GUARDIANSHIP POLICY

APPLICABILITY: All Admissions and Boarding Staff

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REGULATORY REQUIREMENTS: Immigration Rules Appendix Child Student; UKVI Student Sponsor Guidance (Sponsorship Duties); ISS Part 3: 7, 8, 14; Part 6: 32; National Minimum Standards for Boarding Schools, Standards 22 and 23; Keeping Children Safe in Education 2026; Children Act 1989 and the Children (Private Arrangements for Fostering) Regulations 2005.

1. **Purpose of the Policy**
   This policy outlines the guardianship responsibilities for international pupils attending Tettenhall College. Under the Immigration Rules, a Child Student must have appropriate care and living arrangements and, where applicable, appropriate guardianship arrangements for their safety while in the UK. As a condition of admission and boarding, the College requires international pupils whose parents or legal guardians live outside the UK to have an approved UK-based educational guardian or other approved UK care arrangement. This is a College requirement and should not be understood as a statement that every international pupil is legally required to have an educational guardian. An educational guardian acts as the pupil's UK emergency contact and provides care and accommodation within the written authority delegated by the parents; the appointment does not transfer parental responsibility. The policy supports immigration compliance and promotes the safety, welfare and academic success of international pupils.

2. **Scope**
   This policy applies to international pupils under the age of 18 whose parents or legal guardians live outside the UK, including pupils sponsored on the Child Student route and pupils subject to other immigration control (SUIC), where the College requires a UK guardianship or care arrangement. Immigration-specific provisions apply only to pupils to whom the relevant Immigration Rules and sponsor duties apply.

3. **Definitions**
   - Educational Guardian / Nominated Guardian: A UK-based adult appointed by the pupil's parents or legal guardian, a guardianship organisation or, exceptionally, the College. For Child Student purposes, a nominated guardian is aged 18 or over, cares for the child for less than 28 continuous days and/or

acts as the child's UK emergency contact and must be a British citizen or settled in the UK. The College applies the higher suitability standard in section 4 below.
- UKVI: The UK Visas and Immigration division of the Home Office, regulating all visa-related matters.
- SUIC: Pupils who are Subject to other Immigration Control, including Pre/Settled Status holders, Dependents, and BNO Visa holders.
- Safeguarding: The responsibility of ensuring the safety, wellbeing, and protection of pupils from harm or neglect.
- Settled in the UK: Having settled status for immigration purposes, including indefinite leave to remain or another status recognised as settled under the Immigration Rules.
- Close Relative: A grandparent, brother, sister, step-parent, uncle or aunt aged 18 or over. A close-relative arrangement is distinct from a nominated-guardian or private-fostering arrangement.
- Private Fostering: An arrangement in which a child under 16, or a disabled child under 18, is cared for and accommodated for 28 continuous days or more by someone who is not their parent, a person with parental responsibility or a close relative. Such arrangements must be notified to the relevant local authority.

4. College and UKVI Requirements for Guardianship

As a College requirement, every international pupil whose parents or legal guardians live outside the UK must have an approved educational guardian or other approved UK care arrangement. For a pupil sponsored on the Child Student route, the arrangement must also be one of the permitted living arrangements under Appendix Child Student. The College's educational guardian criteria are:
- Aged 25 years or older and not in full-time education. This is a College suitability standard; the Immigration Rules define a nominated guardian as aged 18 or over.
- Resides in the UK and is a British citizen or settled in the UK within the meaning of the Immigration Rules.
- The guardian and any adult regularly living with them must satisfy the criminality and safeguarding requirements of Appendix Child Student. All relevant convictions, cautions, out-of-court disposals and safeguarding concerns must be declared. The College may refuse or require a change to an arrangement where criminality, safeguarding or welfare information gives rise to concern.

- Resides within a two-and-a-half-hour drive of the school, but ideally within one-hour
- Provides the safeguarding declarations, identity evidence and criminal-record information reasonably required by the College. Where the College appoints or arranges the guardian or host placement, the same safer-recruitment principles as for staff will apply; for school-arranged lodgings, enhanced DBS checks with children's barred-list information will be obtained for household members aged 16 or over where required by the National Minimum Standards.
- Provides safe and suitable accommodation at a private residential address. It must not be a hotel, youth hostel, university student accommodation or an unsuitable house-share, and must provide appropriate supervision and privacy.
- Provides the pupil with a suitable private bedroom, appropriate meals contributing to a balanced and healthy lifestyle, washing facilities, access to communication and the internet, and a safe means of travel.
- Is available for visits from an appropriate member of Tettenhall College staff
- Speaks, reads, and writes to a sufficient level in order to communicate with the school
- Communicates effectively with the College and supports the student's welfare
- Is willing and able to act in an emergency and attend key school events if needed
- Provides a signed Guardianship Agreement and, where required for a Child Student application or change of care arrangement, a letter of undertaking. The documents must include the guardian's identity, address and contact details; the address where the pupil will stay; the relationship with the parents; confirmation that the guardian accepts the care arrangement; details of other people supported by the guardian and adults regularly living at the address; and the guardian's signature and date. Supporting evidence will include official photographic ID, proof of address, evidence of British citizenship or settled status and safeguarding/DBS evidence required by the College.
- Is not a member of staff of Tettenhall College. The College also requires educational guardians to be independent of its governing body.

