Forres Sandle Manor - Guardianship Policy

Policy Title	**Guardianship Policy**
Policy Lead (Appointment (& Initials))	**Head of Admissions (LB)**
Date of Last Review	**September 2026**
Date of Next Review	**September 2027**

Forres Sandle Manor is a welcoming community to all pupils – and believe that diversity brings strength to learning. For UK pupils, it offers them friends with different perspectives and backgrounds. For international pupils, our School offers a safe, secure and small environment to embed themselves into learning but also English culture.

Forres Sandle Manor has welcomed pupils from all over the world to study – anywhere from a few weeks to many years. Living in a foreign country, in unfamiliar surroundings, and having to communicate in a different language presents a challenge to our international pupils as well as our expatriate pupils far from home. Our strong pastoral system means that all pupils are effectively supported as they integrate into School life.

Short Term International Pupils or Military Pupils with parents stationed abroad

All pupils must have a Guardian who is resident in the UK for the duration of their time at Forres Sandle Manor. This can be either a family member, friend or an AEGIS accredited guardianship organisation (The Association for the Education and guardianship of international pupils) or BSA Certified Guardian scheme member.
Guardianship provides another means of support for a pupil whilst they are in the UK and allows them to have another adult outside of the school who they can turn to for assistance or advice. The role of the Guardian is to provide care during school holidays, sleep-out weekends and any other times as requested by the school.

The guardian appointed must be over the age of 25 and resident in the UK within reasonable travelling distance of Forres Sandle Manor and must not be a staff member or an employee of Forres Sandle Manor. The guardian appointed must adhere to our guardianship policy as detailed in this document and sign our Guardianship Agreement form before a pupil commences their studies at Forres Sandle Manor.

For clarity any long-term or visa-dependant pupils guardian must be a British Citizen or settled in the UK (hold settled status)

Long Term International Pupils (Sponsored Child Students)

To comply with United Kingdom Visa and Immigration (UKVI) guidelines, all International (Non UK resident parent/guardian) pupils studying in the United Kingdom must have a guardian who is resident in the UK. Forres Sandle Manor requires that the appointed guardian is over the age of 25 and are a British Citizen or settled in the UK. Under UKVI rules, employees and staff members of Forres Sandle Manor are strictly prohibited from acting as nominated guardians for sponsored Child Students. UKVI, who issue our licence as an educational sponsor, will regularly monitor all boarding schools and colleges to ensure that these procedures are being carried out. We intend to carry out our duties diligently in order to protect our sponsor licence and our pupils. We therefore require full contact details of the appointed guardian before a CAS will be issued for a pupil wishing to study at Forres Sandle Manor.

In addition to a signed Guardianship Agreement form, as per UKVI Immigration Rules Appendix Child Student. The Child Student's nominated guardian, close relative, or private foster carer who has been appointed by the child student's parent, school, or legal guardian to care for their child in the UK (the intended carer) must provide a letter of undertaking which contains the following information:

1. (a) the name, current address and contact details of the intended carer; and
2. (b) the address where the intended carer and the Child Student will be living in the UK, if different from the intended carer's current address; and
3. (c) confirmation that the accommodation offered to the Child Student is a private address, and not operated as a commercial enterprise, such as a hotel or a youth hostel; and
4. (d) the nature of the relationship between the Child Student's parent(s) or legal guardian(s) and the intended carer; and
5. (e) confirmation that the intended carer agrees to the care arrangements for the Child Student; and
6. (f) a list of any other people that the intended carer supports or has offered to support; and
7. (g) where the Child Student will be cared for by a nominated guardian, details of the name, registered address and contact details of anyone regularly living with the nominated guardian; and
8. (h) if the applicant is not boarding at a residential independent school and instead staying with a close relative or private foster carer, that the carer has at least £570 per month available to look after and accommodate the applicant, for each month of the course up to a maximum of 9 months; and
9. (i) the intended carer's signature and date of the letter of undertaking.

