Date colleague was consulted:</b></p>  | <p>__ / __ / __</p>      |

<sup>2</sup> DIT may not have a presence in all countries, and / or the IES website may not have listings for all countries. If this is the case and you require further guidance on how to engage with DIT, please discuss with your Country Director, with [Roy Cross](#) in the UK, or via the [OAC submissions inbox](#).

### Part 3. Opportunity assessment

| SECTION A – Strategic fit with British Council cultural relations and mission  |  |   |
|--|--|---|
| A1   | Does British Council delivery contribute to achievement of British Council's cultural relations mission / deliver on its charitable objectives? How?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <p><i>British Council will not pursue opportunities that do not fit with its core purpose.</i></p>   |  |   |
| SECTION B – Market prioritisation  |  |   |
| B1   | Is delivery of the opportunity within this market in line with British Council Corporate Plan and market priorities (as agreed by the Foreign and Commonwealth Office (FCO) in consultation with other UK government departments)? | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <p><i>If the opportunity does not fit with current market priorities, clearly document why we should pursue it (e.g. any over-riding reason / rationale). Robust evidence must be provided.</i></p>  |  |   |
| SECTION C – Value to client  |  |   |
| C1   | Does British Council have distinctive capabilities that place it in a strong position to add value for the client?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <p><i>Provide objective evidence of British Council's strengths and capabilities as they relate to client needs.</i></p>   |  |   |
| SECTION D – Legal / tax constraints  |  |   |
| D1   | Is British Council satisfied that it is sufficiently compliant with local legal / tax and status / financial regulations to pursue and deliver in the relevant location?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <p><i>Provide evidence that legal / tax and status / financial issues have been considered – especially in countries where British Council does not have local presence.</i></p>   |  |   |
| SECTION E – Fair competition   |  |   |
| E1   | Is the pursuit of this opportunity compliant with <a href="#">British Council's fair competition policy</a> and its <a href="#">dual-role guidance on potential conflicts of interest</a> with UK government-funded activity?      | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <p><b><i>If no, consider whether working in partnership would mitigate fair competition issues. If yes, then provide evidence and continue to pursue.</i></b></p> <p><i>If British Council has been supporting the development of government policy and plans in this area, it is particularly important to demonstrate how we are operating on a fair basis.</i></p> <p><i>If the client has approached British Council only, document rationale for proceeding on a single-source basis.</i></p> |  |   |
| E2   | Is the client willing to consider a full tendering process?  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |
| E3   | Have we highlighted the broad range of UK capability to the client?  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |

| <b>SECTION F – Long term market and potential competition issues</b>  |   |  |
|---|---|--|
| <b>F1</b>   | Does British Council delivery of this opportunity inhibit long term opportunity for the rest of the UK in this market?  | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b>  |
| <p><b><i>If YES, consider working in partnership or do not proceed.</i></b><br/> <i>Responses should be documented and informed by market knowledge and understanding of UK interests, including presence of UK organisations / Small-Medium Enterprises (SMEs) in the market. In particular, the impact of British Council delivery on UK SMEs should be documented.</i></p>   |   |  |
| <b>SECTION G – Financial value</b>  |   |  |
| <b>G1</b>   | Is pursuit of the opportunity financially viable for the British Council?   | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b>  |
| <p><i>If no, consider whether working in partnership improves financial viability.</i></p>  |   |  |
| <b>SECTION H – Value to the UK</b>  |   |  |
| <b>H1</b>   | Are there benefits to the UK through the delivery of this opportunity?<br><br><i>Record evidence of value to the UK. Value to the British Council is not sufficient to demonstrate value to the UK.</i> | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b>  |
| <b>H2</b>   | Is the opportunity aligned to UK Official Development Assistance criteria / our own grant-in-aid priorities?<br><i>This is only applicable if British Council state-aid is used.</i>                    | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b><br><input type="checkbox"/> <b>N/A</b> |
| <b>H3</b>   | Will we work in partnership with a UK company thus delivering direct economic / financial benefit to the UK?<br><br><i>Document how partners have been selected.</i>                                    | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b>  |
| <b>H4</b>   | Will this open up the market for other UK organisations to gain future opportunities?<br><br><i>Document how.</i>   | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b>  |
| <b>H5</b>   | Does British Council delivery prevent the client sourcing a solution from a competitor country?   | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b>  |
| <b>H6</b>   | Will this bring wider benefit to the UK?<br><br><i>Document how.</i>  | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b>  |
| <b>SECTION I – Recommendation. Tick the box that best applies at this early stage in our pursuit.</b>   |   |  |
| <p><i>This checklist is designed to record the outcome of a guided conversation with the relevant colleagues at country, region and Strategic Business Unit (SBU) level. This means the decision to pursue or not should be made in consultation with senior colleagues from Business Development, implementation teams, regional and sector ('workstream') leads.</i></p> <p><i>Business Development and / or country leads are usually responsible for completing the assessments, with senior region / sector consultation as above.</i></p> |   |  |
|   | Pursue in partnership and deliver in partnership with UK organisation(s).   | <input type="checkbox"/>   |

