Aysgarth School

Educational Guardian Policy

Reviewed: April 2026
To be reviewed: April 2027
Responsible Member of Staff: Jonathon Anderson

Introduction

Parents of students at Aysgarth (the School) who are resident outside the UK must appoint an Educational Guardian for their child in the UK. This is the case for all students, irrelevant of age. Nb. The School may request to appoint an Educational Guardian for parents based in the UK in appropriate circumstances. The School believes effective educational guardianship to be essential to a successful boarding experience and places the highest priority on ensuring that boarders of all ages have access to the support they need to thrive. This policy provides information on educational guardianship and also includes the educational guardianship form, which all parents who reside overseas, and their appointed Educational Guardians, are expected to complete.

1. Aims, Scope and application

The aims of this policy are to:

- explain the School's requirements and expectations relating to educational guardianship;
- explain the limits of the School's involvement in appointing educational guardians or arranging educational guardianship or homestay placements;
- demonstrate the School's commitment to the safety and welfare of its students;
- set out the steps taken by the School to ensure that each educational guardianship arrangement promotes the welfare, physical wellbeing and emotional wellbeing of the student;
- ensure the School complies with its legal obligations as an independent school and Child Student Sponsor under UKVI regulations.

This policy applies to Aysgarth School.

2. Definitions

The following definitions apply:

Head: References to the Head means the Headmaster of Aysgarth.

Educational Guardian: An individual or company appointed by parents to take temporary responsibility for the care of their child while they live away from home to undertake study. An educational guardian is expected to exercise delegated parental responsibility by acting as a responsible and caring parent would, providing day-to-day advice and assistance as required. It is typical for parents to authorise educational guardians to make certain decisions regarding the student on their behalf, for example, regarding emergency medical or dental treatment. Educational Guardians are distinct from Legal Guardians, who are appointed by the court to care for a child because, for example, the parent has died.

Parental Responsibility: Section 3(1) of the Children Act 1989 defines Parental Responsibility as all the rights, duties, powers, responsibilities and authority that a parent has in relation to the child. The delegation of

Parental Responsibility (PR) to a party that does not hold PR is provided for by s.3(5) of the Children Act 1989, which enables them to do what is reasonable in the circumstances for the child's welfare. What is reasonable will depend on the urgency of the situation and whether it is practicable to consult a person with PR.

Homestay: An arrangement made by an educational guardian to provide accommodation, meals and care for a student. In some cases, the educational guardian will accommodate the student. In others, the educational guardian will arrange a suitable, vetted homestay for the student.

Private fostering: An arrangement which arises when a student stays with someone who is not a close relative (i.e. brother, sister, aunt, uncle, grandparent or step-parent) for a continuous period of 28 days or more whilst they are enrolled at the School.

Sponsored student: The UK operates a student visa sponsorship system. Child Student visas are issued to students under the age of 18 who will be studying at independent schools in the UK. An independent school must register with the Home Office as a Child Student sponsor to enable it to sponsor Child Student visa applications of international students to whom it has offered places. A Sponsored student is a student for whom the School is sponsoring their Child Student visa application.

Nominated Guardian: A Nominated Guardian is an Educational Guardian as defined above who is appointed as Educational Guardian for students sponsored by the School under the student visa sponsorship system. For the purposes of this document, an Educational Guardian is the same as a Nominated Guardian.

3. Who must appoint an Educational Guardian?

It is a condition of enrolment at the School that the parents of a student, if resident outside the United Kingdom, must take responsibility for appointing an Educational Guardian for their child and ensuring a suitable Educational Guardian remains in place throughout the student's time at the School in accordance with the criteria as set out within this policy.

4. Why must an Educational Guardian be appointed?

It is necessary for independent schools to require that overseas parents appoint Educational Guardians for their child whilst they are at school in the UK. This is to ensure that there is somebody in the UK who can take responsibility for the student and provide them with care and support when they are not in the care of the School. The Educational Guardian should also be given legal authority to act on behalf of the parent in all respects.

The Educational Guardian's responsibilities usually include caring for the

student as would a responsible and caring parent by, for example, being in regular contact with the student and providing advice and support as necessary. The Educational Guardian will need to care for the student and take responsibility for the student if they are unwell, suspended or otherwise released from School. Responsibilities also include being authorised to make certain decisions concerning the student on the parents' behalf, for example decisions regarding emergency medical and dental treatment and matters of a disciplinary nature.

Students are not permitted to remain in residence at School during school holidays, as published in the School Calendar, when there is no provision for appropriate supervision during school holidays. Therefore, the Educational Guardian is expected to arrange accommodation for the student in accordance with the criteria outlined in Section 7 and is responsible for the student whilst they are journeying to and from School.

