
Educational Guardianship Guide for Schools



AEGIS

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Introduction

Educational Guardianship of International Students

Schools and Guardians Working Together

International students are an increasingly important cohort for most modern British boarding schools, and caring for them has become progressively more complex with the development of government safeguarding legislation and the recent COVID-19 pandemic. The challenging conditions of the last few years have highlighted the need to ensure that reliable support is in place for these children in a wide variety of situations both inside and outside of the school gates. The revised National Minimum Standards for Boarding Schools (2022) reflect this, by giving schools direct responsibility for ensuring 'that the guardianship arrangement is promoting the welfare, physical wellbeing, and emotional wellbeing of the boarder', whether or not the school has had a hand in appointing the guardian¹. AEGIS has been working closely with member schools, helping them to meet these new requirements, and we would encourage you to engage with our support.

Educational guardians/guardianship organisations provide a range of services to international students which includes homestay accommodation during exeat weekends and holidays. Less frequently, they will organise accommodation when a student is ill and needs to stay somewhere away from school premises. They may also organise airport transfers, attend parents' evenings and provide emergency support via a 24/7 emergency contact number. An educational guardian should support students both practically and emotionally.

Educational guardianship involves a complex relationship of responsibilities between parents, schools, and guardians, and it is vital that school staff understand how these responsibilities operate, and that there is effective communication between parties. Working more closely with guardianship organisations can help schools to improve their support systems for international students. AEGIS-accredited guardianship companies have to meet a wide range of rigorous standards in order to achieve and maintain accreditation, and they bring a wealth of experience and expertise to the care they provide. With effective communication in place, schools and AEGIS guardians can work together to provide the best possible care of these students, and ensure that all safeguarding and statutory requirements are met. This document will set out the key areas that schools need to consider in refining their guardianship systems for international students.

Please note that when we refer to 'guardians/guardianship organisations' in terms of international students, that they are 'educational' guardians/guardianship organisations, not 'legal' guardians. This is often confused and misquoted. An educational guardian is appointed by the parent(s), whereas a legal guardian is appointed by a court of law.

¹ <https://www.gov.uk/government/publications/boarding-schools-national-minimum-standards>
See Standard 22 – Educational Guardians.

Why Request an AEGIS-Accredited Guardianship Organisation?

Due Diligence and Accountability

Due Diligence

By requesting at the outset of the admissions process that parents and agents select an AEGIS-accredited guardianship organisation, schools can have peace of mind that a high level of due diligence has been done in all key areas of guardianship. Indeed, after the publication of the revised NMS in 2022, DfE confirmed that where an AEGIS-accredited guardian is in place, they consider the appropriate vetting and checks to have been done in meeting Standard 22.3².

Accountability

AEGIS accreditation also ensures that guardians are accountable; any breaches of [the AEGIS Quality Standards](#) can be reported to us, and if necessary, we can intervene and even suspend organisations that fall short. We would encourage you to read the AEGIS Quality Standards to become familiar with the wide range of requirements that need to be met and maintained by our members. AEGIS provides each accredited company with an in-depth inspection report, as well as a certificate with issue and expiry dates, and we would also recommend that schools ask guardianship organisations for their most recent report as a further indicator of their performance.

The Vital Role of AEGIS as Regulator of Educational Guardianship in the UK

AEGIS is the only independent body regulating the guardianship industry. Formally recognised by DfE for our vital role in the sector³, we offer the highest level of inspection and accreditation of guardianship organisations in the UK. AEGIS is a charity, established in 1994 in response to a deep concern at the lack of regulation in the educational guardianship industry, and the urgent need to safeguard international students. Incredibly, there is still no official regulation of the sector (aside from the rules governing Private Fostering), and AEGIS, with its rigorous inspection and accreditation system, fills this critical safeguarding gap. Engaging with AEGIS, our advice and our inspection process will be vital for schools in meeting the required standards in educational guardianship, as it will evidence to other inspectorates that the school is fulfilling their responsibilities to international students.