|   |  |   |
|---|--|---|
|   | Pursue alone and deliver in partnership with UK organisation(s).   | <input type="checkbox"/>  |
|   | Pursue in partnership and deliver in partnership with non-UK organisation(s).  | <input type="checkbox"/>  |
|   | Pursue alone and deliver in partnership with non-UK organisation(s).   | <input type="checkbox"/>  |
|   | Pursue alone and deliver alone.  | <input type="checkbox"/>  |
|   | Do not pursue.   | <input type="checkbox"/>  |
| I.1   | Recommendation made in consultation with:<br><i>(please provide names and job titles of colleagues consulted in country / region / sector)</i>   |   |
| I.2   | Opportunity Assessment Checklist completed by:<br><i>(name and job title)</i>  |   |
| I.3   | Signature:<br><br>By signing this I agree that all of the above statements are true and accurate. I understand that any falsification of documentation may result in disciplinary proceedings. | Date:   |
| <b>SECTION J – Review by senior staff member at Country Director level or equivalent</b>  |  |   |
| <b><i>Please confirm that you have seen and approve the documentation for the following sections:</i></b>   |  |   |
| J.1   | <b>Part 2 Section 2.3</b> This has been discussed with DIT in country (where a DIT representative is present) and sections 1 and 2 have been shared.   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |
| <b><i>Note: if the response to any of the below is 'No' then approval cannot be given until the documentation has been seen or is of sufficient standard.</i></b> |  |   |
| J.2   | <b>Part 3 Section B1</b> Robust evidence provided if the opportunity does not fit with current market priorities.  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |
| J.3   | <b>Part 3 Section C1</b> Objective evidence of British Council's strengths and capabilities as they relate to client needs.  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |
| J.4   | <b>Part 3 Section D1</b> Evidence that legal / tax and status / financial issues have been considered.   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |
| J.5   | <b>Part 3 Section E1</b> Evidence that the pursuit of this opportunity is compliant with British Council fair competition policy.  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |
| J.6   | <b>Part 3 Section E1 (cont.)</b> Rationale for proceeding if client has approached British Council only.   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |

|      |  |  |
|------|--|--|
| J.7  | <b>Part 3 Section F1</b> Responses should be documented and informed by market knowledge and understanding of UK interests, including presence of UK organisations / SMEs in the market. In particular, the impact of British Council delivery on UK SMEs should be documented.            | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b><br><input type="checkbox"/> <b>N/A</b> |
| J.8  | <b>Part 3 Section H1</b> Evidence of value to UK. Note: value to the British Council is not sufficient to demonstrate value to the UK.   | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b><br><input type="checkbox"/> <b>N/A</b> |
| J.9  | <b>Part 3 Section H3</b> Documentation on how partners have been selected.   | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b><br><input type="checkbox"/> <b>N/A</b> |
| J.10 | <b>Part 3 Section H4</b> Documentation on how the market has been opened up for other UK organisations to gain future opportunities.   | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b><br><input type="checkbox"/> <b>N/A</b> |
| J.11 | <b>Part 3 Section H5</b> Documentation on how the opportunity brings wider benefit to the UK.  | <input type="checkbox"/> <b>Yes</b><br><input type="checkbox"/> <b>No</b><br><input type="checkbox"/> <b>N/A</b> |
| J.12 | <b>Decision based upon review:</b><br><input type="checkbox"/> Pursue as recommended<br><input type="checkbox"/> Pursue in a different form (please specify) _____<br><input type="checkbox"/> Do not pursue<br><input type="checkbox"/> Reject pending submission of documentation above. |  |
|      | <b>Signature:</b><br><br>By signing this I agree that all of the above statements are true and accurate. I understand that any falsification of documentation may result in disciplinary proceedings.  | <b>Date:</b>   |