



# HEATHFIELD SCHOOL

## Educational Guardianship Policy

<b>Policy Area:</b>	Safeguarding
<b>Relevant Statutory Regulations:</b>	ISSR Part 3  NMS 14  Equality Act 2010  The Children Act 1989
<b>Key Contact Personnel in School</b>	
<b>Nominated Member of Leadership Staff Responsible for the policy:</b>	Deputy Head Pastoral and Boarding
<b>Version:</b>	2021.01
<b>Date updated:</b>	24 April 2021
<b>Date of next review:</b>	24 April 2023

*This policy will be reviewed at least triannually, and/or following any concerns and/or updates to national and local guidance or procedures.*

### Introduction

Heathfield School (“the School”) has a strong boarding ethos and greatly values the diversity that both its UK and international pupils bring to the School’s community. Under the Children Act 1989, the School is required to safeguard and promote the welfare of pupils, ensuring that they are looked after in a safe, caring and nurturing environment. During term time the School is responsible for a pupil’s welfare and acts in loco parentis. However, there are times when the School must be able to hand over these parental responsibilities to an appointed Guardian.

In accordance with the Boarding School’s Association guidelines and the School’s own policy, the School makes it a condition of entry that parents based overseas or, parents anticipating spending a significant part of the academic year outside of the UK or, are beyond a reasonable distance (more than 2hrs) from the School site, appoint a UK-based local Educational Guardian. This Guardianship is required until the pupil leaves the School, even for those over 18 years of age.

Once appointed by the parents the Guardian details form must be completed and signed by both parents and guardians and returned to the School before acceptance or return of a pupil will be permitted. For Tier 4 sponsored pupils, the CAS (Confirmation of Acceptance for Studies) will not be issued until the School is satisfied with the Guardian arrangements.

If, at any point, during the pupil’s time at Heathfield, the School has concerns about the suitability of a Guardian or guardianship arrangement, the parents will be informed. The School may request a change of Guardian or revision of the arrangement. If the School continues to have concerns about the pupil’s Guardianship arrangements, the pupil could be asked to leave the School. It should be

noted, for example, that the School does not consider unsupervised stays in hotels or bed and breakfast accommodation to be an adequate level of accommodation or care.

The School can accept no responsibility during Optional Leave weekends, half-terms or the long holidays for pupils whose parents are unavailable. Holiday and travel arrangements, including travel to and from the School, must therefore be made well in advance.

## **Definitions**

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**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. The School refers to this type of guardian as a **Legal Guardian**. The second, informal meaning arises where there is simply a delegation of parental responsibility and the School refers to this as an **Education Guardian**.

## **Appointing A Guardian**

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It is the parents' responsibility to appoint a Guardian; the organisation and selection process rests solely with Parents. The appointed Guardian must be over 25 years of age and be permanently resident in the UK (not college/university accommodation); they must be able to be at the School within two hours, however, within one hour's travel is recommended. The Guardian may not be a member of staff at Heathfield.

The appointed Guardian must be fluent in the English language and be able to provide a point of contact for the School at all times. Ideally the Guardian should be a relative or family friend who is well known to the child, and be someone with whom the child feels happy and comfortable staying. For many pupils where the family does not have a suitable contact in the UK, it is expected that the parents will appoint a Guardian via a reputable organisation. It is important to note that the School does not recommend any specific agency or organisation, but would encourage parents to ensure that it is a member of the Association for the Education and Guardianship of International Students (AEGIS). AEGIS can be contacted via their website: [www.aegisuk.net](http://www.aegisuk.net)

In a crisis, if the School are unable to contact parents, the Guardian will have to give permission for medical care. If neither parents nor Guardian can be contacted, the Housemistress is empowered to act in loco parentis – as if they were the legal Guardian.

If an appointed Guardian changes during a pupil's time at the School, it is the parents' responsibility to ensure accurate updated contact details (telephone, mobile, email and full postal address) are communicated to the School as soon as possible, in order to ensure continuity of care.

