



Guardianship Policy

Title of Policy	Guardianship Policy
Applies to	Whole School
Endorsed by	Head Master
Responsibility	Director of Admissions, Marketing and Enterprises
Date reviewed	Michaelmas 2025
Next review	Michaelmas 2026

Guardianship Policy

1. Legal Requirements

Following the *Children Act (1989)*, the *Protection of Children Act (1999)* and the *Care Standards Act (2000)*, the School 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.

2. Nationally Recognised Requirements

The Boarding Schools' 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 exeats 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. School's Requirements

The School's pastoral system is very strong and we set great store in ensuring that effective arrangements are made with regard to educational guardianship.

During term time, the School is legally responsible for each pupil's welfare and undertakes parentally delegated responsibilities. However, there are times (e.g. exeats, sustained illness, half term holidays, or when a child is suspended by the School, etc) when the School 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 Schools' Association.

In short, we must ensure that each child whose parents are domiciled 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 requirements are:

- Every child whose parents/guardians live permanently overseas must 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 not be members of School staff

- Educational guardians must ideally reside within approximately one hour drive from the School.
- All guardians must complete a formal Guardian Agreement or Letter of Undertaking, confirming their responsibilities and that they meet UKVI safeguarding and immigration compliance standards. This must be submitted prior to the child's arrival in the UK
- All educational guardians and any adult residing at the same address must not have any criminal convictions or safeguarding concerns (UK or overseas).
- The School reserves the right to request proof of a clear DBS or equivalent overseas check where appropriate.
- Educational guardians must provide a private, non-commercial residence that is suitable for accommodation of a minor and must not be operating as a hotel, guesthouse, or any other commercial lodging.
- Educational guardians must be either British citizens or hold settled status or Indefinite Leave to Remain in the UK. Those on temporary visas (e.g. student, visitor, work) are not eligible.
- If a pupil under 16 will be staying with a non-relative guardian for 28 consecutive days or more, this arrangement may qualify as Private Fostering and must be reported to the local authority by the parent or guardian.
- If the parents appoint a guardian who is not employed by an AEGIS Guardian agency they will be subject to additional checks. These include an online call with a member of Wells Cathedral School staff and will need to provide a copy of their passport and a copy of a utility bill/proof of address. During the call the appointed guardian will be required to show their passport and the utility bill and to answer a series of questions to ensure they fully understand their responsibilities as a guardian.

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.
- This may include accommodating the pupil if they are unwell and would include facilitating the isolation of the pupil if they have a sickness bug or an infectious illness.
- Carry out an initial visit in the first three weeks of the academic year when the student first joins the school.
- Visit the school on at least one occasion each academic year to meet staff and support the child.
- Provide pastoral and educational support.
- Liaise with the School and parents over holiday and exeat arrangements.
- Inform the School in writing about all details of suitable arrangements made prior to the pupil leaving school for an exeat weekend or for a longer holiday period, or for any other reason. The School must know the exact details of the pupil's accommodation and methods of transportation, and must have contact details for all times when the pupil is not in School.
- To communicate with House staff 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.

Please note that the choice of guardian is entirely the responsibility of the parent and the School accepts no legal responsibility or liability for any guardianship arrangements. The School does however expect the guardianship arrangements to be satisfactory and to meet the expectations outlined in this document.

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 School 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 which is registered with one of the following:

AEGIS – the Association of Guardianship Services

https://aegisuk.net/organisations/?college=Guardianship&org_type=gold-standard

BSA – Boarding School Association Certified Guardian Scheme

<https://www.boarding.org.uk/497/about-us/bsa-certified-guardian-scheme>

Please note that the School 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 and is unable to provide specific recommendations.

7. Failure to Appoint an Educational Guardian

If a pupil does not have a guardian when required to by the School, or the appointed guardian is considered to be unsuitable by the School, the School will invite parents to find a new educational guardian. Should parents fail to do so within an acceptable period of time, the School may have no alternative than to ask the parent to withdraw the child until suitable arrangements are in place. Parents should complete the Educational Guardianship Proforma

prior to the child's first term.

8. Responsibility of the Head of Admissions

The Head of Admissions 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 Educational Guardianship Proforma must be completed prior to the child's first term.

9. Responsibility of the Head of Admissions in conjunction with the Deputy Head (Pastoral)

The Head of Admissions and Deputy Head (Pastoral) should, in conjunction with Houseparents and the Head of Boarding:

- ensure that every qualifying child in the School has an appropriate educational guardian where appropriate.
- If the appointed educational guardian is not from a recognised agency for the Head of Admissions and Deputy Head (Pastoral) to contact (video call) the appointed guardian to clarify all details and to ensure that they understand the full implications of the role, their responsibilities and have received and read this policy, prior to the pupil joining.
- maintain the database of current children's educational guardians.
- be prepared to offer impartial advice to parents on the role of an educational guardian, be it professional or otherwise.

10. Responsibility of Houseparents

For the children under their care Houseparents 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 Deputy Head (Pastoral) should they have cause for concern.
- ensure that the current educational guardians details are continuously 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 School. 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 School prior to the commencement of the absence.