If the child is staying in a private foster care arrangement and is aged under 16 years, the they must also provide:

(a) a copy of the letter of notification from their parent, legal guardian or intended carer to the UK local authority, confirming that the applicant will be in the care of a private foster carer while in the UK; and
(b) the UK local authority's confirmation of receipt, confirming that the local authority has received notification of the private foster care arrangement and have given permission to the arrangement.

The applicant must demonstrate in their parental consent letter or their intended carer's letter of undertaking that they will enter into one of the following living arrangements in the UK:
(a) Full boarding at a residential independent school during term time, and outside of term time living with a person who is a British Citizen or settled in the UK and either:
(i) a nominated guardian (for a period of less than 28 continuous days); or
(ii) a private foster carer; or
(iii) a close relative; or
(b) Weekly boarding at a residential independent school during term time, and at weekends and outside of term time living with a person who is a British Citizen or settled in the UK and either:
(i) a private foster carer; or
(ii) a close relative; or
(c) Flexi boarding at a residential independent school and also being cared for by a person who is a British Citizen or settled in the UK and either:
(i) a private foster carer; or
(ii) a close relative; or
(d) Living with a private foster carer or close relative who is a British Citizen or settled in the UK; or
(e) Living with a parent or legal guardian who has permission as a Parent of a Child Student; or
(f) Aged 16 or 17 and living independently. This option would be subject to explicit written approval from the Headmaster and a separate risk assessment to be completed.

As the person with shared delegated parental responsibility, the role of the Guardian complements the requirements of the school and boarding staff to act in 'loco parentis'. Effective partnership between staff concerned with pastoral care, parents and guardians will safeguard the welfare of international pupils.
Of equal importance is the safety and well-being of our pupils when they spend time away from the school and for this reason we have created the following guidelines that we ask that parents, Guardians and Forres Sandle Manor staff adhere to. It is the parents' responsibility to select a suitable Guardian for their child.

The school cannot accept responsibility for any agreement financial or otherwise between the parent and Guardian.
Guardians will be contacted by the Admissions Department in order to verify the details provided. Please note that we will not accept University pupils living in university halls of residence as a legitimate guardian.
If you have any queries regarding this policy for Guardianship, please contact the Head of Admissions:lbrown@fsmschool.com

Guardian Suitability and Safeguarding Standards

In accordance with updated UKVI suitability requirements and safeguarding standards, the nominated guardian, as well as any adult (aged 18 or over) regularly residing in the guardian's household, must be of good character and present no safeguarding risk to the child. Nominated guardians must formally attest and confirm to the School that neither they nor any member of their household has any relevant unspent criminal convictions, custodial/non-custodial sentences, or disqualifying safeguarding history. The School reserves the right to request proof of background clearance or criminal record checks where required.

Please note that we will not accept University pupils living in university halls of residence as a legitimate guardian, nor will we accept any staff member or employee of Forres Sandle Manor.

Educational Guardian Policy

In cases where both parents of a pupil at Forres Sandle Manor reside outside the United Kingdom, parental responsibility for the care of the pupil, during periods when the pupil is inside the United Kingdom, must be delegated to a suitable UK-based educational guardian.

An educational guardian is not a “legal” guardian. Legal guardians are appointed by the courts: an educational guardian is appointed by parents. At Forres Sandle Manor School, educational guardians are appointed wholly and solely by parents; the process involves no activity by the school.

A place at Forres Sandle Manor is offered to a pupil resident outside the United Kingdom on condition that a completed, signed Guardianship Agreement and for sponsored child students a letter of undertaking as per CS9.4 (Immigration Rules Appendix Child Student) is received by the school prior to the pupil’s enrolment.
The School does not accept any liability for unsatisfactory performance by an appointed educational guardian. In circumstances where an insufficient discharge of guardianship duties comes to the attention of the School, Forres Sandle Manor will notify parents so that they can take remedial action; the School will not become involved in any management discussion or dispute with educational guardians, whether relating to the quality of care offered or any other matter. The management of the guardianship arrangements in place for a pupil at the School is wholly and solely the responsibility of the child’s parents.

