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**EDUCATION GUARDIANSHIP POLICY**

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| **RESPONSIBILITY** | **DEPUTY HEAD PASTORAL** |
| **DATE REVIEWED** | **MAY 2025** |
| **Next review date** | **MAY 2026** |

**Relevant Guidance**

Children Act 1989

The Education (Independent School Standards) Regulations 2014 Boarding Schools: National Minimum Standards 2022

# Scope

This policy applies to all parents of pupils at Framlingham College, or those who are legal guardians of pupils at Framlingham College, who are normally resident outside the UK.

# References

This policy should be read alongside the ‘Standard Terms and Conditions’ and the ‘Safeguarding and Child Protection Policy’.

# Education Guardianship

Parents of pupils at Framlingham College (the **School**) who are resident outside the UK must appoint an Education Guardian for their child in the UK. This is the case for all pupils, irrespective of age.

This policy provides information on education guardianship and also includes the education guardianship form which all parents who reside overseas are expected to complete.

# Definitions

You may find the following definitions of key terms useful:

**Guardian:** The technical meaning of guardian refers to a person who is appointed to care for a child because the parent or guardian has died, or to a person acting as a testamentary guardian or a guardian of the child's estate. We will refer to this type of guardian as a **Legal Guardian**. The second, informal meaning arises where there is simply a delegation of parental responsibility and we refer to this as an **Education Guardian**.

**Parental Responsibility:** This expression means the whole raft 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 by Court Order but they do not obtain such responsibility automatically. A number of people can have parental responsibility at the same time. Parent and Legal Guardians do not lose it when others or a local authority acquire it (except in adoption cases).

**Delegating Parental Responsibility:** 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 a nanny, Educational Guardian or a boarding school.

# Why must an Education Guardian be appointed?

It is a legal requirement for independent schools that overseas parents appoint Education Guardians for their children whilst they are at school in the UK. This is to ensure that there is somebody in the UK who can take responsibility for the child or young person and provide them with care and support when they are not in the care of the School. The Education Guardian takes on the legal authority to act on behalf of the Parent in all respects.

The Education Guardian's responsibilities usually include caring for the pupil as would a responsible and caring parent by, for example, being in regular contact with the pupil and providing advice and support as necessary. The Education Guardian will need to care for the pupil and take responsibility for the pupil if they are unwell, suspended or otherwise released from School. Responsibilities also include being authorised to make certain decisions concerning the pupil on the Parents' behalf, for example decisions regarding emergency medical and dental treatment and matters of a disciplinary nature.

The Education Guardian may provide accommodation for the pupil, or the pupil may be accommodated elsewhere. Pupils are not permitted to remain in residence at school during the school holidays as published in the School Calendar, as there is no provision for appropriate supervision during school holidays.

# Who can be an Education Guardian?

An Education Guardian may be a family member, a family friend, a guardianship agency, a host family, or other responsible adult (minimum age 25) based in the UK, within 150 miles or approximately 2 hours by car of the School.

Most overseas parents use a guardianship agency to act as Education Guardian.

Guardianship agencies typically arrange accommodation as well as acting as Educational Guardian for their pupils. Guardianship agencies will usually arrange accommodation for their pupils through host families, although sometimes other accommodation options will be used. Host families will then be responsible for providing the day-to-day care of the pupil, accommodation and meals. If the guardianship agency arranges accommodation for the child or young person, the agency will be responsible for ensuring the quality and safety of the accommodation including the necessary recruitment (**DBS**) checks.

Guardianship agencies should not be confused with Educational Agents, who forge links with our Admissions team to place pupils in UK schools. While agents might be in touch with the school about children who they have placed, they bear no legal responsibility for the child and are not an official guardian. Therefore, they cannot give permission for pupils to go out for a weekend or arrange travel on behalf of the parent.

**Guardian Requirements**

Guardians must:

* meet the pupil before they start at Framlingham College.
* meet with the Housemaster/Housemistress ahead of the first time they take the pupils into their care. This can be done online.
* have a permanent place of residence in the UK within approximately 2 hours drive of the School.
* speak English and be able to provide a point of contact for the School at all times including in emergencies.
* liaise with the School, in collaboration with parents, over School holiday arrangements, including informing the School about details of the travel arrangements made for pupils leaving on all authorized breaks as well as at the beginning and end of terms and half terms.
* provide accurate contact information and update it as necessary.
* provide safe and suitable accommodation and appropriate care and supervision for the pupil during periods when they cannot be accommodated at School (including illness and disciplinary measures); regardless of age, we do not consider unsupervised stays in hotels, bed and breakfast accommodation or university halls of residence to provide an adequate level of accommodation or care and therefore must not be used.
* notify the School and the parents if they are going to be away from their normal residence or out of the UK for any length of time. This should be done in a timely manner preferably two weeks prior to this happening and where necessary alternative arrangements must be made by parents in the absence of the principal guardian.
* be familiar with the School’s rules, regulations and policies and support the School’s aims and values.
* be aware of the pupil’s visa requirements and arrangements.
* be prepared to attend Parents’ Evenings and School events and must maintain regular contact with the pupil and are encouraged to visit the pupil at the School at least once a term.

# How is an Education Guardian appointed?

The responsibility for choosing an appropriate Education Guardian rests **solely** with the Parents. The Parents are responsible in each case for satisfying themselves as to the suitability of an Education Guardian.