5. Who can be an Educational Guardian and how are they appointed?

The School does not arrange the appointment of an Educational Guardian. The responsibility for choosing an appropriate Educational Guardian in accordance with the criteria outlined below rests solely with the parents and must be arranged before the student joins the school. The parents are responsible in each case for satisfying themselves as to the suitability of an Educational Guardian.

The School reserves the right to review and, if necessary, reject educational guardianship and/or homestay arrangements made by parents if they are deemed to be unsuitable. Any concerns about an educational guardianship arrangement will be acted on immediately and referred to any relevant agencies.

For current students and students joining the School who are either Sponsored students or require a guardian for another reason e.g. overseas parents - the Educational Guardian appointed must be:

- Either: accredited by the Association for the Education and Guardianship of International Students (AEGIS) or certified by the Boarding Schools' Association (BSA).

AEGIS is the authoritative association for inspecting and accrediting guardianship agencies in the UK. AEGIS can be contacted via their website: www.aegisuk.net

The BSA champions boarding and promotes boarding excellence. The BSA is the largest association of boarding schools in the world and represents more than 600 independent and state boarding schools, over 500 of which are based in the UK.

The list of BSA Certified Guardians can be found on the below link:

BSA Certified Guardian Scheme | Boarding School Training | The Boarding Schools' Association

It is expected that the large majority of parents will appoint an Educational Guardian via this approach.

- Or: a family member who must satisfy the following criteria:

(i) is independent (i.e. not connected to the School)
(ii) is not employed by the School
(iii) is a close family relative over the age of 25 (brother, sister, aunt, uncle, grandparent or step-parent), resident in the UK

(iv) speaks and writes English fluently
(v) lives within a three-hour travel of the School
(vi) is available during term-time, including weekends
(vii) is not a current university student
(viii) is able to provide suitable accommodation, including a separate bedroom, for the student
(ix) be financially able to support/feed the student as required during holiday periods or periods of absence from School
(x) will engage with the School regarding travel and accommodation
arrangements for the start and end of the School terms, and where there is any temporary absence from school
(xi) will take an active interest in the student's welfare, physical wellbeing, emotional wellbeing and progress at the School.

It is expected that only a small minority of parents will appoint an Educational Guardian via this approach. Please note that these requirements (excluding the family connection) will also apply to Educational Guardians appointed via either AEGIS or BSA.

In exceptional circumstances, and only with the consent of the Head, a close family friend may be appointed as a guardian. The requirements outlined above for a family member (excluding the family connection) will also apply to a close family friend appointed as Educational Guardian. Such requests, which must explain the need for such an appointment, should be made in writing to the Admissions Department at Aysgarth, by sending an email to admissions@aysgarthschool.co.uk

Where a non-accredited family member or close family friend is appointed, the School must conduct strict background checks to satisfy UKVI safeguarding requirements. The School will obtain a copy of the guardian's passport, confirm they are 25 years or older, verify their visa has 'no time limit', check their distance from the school, and record the names, nationalities, and passports of all household members over the age of 10, alongside a declaration regarding criminal records.

For sponsored students joining the School from September 2026 and for

current students who submit a CAS application after 14 April 2026, the Educational Guardian must be accredited by the Association for the Education and Guardianship of International Students (AEGIS) or certified by the Boarding Schools' Association (BSA).

A member of staff of the School cannot take on the role of Educational Guardian for any student at the School, even if they satisfy the above criteria.

The purpose behind these criteria for appointing an Educational Guardian is to safeguard and protect the needs of each child.

In an emergency situation, a member of school staff may be temporarily appointed as an Educational Guardian where the arrangement has been adequately risk-assessed and agreed by the Designated Safeguarding Lead and Head. Amended arrangements for a student should be implemented as soon as possible, and any staff appointment should be for no longer than necessary.

6. Accommodation

The School is not able to arrange accommodation for any students (away from school). Guardianship agencies typically arrange accommodation as well as acting as an Educational Guardian for their students. Guardianship agencies will usually arrange accommodation for their students through host families, although sometimes other accommodation options will be used. Host families will then be responsible for providing the day-to-day care of the student, including accommodation and meals. If the guardianship agency arranges accommodation for the student, the agency will undertake necessary checks regarding the quality and safety of the accommodation, including the necessary recruitment (DBS) checks and UKVI checks (if required) as well as ensuring that the arrangements promote the welfare, physical wellbeing and emotional wellbeing of the child or young person. The Guardianship agency will also provide any required documentation to the School, including, for those students sponsored under the student visa sponsorship system, the relevant letter of undertaking. If parents have chosen to appoint a family member or (with the consent of the Head) a close family friend as Educational Guardian for their child, that family member or close family friend will be responsible for providing the day-to-day care of the student, including accommodation and meals.