Educational Guardian: Role

An educational guardian is a person appointed to care for a pupil, normally resident abroad, during all periods when the pupil is in the United Kingdom and their parents are overseas. The educational guardian holds delegated, temporary parental responsibility for the child.

Guardianship Agreement

The educational guardian has no rights or duties in respect of the child that the parents of the child do not deliberately and temporarily delegate by a guardianship agreement. Once

established, a guardianship agreement makes the educational guardian responsible for the pupil at all times during which the child is in the United Kingdom without their parents.

This means the educational guardian's responsibilities are not confined to periods of the Forres Sandle Manor school term.
Certain parental duties cannot be delegated to an educational guardian. In particular, educational guardians cannot sign a Child pupil Visa application on behalf of a parent.

Educational Guardian: Parental Responsibilities

The parents' core responsibilities are:

- to appoint an educational guardian who is over 25 years of age, resident in the UK, and is not an employee or staff member of Forres Sandle Manor;
- to satisfy themselves that the appointed guardian and any adult living with them are fit persons to have unsupervised care of their child and meet UKVI suitability standards;
- to satisfy themselves that the appointed person is able to provide suitable accommodation for their child when in the UK, but absent from Forres Sandle Manor;
- to establish a guardianship agreement which clearly specifies what is expected of the guardian and to satisfy themselves that the appointed guardian will meet these expectations;
- to ensure that the School is provided with accurate contact information for the child's appointed educational guardian and informed in writing of any changes in the guardianship arrangements in place for their child.

Educational Guardians: Delegated Responsibilities

When entering into an agreement with an educational guardian, parents must be explicit in defining their expectations of the educational guardian.
The educational guardian's specified general responsibilities normally include:

- caring for the child as would a responsible, caring parent;
- maintaining regular contact with the child at a level comparable to that provided by a responsible, caring parent;
- providing advice, support and counsel to the child in a manner comparable to that offered by a responsible, caring parent;
- consenting to emergency dental or medical treatment in place of the parents if one cannot be contacted;
- responding to disciplinary emergencies involving the child.

The educational guardian is expected to be familiar with the School policies and expectations and to support Forres Sandle Manor's aims and expectations in a manner comparable to what is expected of a responsible parent.

Educational Guardians: Forres Sandle Manor Requirements

Forres Sandle Manor School requires that appointed educational guardians of pupils at the School carry out a range of particular duties. These must be specified by the parents when they appoint the guardian and lay down their expectations of the role.

The guardianship duties required by the School are these:

- To provide proof of address and confirm suitable living arrangements to the Admissions department. They will also be introduced (via email) to the pupil's Boarding Team so clear lines of communication can be established. It is expected that the Guardian, if the parents are unable to, to maintain regular communication with the pupil's Boarding Team, particularly with regards to transport arrangements and pick up/drop off times during sleep-out weekends and School holidays etc.
- In accordance with UKVI Sponsor Duties, provide precise travel and arrival details using the school's transport booking form at least one week prior to departure or arrival. This includes full information on who is collecting the pupil at the UK border/airport, flight details, and exact details of any temporary non-school overnight accommodation if the pupil does not travel directly to the boarding house upon arrival in the UK. The School retains these records for UKVI compliance.
- Be contactable at all times and ready to deal with immediate problems or emergencies, including for example; the removal of an International pupil from school for disciplinary reasons or for illness and hospital admissions.
- If the guardian is going to be away from their UK home, however short a time, they must notify the appropriate Boarding Team or Head of Admissions. They must give full contact details for the period of absence and the name and address of a responsible person in the UK, fully authorised by the parents to act on their behalf.
- Provide accurate contact information (including telephone/mobile, email and full address contact details) and passport copy to Forres Sandle Manor and later to regularly update this information as necessary.
- If the parents are unable to, the Guardian should take responsibility for liaising with the School over Half-Term and sleep-out arrangements, including informing the School about details of travel arrangements made for pupils leaving on all authorised breaks and at the beginning and end of term. This information must be completed using the travel information form provided by Forres Sandle Manor in the admission documents, at least one week prior to departure or arrival. The School can provide support with any necessary travel arrangements.
- Be at home when the international pupil is there and provide suitable living and studying accommodation in accordance with the Children Act (1989) (Updated December 2023) and other UK legislation. A Guardian must provide safe and suitable accommodation and appropriate care and supervision for the pupil during periods when they cannot be accommodated at the School (including periods of long-term illness and disciplinary measures); regardless of the child's 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. Under no circumstances will our pupils be permitted to stay in a hotel or rented accommodation without supervision of their parent or Guardian.
- If parents are unable to do so, either collect and return the pupil to and from the School in accordance with the published dates at half terms, end of terms, sleep-outs and as agreed or ensure that suitable arrangements are made and confirmed with the School in advance through the school transport booking form.
- Exercise the same caution as a responsible parent in allowing the pupil to stay somewhere other than the Guardian's home.

