

Educational Guardianship policy

2023-
2024

Reviewed by:
Dee Robins: 19 June 2023

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Next review: August 2024

1 Introduction

- 1.1 MPW greatly values the diversity that both its UK and international students bring to the college community. We very much value the input and the support of our Educational Guardians. They provide support for students outside of college and their living arrangements, a friendly voice in times of need, and a homely environment outside of college that helps students to have a well-needed break as well as providing support at times of crisis.
- 1.2 Under the [Children Act 1989](#), the college is required to safeguard and promote the welfare of students. During term time the college is responsible for the welfare of international students and acts in loco parentis. However, there are times when the college must be able to hand over these parental responsibilities to an appointed Educational Guardian. For this reason, the college requires all its boarding or day students whose parents or legal guardians do not live in the United Kingdom to have Educational Guardians.
- 1.3 In addition to the safeguarding responsibilities as outlined in the college's Safeguarding Policy, MPW has particular responsibility under UKVI regulations for international students on our Child Student visa sponsorship, for whom we are responsible while they are living and studying in the United Kingdom. The college may request a change of Educational Guardian or revision of the arrangement if it is felt necessary. It should be noted, for example, that we do not consider unsupervised stays in hotels or bed and breakfast accommodation to be an acceptable level of accommodation or care.

2 Definitions

- 2.1 An Educational Guardian is a person to whom parental responsibility is delegated, usually for short periods of time. 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 when a parent or guardian has died, or to a person acting as a guardian of a child's estate.
- 2.2 Parental responsibility refers to a wide range of rights and duties which a parent has in relation to their child. Married parents, Legal Guardians and those with court orders have parental responsibility. Unmarried fathers may acquire parental responsibility by agreement, by registering the birth jointly with the mother or buy court order but they do not acquire such responsibility automatically. Several people can have parental responsibility at the same time.
- 2.3 A person who has parental responsibility may arrange for some or all of it to be met by one or more persons acting on their behalf, such as Educational Guardian or a boarding school.

3 Appointing an Educational Guardian: Requirements

- 3.1 Educational Guardians at MPW are appointed by parents. The college can advise parents on how to find a guardian, if required, but MPW does not appoint guardians
- 3.2 Parents should inform the college if the Educational Guardian is related to the student and must give details as to how they are related, or whether the Educational Guardian is an AEGIS Accredited or BSA Certified Guardian.
- 3.3 Ideally the Educational Guardian should be well known to the student and be someone with whom the child feels happy and comfortable staying.
- 3.4 For many students where the family does not have a suitable contact in the UK, it is expected that the parents will appoint an Educational Guardian via a reputable organisation. It is important to note that the college does not recommend any specific agency or organisation, but would encourage parents to ensure that it is a member of either [The Association for the Education and Guardianship of International Students \(AEGIS\)](#) or [The BSA's Certified Guardian Scheme](#).

4 Eligibility Conditions for Educational Guardians

Educational Guardians must:

- 4.1 be over 25 years of age

- 4.2 be resident in the UK for the entire duration of the student's stay in the UK and must have evidence of their right to remain in the UK;
- 4.3 be able to be at the college (by car or public transport) within two hours, if we require you do so;
- 4.4 be fluent in the English language and be able to provide a point of contact for the college;
- 4.5 inform the college if leaving the UK for a period of time and of alternative arrangements (approved by the student's parents) before the period of absence commences; and
- 4.6 not be a member of MPW staff.