When an Education Guardian's contact details change, the School should be informed in writing so that the database and house records can be maintained accurately.

## **Accommodation For Pupils**

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If a pupil is not travelling home or staying with their own family during an Optional Leave or school holiday, the School will not permit any pupil to stay somewhere alone/without adult supervision. This includes staying in hotel/youth hostel/airBnB accommodation, even if it is with parents' consent. This applies to all pupil, even those over 18 years of age.

The School reserves the right to decline permission for any Optional Leave arrangements if the School is not entirely happy with the arrangements being made.

## **Travel Arrangements**

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The School expects pupils to arrive at Heathfield at the time scheduled in the School Calendar, unless they have been notified to the contrary.

If pupils are more than an hour late returning from holidays, Optional Leave weekends, leave weekends, interviews or other absences, the School will contact the guardian directly. A minimum of four weeks' notice is required for any early departures from School or any late arrivals back to School.

The Guardian needs to be made aware of any alterations to a pupil's travel arrangements and of any delays in transit, and should agree to keep the school informed of these.

## **Guidelines**

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The School will expect to hold a copy of the details of the agreement between parent and Guardian on file for reference purposes and will expect to be kept informed of subsequent changes made to that agreement.

## **Guardian Responsibilities**

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All Guardians must be prepared to undertake, where necessary, the following responsibilities:

- To provide a 24-hour point of contact throughout the School year.
- To be ready to accommodate and take responsibility for the pupil at short notice in case of emergency or crisis.
- To provide safe and suitable accommodation for the pupil with an appropriate degree of care and supervision when they cannot be accommodated at School and to liaise with the Housemistress regarding these arrangements. Occasions are likely to include, but are not restricted to:
  - o Optional Leave Weekends, half-term breaks and longer holidays
  - o Days at the start and end of term when a pupil's flights do not coincide with term dates
  - o If a pupil is ill or injured and needs to recuperate away from School
  - o If a pupil requires to leave School for isolation or quarantine purposes as a means of protecting the School community during a pandemic
  - o 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
  - o Any other occasion when the pupil is released from the School
- If, during term-time, an Education Guardian is required to be away from their UK home they must inform the School so that appropriate alternative arrangements, duly authorised by the parents in writing, can be put in place.
- To liaise with the School over all matters relating to the pupil's welfare, including pastoral, academic and medical care.
- To act with delegated parental authority in the case of an emergency or crisis and to make appropriate arrangements for medical care.
- To attend important parent and teacher meetings or any other important meetings at the School on behalf of the parents.

- Be familiar with the School's policies and procedures.
- Visit the pupil and act as a point of contact at all times during term.

In addition, it is hoped that Education Guardians will:

- Feel welcome at House and School events such as open days and sports fixtures.

The responsibilities of Guardians appointed by overseas parents and those appointed by parents in the UK are identical. However, over the usual course of the year, there are likely to be practical differences in a Guardian's level of involvement:

For overseas parents: The Guardian is usually responsible for the delivery and collection of pupils at the beginning and end of term, and (where the pupil is not travelling to their home overseas) for providing a home for pupils during Optional Leave and holidays. The Guardian must be available for contact at short notice in an emergency, for granting routine permission, or for disciplinary reasons. In some medical or disciplinary cases, the Guardian may be required to have the pupil to stay for a limited period of time.

For UK parents: the Guardian must be able to substitute fully for parents when parents are away or unavailable. This includes providing everything mentioned in the points above. UK parents who plan to be away for an extended period, are asked to inform the Housemistress in good time and to check that contact numbers are up-to-date and relevant.

### **Related Policies**

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- Admissions Policy
- Safeguarding Children and Child Protection Policy

**APPENDIX 1**

**Link to Educational Guardianship Form**

<https://forms.office.com/r/gLjihRH1Ls>