- Advise the School immediately if arrangements have been made to allow the pupil to reside overnight anywhere other than your home. Never allow the pupil to reside where there is no means of contact with the guardian or the parents.
- Ensure that any pupil requiring medication, receives the prescribed dosage and that the administration of all drugs are recorded with date and time, in accordance with the medical information supplied by the School's medical centre.
- Ensure that all pupils receive the medical attention they require. Full details of any visits to the doctor/hospital and any drugs prescribed must be passed to the School Nurse upon the pupils return nurses@fsmschool.com.
- Guardians are invited but not expected to attend Parent's Evenings and School events. They are encouraged to maintain regular contact with their charge and are warmly welcomed to visit the School. (Please note that End of Term reports can be sent to Guardians at the request of parents).
- Be familiar with the School's rules, regulations and policies and to support Forres Sandle Manor's aims and values.
- Ensure that legal documents such as visas and registration documents are kept up-to-date and renewed/updated when necessary.

Educational guardians should be English-speaking and able to provide a point of contact for the school at all times. Where a child's parents are not English-speaking, the educational guardian should be able to act as an intermediary between the School and the child's parents when communication is necessary.

Educational Guardians: Possible additional duties

Forres Sandle Manor School requires that parents carry out a range of duties. Some of these may be formally delegated to an educational guardian in a guardianship agreement. Parental duties which may be undertaken by a guardian in loco parentis, when parents are unable to discharge these duties themselves, include:

- being the first point of contact for the School when discussing general, pastoral or academic matters associated with the pupil;
- being the first point of contact for the School in an emergency or a crisis affecting the pupil;
- organising flights and travel home for the pupil, at the end of term, at half-terms, sleep-out weekends and in the event of an emergency;
- organising visa applications and renewals for the pupil;
- attending Parents' Meetings at Forres Sandle Manor, where the pupil's progress is discussed;
- authorising weekend leave for the pupil during term-time;
- authorising expenditure involving extra charges to the pupil's account (e.g. school shop purchases, cash advances).

Responsibility for each one of these matters must be agreed between the parents and the appointed guardian in advance of the child beginning as a pupil at Forres Sandle Manor School.

Such specific parental responsibilities which are delegated to the educational guardian must be recorded on the Guardianship Agreement provided by the Admissions Office and the Guardianship Agreement must be returned to the Admissions Office prior to the beginning of the child's education at the School.

Appointed educational guardians may also be delegated the responsibility to act in place of parents when a parent cannot be contacted on a matter where there is no specified delegated responsibility. The wishes of parents in this respect must be recorded on the Guardianship Agreement provided by the Admissions Office and the Guardianship Agreement must be returned to the Admissions Office prior to the beginning of the child's education at the School.
Appointed educational guardians may also be given access to a pupil's school reports. The wishes of parents in this respect must be recorded on the Guardianship Agreement provided by the Admissions Office and the Guardianship Agreement must be returned to the Admissions Office prior to the beginning of the child's education at the School.