No student at the School is permitted to live independently. Parents may not arrange for the student to stay in unsupervised accommodation (for example, in a hotel, hostel, B&B or rental) as this is not considered suitable, irrespective of the student's age.

7. Travel Disruptions

In the event of a cancelled flight or other travel disruption, the Educational Guardian is responsible for providing emergency accommodation and care for the student, and must immediately notify the Head of Boarding of the situation and new travel arrangements.

8. Duties to all boarders

As an independent boarding school, the School is subject to the National Minimum Standards for Boarding (NMSB). As a result the School:

- will ensure any concerns regarding an educational guardianship arrangement are acted upon immediately in accordance with the School's Safeguarding and Child Protection policy
- will keep the following documents:
  - A clarification of responsibilities of the Educational Guardian
  - Agreements with any Educational Guardian, including letters of undertaking under the student visa sponsorship system.
- reserves the right to:
  - Conduct interviews with Educational Guardians in person or remotely
  - Require confirmation of arrangements, including transport, 'exeat weekends' and half terms
  - Seek feedback from students regarding their experience of staying with their Educational Guardian and /or home stay provider.
- is required by statutory guidance Keeping Children Safe In Education (KCSIE) to notify the Local Authority of a private fostering arrangement involving a student.

9. Sponsorship Duties

As a Child Student visa sponsor, the School is required to ensure that there are suitable 'care arrangements' in place for the students that it sponsors, which encompass travel, reception when they arrive in the UK and living arrangements while in the UK.

The School will not assign a Confirmation of Acceptance of Studies (CAS) until it is satisfied with the Educational Guardianship arrangements, including:

- compliance with the requirements set out in this policy
- confirmation that the Educational Guardian meets all current UKVI requirements.
- completion and vetting of the Educational Guardianship Form/Letter of Undertaking by the School.

The School reserves the right to request sight of written evidence to ensure it can meet its responsibilities as a sponsor and to provide assurance that the student's application for a visa will not be refused, prior to the assignment of a CAS.

10. Educational Guardianship Agreement

Parents who reside outside of the UK are expected to complete an Educational Guardianship Nomination form (CLICK HERE), which provides the School with full details of the Educational Guardian and the responsibilities which the parents have delegated to them.

Parents must inform the School of the name and contact details of any

appointed Educational Guardian and must also inform the School immediately if there are any changes to any details relating to the Educational Guardian.

11. Lodgings and Monitoring

The School does not organise lodgings for students away from school.

Should lodgings be required in the future, the School would consider this, having regard to National Minimum Standards for Boarding (NMSB) 2022 – Standard 23.

12. Private fostering

Private fostering is when a child or young person under 16 years of age goes to live with someone for 28 days or more by private arrangement with someone who is not a:

- Parent
- Close relative (brother, sister, aunt, uncle, grandparent or step parent) Legal Guardian or a person with legal parental responsibility

Parents must inform, and receive in advance, all necessary approvals from the local authority of the borough in which the intended private foster carer resides.

In these circumstances, the School also has a legal duty to refer to the local authority. Therefore, parents must inform the School in advance of the commencement of a private foster care arrangement. If anyone in the school becomes aware a pupil goes to live with live with someone for 28 days or more that is not a parent, close relative or legal guardian the Designated Safeguarding Lead (DSL) will be informed and will follow their legal duty to refer to the local authority.

If a non-UK student whose visa is sponsored by the School will be cared for in a private foster care setting, the School must give the local authority in whose area the student will live the following details, as soon as it becomes aware that the student has arrived in the UK or, if the private care arrangement begins when the student is already here, as soon as the school becomes aware of the change:

(a) the name of the foster carer; and
(b) the address where the foster carer and the student will live.

13. Policy Owner

Headmaster, Head of Boarding and Admissions Department

14. Related Legislation, Policies and Guidance

Children Act 1989;

The Education (Independent School Standards) Regulations 2014;

Boarding Schools: National Minimum Standards (NMSB) 2022;

Education and Skills Act 2008;

Safeguarding Vulnerable Groups Act 2006;

Children (Private Arrangements for Fostering) Regulations 2005;

The Child Student visa immigration system, including the

Immigration Rules; Keeping children safe in education

(KCSIE) (DfE, September 2025);

and Student sponsor guidance: Document 2: Sponsorship duties

(Home Office, June 2025).

15. Further Information

Please contact the Admissions Department
admissions@aysgarthschool.co.uk