

## Guardianship – Terms & Conditions

Following the Children Act (1989), the Protection of Children Act (1999) and the Care Standards Act (2000), Embley, in promoting and safeguarding the welfare of every student, requires parents who do not live in the UK to appoint a guardian to act on their behalf. The above legislation protects the rights of children and makes 'proper and appropriate care' a compulsory requirement.

During the time the student is in the UK, Embley is legally responsible for each student's welfare and undertakes parentally designated responsibilities. However, there are times (school holidays, when a child is ill or when a child is suspended/excluded by the school) when the school must be able to hand over parental responsibilities to another adult – a properly appointed guardian.

- Guardians may be a family member or relative or family friend who is **over 25 years of age** and who is not a full time student. They must be a **permanently settled resident in the UK**. If such a contact in the UK is unavailable, guardians can be provided by reputable guardian organisation.
- Embley is a member of AEGIS – a national body for monitoring and regulating the welfare of international students. AEGIS provides accreditation of guardianship organisation in line with the National Minimum Standards for Boarding. We strongly recommend that parents only engage a guardianship organisation that has been accredited by AEGIS ([www.aegisuk.net](http://www.aegisuk.net)).
- Any student who does not go home during the holiday must stay with their appointed guardian.
- All students must have a UK based guardian, regardless of the student's age.

### An appointed guardian must:

- Be over 25 years of age.
- Be resident in the UK within 120 minutes travelling distance (by car) of the school and be available during term time.
- Not be a full time student living in accommodation provided by another educational institution.
- Be able to provide secure and safe accommodation. The guardian must be able to provide suitable accommodation for the student in order to provide appropriate comfort and privacy for the duration of the stay.
- Be English speaking and be prepared to be a point of contact for the school.
- Be able to provide the school with a valid and current copy of their passport, along with evidence of their settled status (if the guardian is not a UK passport holder) and their address.

### An appointed guardian will:

- Be a 24-hour point of contact for parents, students and school (and host family if applicable).
- An 'in loco parentis' with delegated parental authority in the case of an emergency or crisis and in other matters agreed by parents.
- Provide both pastoral and educational support.
- Liaise with the school over holiday and weekend arrangements, in a timely fashion, including details of travel and accommodation.
- Make appropriate arrangements for medical care.
- Arrange appropriate transportation for the student when required.
- Provide consent for medical treatment, visits and excursions in the (temporary) absence of a parent.

- Attend parents' evenings and school functions to support the student where possible, in place of the parents.
- Support the school in meeting UK Visa & Immigration visa compliance. Please note that it is not acceptable for any Embley student to stay with another student in full time education (including university students). Embley students are not permitted to rent or stay in other accommodation (house, flat, hotel or other) for the holidays without their appointed guardian under any circumstances.

**A guardianship organisation/agency must:**

- Complete and sign a Care Arrangement Form for each student in conjunction with parents and return it to the school.
- If not a member of AEGIS (the Association for the Education & Guardianship of International Students), the agency must provide the school with information regarding their process of appointing house families, the name and address of the host family appointed for that student and confirmation that all host family members have settled status in the UK and that all host family members over the age of 16 years have been DBS checked by the agency.
- Advise the school of any change in the appointment host family, along with the names and address at least 48 hours prior to a change. The new host family must comply with the school guardianship policy and names and address of the host family are required.

**A parent will:**

- Only appoint a guardian who meets all the criteria of the school's guardianship policy.
- Given their written, signed consent for the guardian to take full responsibility for the care and safety of their child while in the UK in place of the parents themselves.
- Complete, sign and return to the school a Care Arrangement Form and Parental Consent Letter.
- Give their consent in writing for any changes in guardianship arrangements by completing a new Care Arrangement Form with the new guardian at least 72 hours prior to a change. The new or temporary guardian must comply with the school's guardianship policy or the school may refuse the arrangement on the grounds of safeguarding.

Embley retains the right to refuse a guardianship arrangement if the guardianship does not meet the above criteria.