



Myddelton College

Educational Guardianship Policy

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The Policy in Context

Taken from : **National Minimum Standards for Boarding
September 2022**

Standard 22 – Educational Guardians

22.1 All educational guardians appointed by the school are subject to the same safer recruitment procedures as staff.

22.2 Where the school is responsible for appointing educational guardians it regularly monitors the suitability of its arrangements.

22.3 Whether an educational guardian is appointed by the school or a parent/carer the school takes appropriate steps to ensure that the guardianship arrangement is promoting the welfare, physical wellbeing and emotional wellbeing of the boarder.

22.4 Any concerns about an educational guardianship arrangement should be acted upon immediately and referred to any relevant agencies.

22.5 Under no circumstances should school staff be appointed as an educational guardian for boarders.

Part J: Children accommodated off-site

Aim: Boarders accommodated off-site, placed by the school in the care of a third-party, are kept safe and protected from harm at all times.

To achieve this aim, the school should meet the following standards:

45 This standard applies where a guardian is appointed for a child under 18 by a school, by a member of staff as part of their work for the school, or by an agency or organisation on behalf of the school.

Where a school provides lists of possible guardians, written documents should be clear as to whether the school or parent is responsible for the arrangements made and thus the welfare of the child.

Guidance for schools on educational guardians is available in the 'Boarding Briefing' series published by the Boarding Schools' Association, QEG and AEGIS.

46 Steps to take where a concern about an educational guardianship arrangement relate to the harm (or likely harm) of a boarder are set out in Part 1 of Keeping children safe in education

47 Note- this does not prevent school staff supporting a child in an emergency situation where that support has been risk assessed and arranged through consultation with senior managers (and where possible the designated safeguarding lead and SENCO as appropriate).

Standard 23 – Lodgings and host families

23.1 It is clearly stated to parents/carers whether any lodgings accommodating pupils are to be arranged by the school or by parents/carers themselves.

23.2 Any lodgings arranged by the school to accommodate pupils provide good quality accommodation and supervision, are checked before use, and are monitored by the school during use including checks at least termly.

23.3 Any lodgings provided or arranged by the school are of a comparable standard to accommodation provided by the school.

23.4 The school visits all potential lodgings it may arrange, and interviews any adult who will be responsible for the accommodation of the pupils in each lodging, takes up references, and has recorded a satisfactory assessment, before any boarder is placed there. Unless the host family are in a family relationship with the boarder, the school can demonstrate that all members of the host family aged 16 and over, who will be living at the lodgings whilst the boarder is staying, obtain an Enhanced DBS check, with check of the Children's Barred List, with satisfactory outcomes known, before any boarder is placed.

23.5 The school ensures that all adults providing lodgings for boarders on its behalf have undergone suitable safeguarding training at least every three years, and that they understand the school's policy in relation to boarders going missing and their role in implementing that policy.

23.6 The school has a satisfactory written agreement with each adult providing lodgings for boarders on its behalf.

23.7 At least once per school term a member of staff discusses their lodgings separately with each boarder accommodated by or on behalf of the school in lodgings, recording the boarder's assessment in writing and taking action on any concerns or complaints.

23.8 The school provides satisfactory written guidance to host families accommodating boarders on behalf of the school, covering the school's policy and School arranged lodgings are those provided or arranged for a pupil under 18 by the school, or any member of its staff as part of their work for the school, or by an agent or organisation acting for the school, rather than by the pupil's parent or an organisation (including educational guardian) other than the school acting on the parent's behalf. They include term-time use of lodgings instead of on-site boarding accommodation, holiday lodgings arranged for pupils by the school, pupils lodging with staff members during holidays, and accommodation during either term or holiday time with school-arranged educational guardians. This standard does not apply for school trips.

1. The Policy.

Parents of Myddelton College boarders who are resident outside the UK will need to appoint a UK based educational guardian in whom they have confidence to promote and safeguard the best interests of their child for the duration of their time in boarding at Myddelton College. This is the case for all pupils, regardless of age.

