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Sedbergh
SCHOOL

EDUCATIONAL GUARDIANSHIP POLICY

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Definitions:
In this document, the term 'Guardian' refers to an Educational Guardian, which involves a delegation of parental responsibility, ensuring a pupil's welfare in and out of School throughout the pupil's enrolment at the School in the UK. The Educational Guardian is independent of the School. This is distinct from a Legal Guardian, which refers to a person who is appointed by a court of law to care for a child for example a parent who holds sole custody, or when a parent has died, or to a person acting as a guardian of a child's estate.

Guardianship Organisation (AGEIS/BSA Accredited): an organisation which provides the service of educational guardianship for international pupils. Guardianship organisations provide a range of services to international pupils which includes provision of homestay accommodation during exeat/long weekend opportunities, half term holidays and inter-term holidays.

Examples of the different packages offered are:

- ''Emergency cover'', which is only activated in an emergency. In this case, the service would not include anything extra e.g. parent/teacher consultations.
- ''Fully comprehensive'', which might include, for example, airport transfers, attendance at a parent/teacher consultations, more frequent school visits, homestay accommodation during holidays, and accompaniment to the school to settle in.

Homestay: a household approved and appointed by the guardianship organisation, to provide accommodation for and care of a pupil when not at School.

Non-Accredited Educational Guardian (a Close Relative or Established Family Friend): there will be situations where a non-accredited guardian is the preferred arrangement with parents enlisting close family or established friends to take the responsibility of Educational Guardian for the pupil (meeting the guardian responsibilities as set out on page 4 of this Policy) while they attend School in the UK. Parents should note that standards 22.3 of the National Minimum Standards for Boarding Schools gives the School the responsibility for checking the suitability of these Educational Guardian arrangements.

Introduction

The School maintains a strong boarding ethos and greatly values the diversity that both its UK and international pupils bring to our community. Pastoral staff provide vital support to international pupils, aiding integration and helping them get the most out of their time in the UK. Educational Guardians provide extra support to pupils, ensuring their welfare in and out of School. An Educational Guardian acts as the parents' representative in the UK and is independent of the School.

Occasions for guardianship are likely to include, but are not restricted to:

- Exeat weekends, half-term breaks, and inter-term holidays;
- Days at the start and end of term when a pupil's flights do not coincide with term dates;
- If a pupil is ill or injured and needs to recuperate away from the School;
- If a flight is delayed necessitating an overnight stay
- If the School requires a pupil to leave for disciplinary reasons or because the School determines it to be in the pupil's best interests;
- Any other occasion when the pupil is released from the School.

In addition to Sedbergh School's responsibilities as outlined in the School's Safeguarding Policy, the School has particular responsibility, under UK Visa and Immigration (UKVI) regulations, for international pupils on its Child Student Visa Sponsorship for whom we are responsible while they are living and studying in the UK. UKVI rules require that care arrangements are 'suitable' for pupils **at all times when they are in the UK, and not just when they are in the care of the School**.

Additional legislation with which the School must comply regarding the safeguarding and promotion of the welfare of pupils includes:

1. The Children Act 1989
2. The National Minimum Standards for Boarding Colleges (Sept 2022) which states that the School will take appropriate steps to ensure that the guardianship arrangement is 'promoting the welfare, physical wellbeing and emotional wellbeing of the boarder'.

Information Sharing between the School and Educational Guardians

Before any planned guardian or homestay arrangement, the School may share personal or sensitive information about a pupil with the Educational Guardian, where this is deemed to be vital for the health, welfare and/or safeguarding of the pupil in question. The National

Minimum Standards for Boarding Schools (2022) reflect this, by giving schools direct responsibility for ensuring that the guardianship arrangement is promoting the welfare, physical wellbeing and emotional wellbeing of the boarder.

Permitted Educational Guardianship arrangement options

1. Accredited guardian – Parents may choose the guardianship agency that they prefer for their child, and the School does not insist on any one AEGIS or BSA approved guardianship organisation over another. Please see the links here for the AEGIS and BSA websites for the range of guardianship agencies available. AEGIS Click Here; or BSA Click Here.

2. Family member – a **close** relative who satisfies the requirements within the Guardianship Policy. A close relative defined by UKVI is a grandparent, brother, sister, step-parent, uncle, aunt.

3. Family friend who lives within a reasonable distance of the School – this arrangement is only acceptable so long as the child has an **established relationship** with the family friend being appointed as guardian.

Those appointed as Educational Guardian for a pupil must live in the UK full-time and must either be a British Citizen or have permanent residency to make sure there is certainty about their immigration status and their ability to remain in the UK and care for the pupil. Copies of ID will be requested by the School to confirm immigration status.

Parent Responsibilities

The parents must:

- Satisfy themselves that the Educational Guardian is a fit person to have unsupervised care of their child;
- Satisfy themselves that the Educational Guardian can provide suitable accommodation for their child when in the UK but absent from the School;
- Inform the School if the Educational Guardian is:

    - confirmed as accredited by AEGIS Click Here; or BSA Click Here;
    - a close relative of the pupil and must give details as to how they are related;
    - a family friend with an established relationship with their child and living within a reasonable distance of the School.