5. Responsibilities of the Parents

Parents are responsible for:

- Selecting a suitable guardian and ensuring they understand their role

- Submitting the guardian's full contact details, address, immigration status and all documents required by the College and, where applicable, UKVI.
- Keeping the guardian's information, household details and emergency contact arrangements up to date.
- Providing written parental consent for the pupil's visa application, travel, reception, care and living arrangements, and providing new consent and a new letter of undertaking before any material change takes effect.
- Providing the College with complete travel information, including arrival and departure details, the person collecting the pupil and the address at which the pupil will stay before reaching or after leaving the College.
- Informing the College immediately if an arrangement may amount to private fostering and cooperating with all required notifications to the relevant local authority.
- Ensuring that the guardian or guardianship organisation can provide an approved placement at short notice in an emergency, including illness, suspension or unexpected closure. Any emergency placement must be notified to the College immediately and the required written undertaking must be supplied as soon as practicable.

6. Responsibilities of the Guardian

The guardian agrees to:

- Act in the best interest of the pupil and support their emotional wellbeing
- Be available in emergencies, including medical or disciplinary incidents
- Provide accommodation during school closures, exeats, and holidays
- Support visa compliance and ensure school attendance
- Make and confirm safe travel arrangements, identify the adult collecting or accompanying the pupil and provide the College with the pupil's destination address and emergency contact details.
- Communicate with the College on pupil welfare and academic matters
- Ensure the pupil understands UK laws and expectations
- Guardianship organisations must ensure that every nominated guardian they use has a current enhanced DBS check and that host-family residences have been visited and assessed. They must provide the College with accurate details of the actual host family and address before each placement, not only the name of a central agency contact.
- Notify the College immediately of any change of address, host family, household membership, availability, criminal-record information or safeguarding circumstance that may affect suitability.

- Ensure that a nominated-guardian placement does not continue for 28 continuous days or more where this would create a private-fostering arrangement without the required local-authority notification and any confirmation or permission required for the arrangement.
- Act only within the written authority delegated by the parents. Decisions that require parental responsibility remain with the parent or legal guardian, except where urgent action is lawfully required to protect the pupil.

7. Responsibilities of the School

Tettenhall College commits to:

- Monitoring the welfare and progress of international students
- Providing regular updates to parents on student development
- Keeping detailed and current records of guardian and host-family identity, contact details, addresses, guardianship agreements, parental consent, letters of undertaking, safeguarding checks, approval decisions and reviews.
- For sponsored Child Students with a nominated guardian, making reasonable endeavours to record arrival and departure details, the person collecting the pupil and the address where the pupil will stay if not proceeding directly to the College.
- Maintaining sufficient oversight of each sponsored Child Student's living arrangements and obtaining new parental consent and a new letter of undertaking before a change to the core arrangement, except that documents for a genuine emergency placement may be completed as soon as practicable afterwards.
- Notifying the relevant local authority as soon as the College becomes aware of a private-fostering arrangement and retaining a record of the notification.
- Notifying UKVI through the Sponsorship Management System within 10 working days where the College believes a sponsored Child Student is living in an arrangement that is not permitted, together with the steps taken to correct it.
- Collaborating with parents, guardians and host families to manage safe transitions at the beginning and end of terms, half terms, exeats, holidays and emergency placements, and to address welfare needs.
- Training staff on safeguarding practices and maintaining a safe environment

8. Safeguarding Protocols

In line with our safeguarding policy, the following standards apply:

- As a College requirement, guardianship organisations must hold current AEGIS accreditation. A private guardian must provide the safeguarding and DBS evidence required by the College. Where a guardian or lodging is

appointed or arranged by the College, the full safer-recruitment and host-family requirements in the National Minimum Standards will apply.
- Emergency contact numbers must be available at all times
- The College will monitor whether each guardianship arrangement promotes the pupil's welfare, physical wellbeing and emotional wellbeing. Parent-arranged arrangements will be reviewed at least annually and whenever circumstances change. Any accommodation arranged by or on behalf of the College will be checked and monitored in accordance with the National Minimum Standards, including termly monitoring where applicable.
- The pupil will be given clear information about how to contact the College, the DSL and emergency services while staying with a guardian or host family. The College may speak with the pupil separately about the placement and record and act on any concerns.
- Staff will undergo regular safeguarding training
- Any concern about a guardian, host family, accommodation, household member or travel arrangement must be referred immediately to the DSL, recorded appropriately and, where necessary, referred to children's social care, the police, UKVI or another relevant agency.

