



1. Legal Requirements

Following the *Children Act (1989)*, the *Protection of Children Act (1999)* and the *Care Standards Act (2000)*, the College requires parents who do not live in the United Kingdom to appoint a guardian to act on their behalf. Arrangements for this should be made by the parent, with the exception of students living in College arranged home-stay.

2. Nationally Recognised Requirements

The Boarding School Association summarises the role of the educational guardian as follows:

For many from abroad, their educational guardian is the parents' representative in this country, essential in times of crisis or need for support and advice, available not only to the pupil but also to the School as a proxy for the parents who cannot be contacted for whatever reason. For others, their guardian is the person with whom they stay during school holidays and exerts when it is not practicable to return home. The educational guardian has a clear pupil welfare role, bridging between parents, pupil and school.

Note that an educational guardian is not a child's legal guardian in the sense of 'parent or guardian'.

3. College's Requirements

The College's pastoral system is very strong and we set great store by ensuring that effective arrangements are made with regard to educational guardianship. During term time, the College is legally responsible for each student's welfare and undertakes parentally delegated responsibilities. However, there are times (e.g. sustained illness, holidays, or when a child is suspended by the College, etc) when the College must be able to hand over these responsibilities to a properly appointed guardian. We are rightly bound by both the legal requirements, and those of the Boarding School Association. In short, we must ensure that each child whose parents are domicile overseas has a competent and caring guardian who fully understands their legal and pastoral duties. We must also be prepared to act if we feel that the nominated educational guardian does not meet our exacting standards.

Our overarching requirements are:

- Every child whose parents/guardians live permanently overseas should have a nominated educational guardian.
- Educational guardians must be over 25.
- Educational guardians must be resident in the UK.
- Educational guardians must be English speaking.
- Educational guardians must not be full time students living in accommodation provided by another educational establishment.
- Educational guardians must reside within approximately one hour travel from the College.

4. Responsibilities of the Education Guardian

The responsibilities of the educational guardians are as follows:

- Provide a 24 hour a day, 7 days a week point of contact for parents, pupils, school (and host family if applicable).
- Act with delegated parental authority in the case of an emergency, crisis, or medical issue as well as other matters where delegation has been agreed by parents.
- Carry out an initial visit in the first three weeks of the academic year when the student first joins the College.
- Visit the College on at least one occasion each academic year to meet staff and support the child.
- Provide pastoral and educational support.
- Liaise with the College and parents over holiday and exeat arrangements.
- Inform the College in writing about all details of suitable arrangements made prior to the pupil leaving school for a weekend or for a longer holiday period. The College must know the exact details of pupil's accommodation and methods of transportation.
- To communicate with College on a regular basis regarding the welfare of the pupil.

5. **Choice of Educational Guardian**

The educational guardian may be:

- a professional educational guardian employed by the parent (normally through a Guardian Agency - see Paragraph 6)
- another family member to whom the parent is happy to delegate the role; or
- a nominated close friend of the family;

Whoever it is needs to be aware and fully accepting of the requirements that both we and the parents lay down to ensure the welfare of the child - the list in section 4 above is not exhaustive. The educational guardian must have these specific responsibilities put in writing and they must agree to accept those responsibilities by signing a document between parent and educational guardian.

6. **Guardian Agencies**

The most common need for a 'professional educational guardian' comes from those whose family is entirely resident outside the UK. In such circumstances, and where neither family nor friends live close enough to take on the role, parents may need to make use of the services of a guardian agency. As well as the list in Paragraph 4, professional educational guardians should adhere to what is commonly regarded as best practice in guardianship. This includes having in place a proper agreement with the pupil's parents as to what the guardian's responsibilities are. Note that Guardian Agencies are self-regulating. Note also that the College is not in a position to recommend Guardian Agencies to parents seeking a professional educational guardian, but can offer advice to parents where appropriate. In appointing an educational guardian the school would require that the agency used would be a reputable organisation who are registered with either:

AEGIS - the Association of Guardianship Services

www.aegisuk.net

Tel: +44 (0)1453 755160

Or

BSA Certified Guardian Scheme

www.boarding.org.uk/

Tel: +44 (0)207 798 1580

Please note that the College has supplied this information for ease of reference only. The School is not the agent of any of the agencies listed and accepts no liability whatsoever in connection with parents' appointment of any agency used.

7. Failure to Appoint an Educational Guardian

If a student does not have a guardian when required to by the College, or the appointed guardian is considered to be unsuitable by the College, the College will invite parents to find a new educational guardian. Should parents fail to do so within an acceptable period of time, the College may have to appoint an AEGIS accredited agent on the parents behalf and pass the costs of this on. The College will typically use Sutherland Education, who the College partners with for homestay arrangements.

8. Responsibility of the Registrar

The Admissions Manager should liaise with overseas parents/guardians whose child has need of an educational guardian to ensure that the correct educational guardianship provisions are made in line with this policy.

The Registrar should, in conjunction with the Assistant Principal (Pastoral):

- ensure that every qualifying child in the School has an appropriate educational guardian where appropriate.
- maintain the database of current children's educational guardians.

9. Responsibility of the Assistant Principal (Pastoral)

The Assistant Principal should, in conjunction with the Boarding Co-ordinator:

- be prepared to offer impartial advice to parents on the selection and role of an educational guardian, be it professional or otherwise.

10. Responsibility of Boarding Staff

For the children under their care Boarding Staff should:

- treat the routine handover of care to the educational guardian no differently to that of a child with domicile parents/guardians.
- ensure, within 5 days of the start of the academic year, that they are content that an appropriate educational guardian has been appointed.
- provide feedback to the Assistant Principal (Pastoral) should they have cause for concern.
- ensure that the current educational guardians details are updated when changes occur.
- ensure that each child is aware of who their Guardian is and what their Guardian's responsibilities are.

11. Short Term Parent/Guardian Absence Abroad

Should a boarding child's parent/guardian go abroad for any duration longer than 24 hours, the parent/guardian must ensure that suitable guardianship arrangements are in place to cover their absence, and that these details are known by the College. These arrangements need not be as formal as those of an appointed educational guardian, but telephone and address details of the selected temporary guardian must be known by the College prior to the commencement of the absence.

Dr Andy Kemp
Principal

March 2022

Date of next review: March 2024