5 Responsibilities of the Educational Guardian

The Educational Guardian's responsibilities **are to:**

- 5.1 provide the college with proof of identity (passport or driving licence) and, where relevant, proof of immigration status;
- 5.2 be a 24-hour point of contact in an emergency throughout the academic year;
- 5.3 liaise with the college over all matters pertaining to a student's welfare, including pastoral, academic or medical care;
- 5.4 in a crisis, if the college is unable to contact parents, be prepared to act with delegated parental authority to give permission for medical care;
- 5.5 be able to collect and safely accommodate the student in their home at short notice in case of an emergency;
- 5.6 be able to collect the student and ensure their safe return to their parents if the student is required to be away from college (e.g., because of a disciplinary issue or a medical issue);
- 5.7 collect and accommodate the student in their home at half-term and during holidays and at the beginning and end of term if required;
- 5.8 provide support for medical emergencies, including taking students to hospital appointments or staying with students who need to be hospitalised overnight;
- 5.9 pay all legitimate expenses incurred for the student by MPW and by the student themselves;
- 5.10 give consent for co-curricular activities and trips that the student wishes to be involved in;
- 5.11 ensure arrival and departure times comply with the college's published term dates;
- 5.12 arrange travel to and from the college at beginnings and ends of terms, half terms, and for exeats (boarders only);
- 5.13 formally submit all leave requests for approval via the college's preferred pathway.
- 5.14 support the college in guiding students academically and behaviourally, where attendance falls short of expectations, and in attending parents' meetings and events on behalf of parents wherever possible.

Note: Students who are required by this Policy to have an Educational Guardian can only start at the college when a suitable Educational Guardian has been appointed and the Guardianship details are included in the MPW Registration Form and (where relevant) Consent Letter.

6 Guardianship Checks

- 6.1 [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."

- 6.2 The college ensures that Educational Guardians promote the welfare, physical and emotional wellbeing by taking the following steps:
- The Educational Guardian's identity and address will be verified.
 - If in boarding accommodation, the Houseparents will check before a boarder stays with a guardian or host family that they feel comfortable with the arrangements
 - The Educational Guardians or host families are informed of any medical or emotional needs of students in their care in advance of their stay
 - Following a stay with an Educational Guardian or host family, students will be asked by staff directly in one-to-one pastoral meetings about the arrangements in place for Educational Guardians.
- 6.3 Where concerns about a guardianship arrangement arise, the college will refer to external agencies as and when required.
- 6.4 If the nominated Educational Guardian is unable to fulfil the obligations as described – or if we are unable to make contact with them – MPW reserves the right to engage the services of an alternative (AEGIS accredited) emergency guardian and any additional charges incurred will be passed on to the student's parents.

7 Homestay Arrangements for Boarders

- 7.1 A Homestay arrangement is where the student's parent(s) appoint a person to take temporary responsibility for the safety and wellbeing of the student, for instance over a weekend or school holidays. This is normally arranged through the Educational Guardian who will be expected to carry out all required safeguarding checks on the Homestay family.
- 7.2 The parent(s) or the Educational Guardian must provide the MPW boarding team with details of the person(s) with whom the student is staying as part of the Homestay prior to the Homestay. These persons must be in the UK for the entire duration of the student's stay with them, be over 25 years of age and have the right to reside in the UK.
- 7.3 The Homestay host must take responsibility for the welfare of the student during their stay; remain contactable at all times; make the college aware of any welfare concerns and ensure that the student returns to college at the required time.
- 7.4 As with Educational Guardians, the Homestay provider should provide the identity documents outlined in Section 4 of this policy.

8 Private Fostering

- 8.1 Students under the age of 16 who stay with persons in the UK who are not their parents or close relatives for 28 days or more (consecutively) during term-time or school holidays, may be subject to the law on private fostering. The college has a legal duty to contact the relevant local authority to ensure appropriate safeguarding arrangements are in place. 'Close relative' for the purposes of UKVI is defined as a person aged over 18 who is the student's grandparent, brother, sister, step-parent, uncle (the brother or half-brother of the student's parent) or aunt (the sister or half-sister of the student's parent).
- 8.2 The college has a duty under the National Minimum Standards for Boarding to inform the local authority in which a student is staying, should they be staying with anyone who is not a 'close relative' under the definition above for over 28 days. Please note this includes some relatives including cousins which families may consider a 'close relative', but which are not covered by the above definition. In such cases, the Local Authority may visit the family and undertake an assessment in order for the child to continue living with the Guardian. This assessment may involve requesting to meet all adult members of the family.