² NMS 2022, Standard 22.3 'Whether an educational guardian is appointed by the school or a parent/carer the school takes appropriate steps to ensure that the guardianship arrangement is promoting the welfare, physical wellbeing, and emotional wellbeing of the boarder'

³ NMS 2022, Appendix C: Further Information, Useful resources and external organisations

Reporting Issues and Working with Local Authorities

Standard 22.4⁴ of the revised NMS emphasises the importance of reporting any concerns about guardianship arrangements to the relevant authorities, and we have seen an increase in the number of referrals made by schools to LADOs recently. AEGIS has worked closely with Local Authorities over the years and we are often called upon to advise and help resolve issues concerning both AEGIS and non-accredited guardians. Please do get in touch with the AEGIS team if you would like to know more about this process, or if you would like advice on how to report a concern.

Bringing Schools and Guardians Together

Sitting independently between schools and guardians, AEGIS is ideally placed to facilitate communication and cooperation between parties. Our goal is to promote the welfare of international students and we achieve this by supporting all of those who look after them. As with our member school programme, our guardianship accreditation system means that members have the ongoing support of the AEGIS team - we are here as a positive force to help our members achieve and maintain best practice, and advise them wherever necessary.

The AEGIS Quality Standards

The AEGIS Quality Standards is an extensive document that covers all areas of practice in Educational Guardianship. It sets out in detail, the standards that AEGIS guardians need to meet in order to achieve and maintain accreditation, and forms the basis for the famously rigorous independent inspections our members undergo.

The AEGIS Quality Standards have been continually developed since our inception in 1994 and we update the document every year in line with statutory guidance and in consultation with our solicitors. This allows us to keep the AEGIS accreditation process relevant and helps us to provide the best possible support to both guardians and schools as they meet statutory requirements. In 2022 for example, following the publication of both KCSIE 2022 and the revised NMS, we added a new standard focusing on student wellbeing, to reflect the increased focus in both documents on this area.

Please follow the link below to access the AEGIS Quality Standards:

[View AEGIS Quality Standards](#)

⁴NMS 2022, Standard 22.4 'Any concerns about an educational guardianship arrangement should be acted upon immediately and referred to any relevant agencies.'

AEGIS Quality Standards: Examples

By working with AEGIS-accredited guardians, schools can rest assured that the key requirements of the National Minimum Standards for Boarding Schools are met when it comes to the care of international students, as well as many more crucial safeguarding aspects. For example:

Safer Recruitment – See Standard 2.8 of AEGIS Quality Standards

The guardianship organisation is required to have a safer recruitment policy and demonstrate that they have complied with safer recruitment guidance (as detailed in the most recent version of Keeping Children Safe in Education) when appointing new staff, volunteers, and homestays. All AEGIS accredited guardianship organisations are required to undergo Safer Recruitment training and follow Safer Recruitment processes. This includes DBS checks on all staff, volunteers, company owners, and all members of a host family aged 16 and over.

Safeguarding & Child Protection Training – See Standard 7 of AEGIS Quality Standards

The guardianship organisation is required to produce a suitable safeguarding & child protection policy which should relate to all relevant points contained in the latest version(s) of government guidance: Keeping Children Safe in Education and Working Together to Safeguard Children along with any other appropriate legislation.

The guardianship organisation must appoint a senior member of staff to act as the organisation's DSL. This individual must attend suitable training as approved or provided by the Local Safeguarding Partnership (LSP) – (formerly Local Safeguarding Children Board (LSCB)), AEGIS or the NSPCC.

It is the responsibility of the DSL to ensure that all members of staff, volunteers and homestays receive appropriate introduction to safeguarding training (previously referred to as level 1).

Ensuring the mental and physical wellbeing of students – See Standard 4.2 Student Wellbeing and Standard 4.3 Mental Health

AEGIS guardians keep in regular contact with their students, following up on host family stays and liaising with houseparents to ensure that students are happy whilst out of school. Any concerns are reported to schools and the LSP if necessary. The wellbeing and welfare of international students is at the heart of everything AEGIS does. These checks ensure that the highest standards of care, safety and

supervision in respect of the pastoral, social, cultural and educational welfare of international students are maintained by the guardianship organisation.

KCSIE Keeping Children Safe in Education – See AEGIS Code of Conduct in AEGIS Quality Standards

The AEGIS Quality Standards take into consideration the latest version of KCSIE. Our standards and requirements are updated annually after the latest version of KCSIE is released. AEGIS regularly updates guardianship members on changes.