The School's Guardianship form must be completed by parents and verified with the appointed guardianship organisation before your child arrives to board at the school.

(Failure to do so would result in Myddelton College temporarily appointing Bright World Guardianships to act as emergency guardians until the parents have put an alternative arrangement in place, which should be done as a matter of urgency.)

The School does not recommend agents or arrange Educational Guardianships.

The School does not arrange or operate lodgings with host families for its boarding pupils.

2. Information on educational guardianship.

a. Introduction:

Myddelton College takes the arrangements relating to boarders' educational guardianship very seriously as these are important aspects of our Safeguarding Policy. For this reason, and because safeguarding is of paramount importance to the safety and welfare of our boarders, Myddelton College must be kept fully informed of parents' and agents' decision-making.

Myddelton College has a strong boarding ethos and greatly values the diversity which both its UK and international pupils bring to our community.

Our boarding staff provide high standards of pastoral care during term time, reflecting regularly upon the extent of our successes through informal comments and pupil and parent 'voice' surveys; this helps us provide vital support to international pupils, aiding integration and helping students get the most out of their time at Myddelton College.

Should the School have any concerns about educational guardianship – for example, safeguarding, educational guardians' suitability or alleged conduct, accommodation health and safety, travel arrangements, amount and use of personal time by boarders if unsupervised, extent of oversight and supervision, finance, food and personal safety, for example, the School will inform the parents. In addition, if the information presents a safe guarding or personal safety risk to the young person, the

School's Designated Safeguarding Lead would contact appropriate external agencies and report the School's concerns.

During holiday periods (Exeats, Half Terms and School holidays), and at times which might be considered 'exceptional circumstances', your educational guardian will provide extra support to our young people, ensuring their welfare both inside and outside school. Educational guardians act as the overseas parents' representatives in the UK and, whilst we must all work together to safeguard our young people, they remain independent of the school.

b. The types of services they can offer include:

- arranging home-stay accommodation and airport transfers, attending parents' evenings, taking their charges out for 'lunch' for example and by mutual agreement, and generally supporting the student during their stay in the UK,
- liaising with parents to ensure information requested or required reaches them at speed,
- making arrangements for Half Terms and School holidays, as directed by parents.

c. Definitions:

It is important to recognise the distinction between 'Educational Guardians' and 'Legal Guardians'. Educational Guardian is not a legal term and must not be confused or used interchangeably with the term 'Legal Guardian'. An educational guardian is someone who has been appointed to care for those boarding pupils whose parents are not based in the UK, when the young person is not in school.

3. Why parents need to choose and appoint their Education Guardian

The National Minimum Standards for Boarding Schools, 2022, as shown above, require the School to be satisfied that guardianship arrangements promote the welfare and safeguarding, and physical and emotional wellbeing of its boarders.

Any concerns which Myddelton College might have about an educational guardianship arrangement will be acted upon immediately and referred to relevant agencies, as outlined in NMS Standard 22, and in the School's Safeguarding and Child Protection Policy. The School has the right, indeed responsibility to reject the arrangements planned for a boarder beyond the school's jurisdiction if deemed unacceptable or inappropriate by the School.

For the duration of their attendance at Myddelton College, there must always be an educational guardian 'available' who resides in the UK and who can take responsibility for the young person and provide them with care and support when they are not in the care of the School. Such occasions may include:

- Exeats and Half-term holidays,
- Days at the start and end of term when a boarder's flights do not coincide with term dates,
- When a young person is ill or injured and needs to recuperate away from School,
- 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,
- On any other occasion when the young person is released from the immediate responsibility of the School.

As the person with shared delegated 'parental' responsibility, the role of the educational guardian complements the requirement of House Parents to act in 'loco parentis'. Effective partnership between

staff concerned with pastoral care, parents and appointed educational guardians will safeguard and promote the welfare of pupils with parents living outside the UK; regular conversations between parties will promote the effectiveness of such arrangements.

4. Professional and personal attributes of an Educational Guardian:

It is the parents' responsibility to choose and appoint an educational guardian in whom they have confidence to provide for and safeguard the very best interests of their child. The School neither chooses nor appoints educational guardians.