9. **Guardian Selection and Approval Process (Guardianship Agencies)**
   Parents are responsible for selecting and contracting with the guardianship organisation. The College may provide details of AEGIS-accredited organisations, but any list or suggestion is not an endorsement and the College does not become responsible for the appointment. Written information must make clear whether the arrangement is made by the parents or by the College. An agency may nominate a central contact, but the College must receive the actual host family's identity, address, contact and safeguarding information before the pupil is placed.

The Guardianship Agency approval steps include:

1. The parents complete their section of the Guardianship Agreement and sign to confirm understanding of this policy

2. The school forwards the agreement to the selected guardian agency for their confirmation and signature

3. The guardian returns the signed form to Tettenhall College

4. The organisation provides evidence of current AEGIS accreditation, confirms that each guardian used has a current enhanced DBS check and supplies the required letter of undertaking and actual placement details.

5. The school reviews and, once approved, will notify the parents and guardian in writing

6. Any proposed change of guardian, host family, address or core care arrangement must be reported to the College before the change takes effect. Updated parental consent, placement details and a new letter of undertaking must be provided where required.

10. Guardian Selection and Approval Process (Private Guardian)

Approval steps include:

1. Parents complete their section of the Guardianship Agreement and sign to confirm understanding of this policy
2. The school forwards the form to the nominated guardian for their confirmation and signature
3. The guardian returns the signed form to Tettenhall College and provides the following evidence:
- Photo ID (passport or driving license)
- Proof of address (dated within 3 months)
- Evidence that the guardian is a British citizen or settled in the UK, such as a passport, eVisa/share-code evidence or another acceptable immigration document.
- Details of every adult regularly living at the address and the safeguarding declarations and DBS evidence required by the College. Where the College appoints or arranges the placement, enhanced DBS checks with children's barred-list information will be required for relevant household members aged 16 or over in accordance with the National Minimum Standards.
4. The guardian meets the College online or in person for identity verification, a suitability interview and a review of the proposed accommodation, emergency availability and travel arrangements.
5. The school reviews and, once approved, will notify the parents and guardian in writing
6. Any proposed change of guardian, household, address or care arrangement must be reported to the College before it takes effect, with updated parental consent and a new letter of undertaking where required.

The College will verify the documents supplied and record its suitability decision. Approval by the College does not transfer parental responsibility or make the College a party to a parent-arranged guardianship contract.

11. Actions in Response to Student Not Having an Accepted Educational Guardian

If a pupil does not have an accepted guardian or permitted care arrangement, the College will require the parents or their guardianship organisation to arrange an approved emergency placement immediately or to arrange the pupil's safe return home at their expense. The College will not appoint an emergency guardian unless it expressly accepts responsibility for the arrangement and has completed all applicable safer-recruitment, accommodation and monitoring checks under the National Minimum Standards. Where the College is open and appropriately staffed, it may permit the pupil to remain in boarding temporarily while a safe plan is agreed. For a sponsored Child Student, the College will make any required UKVI report if the living arrangement is not permitted.

12. Review of Guardianship Arrangements

Guardianship arrangements will be reviewed at least annually, before any new host placement and whenever the pupil's welfare needs, visa status, boarding pattern, guardian, host family, household, address, emergency contact details or travel arrangements change. Reviews will consider the pupil's own views and any safeguarding or welfare information.

13. Compliance with UKVI and Local Laws

Tettenhall College will comply with the current Immigration Rules and Student Sponsor Guidance and will cooperate with UKVI, local authorities, the police and safeguarding partners as required. The College will retain parental consent, letters of undertaking, care-arrangement and travel records for sponsored Child Students in accordance with its sponsor duties. Where a CAS is required, the College will not assign it until it is satisfied that the pupil has an appropriate permitted care and living arrangement and the required evidence is in place.

14. Policy Review and Updates

This policy is reviewed every year, or earlier if there are changes to safeguarding or immigration legislation. All changes will be communicated to stakeholders.

This policy should be read alongside Keeping Children Safe in Education 2026, the Tettenhall College Safeguarding Policy, the Immigration Rules Appendix Child Student, UKVI Student Sponsor Guidance (Sponsorship Duties), the National Minimum Standards for Boarding Schools and statutory guidance on private fostering.