Professional Educational Guardians

Professional guardianship agencies can be retained by parents to provide the services of an educational guardian for a pupil.
Professional guardianship arrangements must only be arranged with reputable agencies which are members AEGIS (Association for the Education and Guardianship of International pupils) or a BSA Certified Guardian scheme member. The School is not able to recommend specific agencies but can provide parents with contact information for AEGIS.
Guardianship agencies or BSA Certified Guardian scheme members who offer a range of services including host families to look after a pupil during sleep-out weekends and/or half-term breaks. These host families may not necessarily be the actual educational guardian of the pupil.
Under English Law, professional educational guardians and host families are involved in "Regulated Activity" (Safeguarding and Vulnerable Groups Act 2006). All adults directly involved in the overnight accommodation of a child must be checked by the Disclosure and Barring Service (DBS) before they can be employed to provide unsupervised care to children in the UK. It is an offence in the UK to employ in "Regulated Activity" someone who is barred from working with children.
The professional guardianship agency is responsible for ensuring all statutory checks on adults directly involved in the care of the child are completed and are current, prior to the pupil taking up their place at Forres Sandle Manor (or beginning their first period of accommodation with a host family). Parents should seek explicit confirmation from the agency that what is required has been fully completed.
Parents should also seek confirmation that the accommodation offered to children by host families are of a sufficient standard. There are specific requirements which must be met by professional agencies and parents should seek explicit confirmation that there is full compliance with the published standards.
The School does not accept any liability for any failures of a guardianship agency in the discharge of their duties in relation to a pupil during their time at Forres Sandle Manor.

Non-Professional Educational Guardians

Parents entering into non-professional guardianship arrangements with friends or family members resident in the UK are earnestly advised to satisfy themselves that the appointed guardian is a fit person to have unsupervised care of children and young people. If the guardian is not a close family friend or relative well-known to the parents, it is most strongly recommended that parents interview the guardian prior to their appointment and take up

references to ensure their good character and competence. The duties of an educational guardian are such that parents should, in particular, consider the maturity and availability of the person to be appointed. This should be commensurate with what would normally be offered by a responsible parent resident in the UK. In the School's view, young adults under the age of 25 do not possess the maturity necessary to undertake guardianship responsibilities.

Parents making independent arrangements should also satisfy themselves that the accommodation provided for their child by the selected guardian is suitable, provides appropriate levels of security and privacy, and allows opportunities for comfortable relaxation away from school and the possibility of some academic study. It is strongly recommended that parents visit the accommodation to be used by the pupil before finalising the appointment of non-professional educational guardians. In the School's view, individuals living in lodgings or cramped single room accommodation cannot provide the facilities necessary to discharge the responsibilities of an educational guardian.

Under English Law, anyone accommodating a child under sixteen for more than 28 consecutive days becomes de jure a private foster parent and subject to local authority scrutiny. It is a criminal offence for anyone accommodating a child in such circumstances to fail to notify their local authority about their activity. It is thus essential that parents making independent arrangements ensure that they do not leave their child in the care of their educational guardian for more than four complete weeks at any one time.

The School does not accept any liability for any failures of an appointed educational guardian in the discharge of their duties in relation to a pupil during their time at Forres Sandle Manor or for any failures of the appointed guardian in respect of the Law.

Visiting Forres Sandle Manor

Educational guardians are welcome, indeed encouraged, to visit the School to support a pupil in matches, plays, concerts et al and to contact the boarding team to discuss the pupil's academic and social progress. The School's Safeguarding Policy sets out the conditions on which parents and educational guardians can visit a School boarding house.

This material and other key information can be viewed on the schools website.

Important

If at any time, the nominated Guardian is unable to meet the School's requirements; Forres Sandle Manor will require the parents to appoint either an AEGIS accredited Guardianship Organisation (Association for the Education and Guardianship of International pupils) or a BSA Certified Guardian scheme member to make adequate guardianship arrangements for the pupil.

If at any time, the School considers the guardianship arrangements to be unsatisfactory, then the School reserves the right to exclude the pupil until appropriate arrangements can be made.

A change of Guardian must be communicated to the School promptly by parents. This must be made in writing, providing all necessary details in order to facilitate continuous care.

The wishes of parents in this respect must be recorded on the Guardianship Agreement provided by the Admissions Office and the Guardianship Agreement must be returned to the Admissions Office.