Parents must feel confident that their choice of educational guardian will support their son or daughter in day-to-day

circumstances, as well as in emergencies. If the young person requires a visa, under the Student Visa Route, the intended educational guardian in the UK must also meet the requirements set by the Home Office.

Parents should also consider the support the educational guardian will provide to their son or daughter, in the

absence of the parents, such as emotional, academic and, if applicable, religious guidance.

5. Check list to help parents.

- Parents are strongly advised to appoint an AEGIS accredited, gold standard guardian organisation - AEGIS Gold Standard Guardianship Organisations.
- An educational guardian cannot be a member of staff at Myddelton College.
- The guardianship arrangement must promote the welfare, and physical and emotional wellbeing of the young person.
- The educational guardian must be of a minimum age of at least 25 - to promote emotional maturity, and, regardless of age, the guardian should not be a university student living in student accommodation (halls of residence or private lodgings) in case this is an unsafe, inappropriate or insecure environment.
- The educational guardian must have UK residency and live within a radius of 4 hours from the School (by car or public transport).
- The educational guardian should be English speaking to ensure effective and efficient communications with Myddelton College staff.
- The educational guardian must be available 24 hours a day in case of emergency.
- Excellent communication is required of the educational guardian, keeping the school informed of all travel and accommodation arrangements, pupil's welfare, including pastoral, academic and medical care.
- Any homestay accommodation arranged by the educational guardian must be safe, appropriately supervised, and of a good standard. Unsupervised hotel, B & B, hostel, shared or rental accommodation is not considered acceptable.
- An educational guardian may attend parents' evenings (if required to by parents) and is welcome to visit the school by appointment in order to stay in contact with their student.
- An educational guardian is expected to uphold the ethos and values of the school at all times.
- An educational guardian is expected to respect and support the rights, religion and customs of the international student.
- An educational guardian must be prepared to support the renewal and validity of all legal documents (for example, passport or visa) so that they are valid.
- In the event of a change in educational guardian and an alternative is appointed, the School must be informed in writing immediately by parents.

- The School will need to be satisfied about the care arrangements prior to issuing a certificate of sponsorship (CAS). Evidence will need to be submitted with the visa application.

6. Using Family-link persons, living in the UK, as the educational guardian.

To allow flexibility where parents do not require the full service of an educational guardian, some parents have developed a partnership with Bright World Guardians (AEGIS Gold Standard) who can offer 'an essential guardian package'. This might be used in two ways:

- a. Where the use of an educational guardian is unlikely to be used as the boarding student travels home during the holiday periods - this service would be used when a local emergency homestay is required for the student.
- b. Where families wish to appoint their own close family member or close friend as an educational guardian - all regulatory checks will be carried out by Bright World to allow the guardian to be appointed.

7. Additional points for students supported by educational guardians.

Educational guardians must work with the School to ensure that sponsored students do not miss the start or end of term, or have any unusual absences without the School's knowledge and consent.

If a sponsored student is out of contact with the School, without our permission, for more than 10 registrations (between 8.25 am and 5.30 pm on School days), this could break the conditions of the pupil's licence to stay in the UK under a sponsored student visa. In this situation, the School is required to contact UKVI to report a sponsored student missing from education.

8. Private Foster Care Arrangements.

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.

The Local Authority must be informed about a private fostering arrangement at least six weeks before the start of an arrangement or, in an emergency, within 48 hours.

Failure to notify the Local Authority of a private fostering arrangement is an offence, and could risk a fine. The School will therefore ask the educational guardian to provide evidence of approvals from the Local Authority for any student in a private foster care arrangement and should retain these confirmations on the students' files.

Further information can be found at www.privatefostering.org.uk.

9. Directors' oversight.

Directors will be provided annually, by the Head of Boarding, with information about the effectiveness of operation of this Policy.

They will consider Boarding staff's research conclusions, obtained via 'pupil voice', about young people's perceptions of the arrangements and opportunities, and related safety, of themselves as boarders when under the direction of parent appointed educational guardians.