It is expected that the Parents will appoint an Education Guardian via a reputable organisation, preferably a member organisation of the Association for the Education and Guardianship of International Students (**AEGIS**). AEGIS is the authoritative association for inspecting and accrediting guardianship agencies in the UK. AEGIS can be contacted via their website: [www.aegisuk.net.](http://www.aegisuk.net/) It is important to note that the School does not recommend any specific agency and parents are required to make their own checks into the suitability of any agency. The School is not able to arrange the appointment of an Education Guardian and is not able to arrange accommodation for any pupils out of normal term time.

Should the Education Guardian not be AEGIS registered (an agency), it is a requirement of the School to request proof of Identification and address of the proposed guardian e.g a copy of their passport for identification and a copy of a utility bill for proof of address.

# School Liaison

As an element of best practice, the relevant Housemaster or Housemistress will liaise with all the guardians and guardianship agencies engaged by our pupils to ensure quality control. In addition, and as another layer of pastoral support, our Head of International Pupils will also liaise with guardians and guardianship agencies. In essence it is our duty of care to ensure the safeguarding of our international pupils as far as possible, and it is our preference for them to go to the same guardian, with whom they can build a positive relationship.

To comply with UKVI regulations regarding the School’s sponsorship of international pupils, we keep a centralised log of all pupil movements to and from the school. This means that:

* All travel arrangements to and from the School are logged.
* All permissions for weekend leave are triangulated with relevant permissions from both parents and guardians in the UK.

# Education Guardianship Agreement

Parents who reside outside of the UK are expected to complete an education guardianship form (see below) which provides the School with full details of the Education Guardian and the responsibilities which the Parents have delegated to them.

Parents must inform the School of the name and contact details of any appointed Education Guardian and must also inform the School immediately if there are any changes to any details relating to the Education Guardian.

# Private fostering:

Private fostering is when a child or young person under 16 years of age goes to live with someone for 28 days or more by private arrangement with someone who is not a:

* Parent
* Close relative (brother, sister, aunt, uncle, grandparent or step parent)
* Guardian or a person with parental responsibility

In these circumstances the School has a legal duty to refer to the local authority.

# Education Guardianship Form

If Parent(s) of pupils at Framlingham College (the **School**) are resident outside the UK, the Parent(s) must appoint an Education Guardian for the pupil who is based in the UK. This form must be completed to inform the School of the Education Guardian appointed.

Please complete two copies of this form and return one copy to the school office. Please keep the second copy for your records.

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**FRAMLINGHAM COLLEGE GUARDIAN AGREEMENT**

**Please return as soon as possible as a Visa cannot be applied for (if applicable) before we receive this information**

|  |  |
| --- | --- |
| Child’s Details | |
| Full name |  |
| Parent(s) details | |
| Parent 1’s full name |  |
| Parent 2’s full name |  |

# General

1. I/We confirm that I am/we are the Parent(s) of the above named Child and that I/we have parental responsibility for the Child in accordance with the Children Act 1989.
2. I/We hereby acknowledge that we are required as a condition of our Child's place at the **School**

to appoint an Education Guardian within 150 miles or 2 hours drive of the school.

1. I/We acknowledge that by completing this form and returning it to the School I am/we are confirming the details of the Education Guardian I/we have appointed for the above named Child while he/she is a student at the School and that should the arrangements detailed below change I/we will notify the School in writing immediately.
2. I/We acknowledge that the School has taken no part in the selection or appointment of the Education Guardian named on this form and that I/we have satisfied myself/ourselves that the Education Guardian is suitable to be responsible for the Child's welfare in the manner described.
3. I/We acknowledge that I am/we are satisfied with the insurance arrangements which have been put in place for the Child when they are in the care of the Education Guardian.
4. I/We understand that the School will not, unless negligent, be liable in respect of injury, loss, damage or costs arising out of or in any way connected with this Education Guardianship appointment.

**Appointment**

1. I/We have appointed the Education Guardian named below to act on my/our behalf if I/we are unavailable in all matters concerning the safety and welfare of the above named Child whilst they are attending the School.
2. I/We confirm that I/we have made arrangements to cover the costs associated with performance of the role of Education Guardian.

**Authorisation**

I/We have authorised the Education Guardian named below: (parents please complete)

|  |  |
| --- | --- |
| **Education Guardian details** | |
| Full name |  |
| Company Name of Guardian Agency (if applicable) |  |
| Date of Birth (you must be over the age of 25 and not in education e.g. University) |  |
| Address |  |
| Telephone number |  |
| Mobile number |  |
| Email address |  |
| Relationship to child |  |
| Proof of ID and proof of address | If your chosen guardian is **not** AEGIS registered, please provide a copy of your chosen guardian’s passport (or a copy of their e-visa if they’re not a British Citizen) to be submitted along with this completed form, together with proof of their address e.g. utility bill. |

# Agreement

# I/we confirm that the above has been appointed as Educational Guardian of

# ................................................................................................. (insert pupil name)

# I/we the undersigned, agree to comply with the School’s Educational Guardian Policy, a copy of which we have read. (also found on the school’s website)

|  |  |  |  |
| --- | --- | --- | --- |
| **Signatures** | | | |
| **Parent 1** |  | Date |  |
| **Parent 2** |  | Date |  |
| **Education Guardian** |  | Date |  |