

Guardianship Policy – Parents from Non-EEA Countries (including Switzerland)

The school requires Guardians to be appointed for international pupils. The school's own responsibility for the pupil is limited to the times when the pupil attends school (i.e. not during exeat, half-term or holidays).

UK Visas and Immigration (UKVI) issues our license as an educational sponsor so that pupils from outside of the European Union (EU) can study at St John's. They regularly monitor all boarding schools to make sure the correct procedures of Guardianship are being followed in order to ensure that overseas pupils are properly supported. Our aim is to make sure we carry out these duties attentively to safeguard pupils in our care at all times.

UKVI rules require sponsors (i.e. schools) to ensure that care arrangements are "suitable" for pupils aged under 18 at all times when they are in the UK and not just when in the care of the school.

Who can be a Guardian?

There are no legal requirements regarding who can be a Guardian. It is, however, required by the school that the Guardian be resident in the UK at a suitable proximity to the pupil and school and be capable of providing care for a child in a happy home environment as would a reasonable and responsible parent.

A Guardian may be a family member, a family friend, a guardianship agency, a host family, or other responsible UK-based adult.

Many overseas parents use a guardianship agency to appoint a Guardian.

Appointing a Guardian

Guardians are appointed by the parents. This will mean that the parents will be responsible for assessing whether the Guardian - be it a guardianship agency, family friend or other individual - is suitable and that adequate safeguarding measures have been taken.

The Guardian will be acting on the parents' behalf and the guardianship arrangement will not fall within the school's welfare responsibility for the pupil.

It is the parents' responsibility to:

- appoint a Guardian deemed to be suitable by the school and able to carry out the agreed guardianship duties
- carry out the appropriate safeguarding checks on the Guardian. It is recommended that parents request three references, verify them and obtain a Disclosure and Barring Service (DBS) Enhanced Clearance Certificate on all members of the household over the age of 16. St John's is happy to assist parents with the process of obtaining this Certificate.
- clarify to the school's satisfaction when the Guardian is responsible for the pupil (for example if the pupil is involved in an accident on the weekend when not in school, the Guardian will need to be available to care for the pupil and make decisions as appropriate).

Parents are required to write a letter to the school to be held on file, setting out the contact details of the Guardian, arrangements for care, accommodation, travel and reception arrangements for the pupil during their time in the UK and confirming that they are suitable.

Such a letter can also be included by the pupil in their Tier 4 visa application and be shown at the border. Parents must also complete the school's Guardian Form.

If a parent-appointed Guardian accommodates a child aged under 16 (or under 18 if disabled) for more than 28 consecutive days, they become private foster parents (and must by law inform the local authority 6 weeks before the child arrives or immediately if the arrangement has already begun). It is a criminal offence for people who are privately fostering, or who have arranged private fostering, to fail to notify their local authority about private fostering arrangements.

The Responsibilities of a Guardian

A Guardian's responsibilities include caring for the pupil as would a responsible and caring parent by, for example, being in regular contact with him or her and providing advice and support as needed.

A Guardian will typically care and take responsibility for a child if he or she is unwell, suspended or expelled.

The rôle may also include being authorised to make certain decisions concerning the pupil on the parents' behalf, such as consenting to emergency medical and dental treatment and dealing with matters of a disciplinary nature. Parents should clarify their wishes with regard to this and other aspects of the scope of the Guardian's care in the letter setting out guardianship arrangements.

If something goes wrong and the pupil is required to leave the school at short notice, if they are sick or if there is a force majeure event such as a fire or epidemic, then the Guardian is expected to be there to step in.

The School's expectations of the role of any Guardian are set out below. These responsibilities can be jointly allocated between parents and Guardians. We will always try to maintain direct contact with Parents even if the Guardian has assumed all of the roles outlines below.

- Act as a point of contact for parents, children and the school
- Act on behalf of the parents in the event of a crisis and, where possible care, for a child in the event of temporary school closure.
- Provide children with educational and pastoral support (this may including attending matches, concerts etc.)
- Attend Parents' Meetings (this is to be agreed with parents of the child)
- Provide suitable accommodation for half terms and weekend leave-outs
- Liaise with the school with regard to leave-out and holiday arrangements
- Be responsible for liaising with the School regarding travel arrangements
- Be available to liaise with the School Nurse and parents
- Accompany the child to medical appointments whenever possible
- Contact Ruth O'Sullivan (Designated Safeguarding Officer) if they have any welfare or child protection concerns.