If an appointed Educational Guardian's details change during a pupil's time at the School, it is the parents' responsibility to ensure accurate updated contact details (telephone, mobile, email and full postal address) together with identification documents are provided to the School immediately in writing to admissions@sedberghschool.org

Educational Guardian requirements and responsibilities

Educational Guardians must:

- Have UK residency;
- Be English speaking and contactable at all times by telephone / email and to be in a position to travel to the School at short notice;

- Be over 25 years of age and not a full-time student. The age limit is required to ensure emotional maturity and provision of a safe environment;
- Will spend the majority of time in the UK and is not involved in extensive travel overseas.
- Be available not only to the pupil but also to the School as a proxy for the parents. To act with delegated parental authority in the case of an emergency and be ready to liaise with the Housemaster / Housemistress on behalf of the parents of the pupil in any matters relating to the pupil's welfare;
- Be someone with whom the child feels happy and comfortable staying – very much like a family home, with an appropriate degree of care and supervision. An unacceptable Educational Guardian arrangement would be one in which the environment is not warm and welcoming and/or where numerous young people are staying in one establishment. Unsupervised hotel, B & B, hostel or student accommodation will not be considered acceptable;
- Be expected to uphold the ethos and values of the School;
- Be expected to respect and support the rights, religion, and customs of the pupil;
- Be legally resident in the UK for the entire duration of the pupil's stay in the UK and must provide the School with evidence of their right to remain in the UK;
- Be able to provide the documents listed under 'Identity Verification' below;
- If taking charge of travel arrangements, must communicate all holiday and exeat arrangements in writing with at least one week's notice to the Housemaster / Housemistress – in accordance with the published term dates;
- Provide up to date telephone, postal address and email address and notify the Admissions Team in writing of any change on admissions@sedberghschool.org;
- Notify the pupil's Housemaster / Housemistress if they are planning to leave the UK and to ensure that the pupil's parent(s) have appointed a suitable replacement/temporary guardian to act whilst they are outside the UK;
- confirm that no adult (person aged over 16-years-old), including themselves or anyone regularly present at their address, has any criminal convictions, is under criminal investigation, or is subject to any safeguarding concerns in the UK or abroad.

Educational Guardians must **not** be an employee of the School.

The School's Educational Guardianship Agreement Form must be completed by both the parent(s) of the pupil and by the Educational Guardian, and returned to the School, before an Educational Guardian can be assessed and confirmed by the School as an acceptable person to undertake the responsibilities outlined in this Policy. The School may request a change of Educational Guardian, or revision of the arrangement if it is felt necessary.

Pupils who are required by this Policy to have an Educational Guardian will only be permitted to start at the School when a suitable Educational Guardian has been appointed and the Educational Guardianship Agreement Form signed by the parent(s) and the Educational

Guardian has been returned to the School together with the evidence documents set out in clause 4.1 below.

If a Confirmation of Acceptance of Studies (CAS) is required prior to a visa application, this will be issued only upon receipt of the completed and signed Educational Guardian Agreement Form, and the information therein being deemed acceptable.

Identity Verification

The School has a duty to undertake appropriate checks on Educational Guardians. Any person undertaking the responsibilities of an Educational Guardian is required to provide the following documents for every adult member of the household over the age of 18. This is required for the purposes of identity verification and safeguarding and will be checked by School Admissions Staff:

- One form of photographic ID (eg passport, driving licence, national identity card);
- Evidence of their right to reside in the UK with British/settled resident status (eg passport and Biometric Residence Permit card or to provide the School with a share code for their online immigration status).
- Proof of address, ie utility bill.

A member of the School Admissions Staff will contact the Educational Guardian to check the details given on the Agreement Form and that the Educational Guardian has a clear understanding of the responsibilities they are undertaking.

Pupil Wellbeing

National Minimum Standards for Boarding Colleges (Sept 2022) make clear that "the school [must take] appropriate steps to ensure that the guardianship arrangement is promoting the welfare, physical wellbeing and emotional wellbeing of the boarder."

The Senior Deputy Head (Pastoral) and DSL will monitor arrangements via the following steps:

1. Ensuring that the Housemaster/Housemistress checks with every pupil staying with an Educational Guardian or homestay host that they willing to do so and has no concerns with the arrangements.
2. The Housemaster/Housemistress will share with the Educational Guardian or homestay host any relevant information about the medical or emotional needs of pupils in their care.
3. Following a stay in any of these arrangements, pupils will be asked by their Housemaster/Housemistress about the arrangements that were in place.

Any concerns about an educational guardianship arrangement will be reported to the Designated Safeguarding Lead and will involve external agencies as and when required.

Private Fostering

Private foster care is an arrangement where someone, other than a 'close relative', provides care and accommodation for a child under the age of 16 years for 28 consecutive days or more. A close relative, as defined by UKVI, is a grandparent, brother, sister, step-parent or aunt (sister or half-sister of the parent). Please note this does not cover some relatives, including cousins, which families may consider a 'close relative', but which are not covered by the above definition.

The local authority must be told about a private fostering arrangement. Failure to notify the local authority of a private fostering arrangement is an offence which could also lead to revocation of the School's Student Visa Sponsor Licence. For this reason, we ask to be notified by parents where a child will be with the appointed Guardian in excess of 28 consecutive days.