Private Fostering – See Standard 9 of AEGIS Quality Standards

AEGIS accredited guardians are aware of private fostering requirements and AEGIS regularly reminds its guardianship organisation members of their obligations. Where a guardianship organisation has any students under the age of 16 (under 18, if the student has a disability) living with homestays who are not their parent or a close relative for 28 days or more, they must adhere to the regulations regarding private fostering in place within their local area as directed by their local authority. As part of the AEGIS inspection process, for example, the guardianship organisation is required to demonstrate how they liaise with the school and the homestay to ensure that where possible the local authority is notified of the proposal for a private fostering arrangement at least six weeks before the date on which the arrangement is to begin. Where the arrangement is to begin within six weeks, the local authority is to be informed immediately.

How do I know if an Educational Guardian is AEGIS-Accredited?

Use the Live Lists on the AEGIS Website

AEGIS-accredited guardians will normally display the AEGIS logo on their website, at www.aegisuk.net. Please note that there have been instances, though rare, where some unaccredited guardians or guardians who have not renewed inspection and accreditation, have nevertheless displayed the AEGIS logo. We therefore strongly suggest that the school asks that the company provides their last AEGIS inspection report, and we urge schools to check the lists of AEGIS accredited guardians available on our website.

The live lists of AEGIS-accredited guardians can be found on our website, at **Gold Standard Accredited Guardians** and **Preliminary Accredited Guardians**. Referring to the online lists in this way will ensure that your information is up-to-date. New organisations apply for AEGIS accreditation all the time, and as mentioned, we do occasionally suspend those that fall short of expectations, so the list is constantly evolving. Moreover, displaying your support for AEGIS on your school website and directing parents and agents to ours for the up-to-date lists of accredited organisations will help to demonstrate to inspectorates that you are doing your utmost to ensure the welfare of your international students. If further confirmation of accreditation is required, please feel free to contact the AEGIS office who can verify the status of any organisation.

What about Family and Friends?

Non-Accredited Guardians

There will always be situations where a non-accredited guardian is appropriate, and we appreciate that friends and family can often be the best choice for a student. However, schools must be mindful that Standard 22.3⁵ of the revised National Minimum Standards for Boarding Schools gives them responsibility for the quality and suitability of these guardianship arrangements, bringing the guidance more closely in line with existing visa sponsor responsibilities (see overleaf).

DfE have made it clear that the revised NMS are not meant to be prescriptive or constitute standardisation of provision. They are keen that schools should tailor their approach to the individual needs and ethos of their own setting. Schools must take responsibility for exercising their own judgement and deciding what 'appropriate steps' they need to implement to satisfy themselves that a guardianship arrangement is suitable.

In order to meet the requirements of Standard 22.3, and in line with KSCIE and the revised NMS as a whole, evidence and research tell us that schools are expected to focus primarily on student voice and wellbeing, and on the need to exercise professional curiosity on a case-by-case basis when assessing the suitability of non-accredited guardians. Fundamentally, in meeting Standard 22.3, schools need to be able to answer the question, *'how do you know that the guardianship arrangement is promoting the welfare, physical wellbeing and emotional wellbeing of the student?'*

Schools are responding to this in a number of ways, including:

- Implementing systems to conduct and record meaningful conversations with students that provide insight into their ongoing experience at their homestay, and how suitable the guardianship arrangements are. These should be carried out before, after and sometimes during stays (the two-week half term is a long time for a student to stay with a guardian, particularly for those who are new to the UK in the Autumn term).
- Conducting telephone interviews with prospective guardians (once they have been deemed to meet the requirements set out in a school's guardianship policy) and making judgements on their suitability, exercising professional curiosity.
- Ensuring that any initiatives such as the above are underpinned by a robust and comprehensive guardianship policy and agreement, setting out a school's expectations clearly to ensure that prospective guardians understand fully the demands of their role. Staff must also be able to provide sound reasoning behind each requirement. It is advisable that all parties should agree and sign a guardianship agreement acknowledging the key stipulations, ensuring that all

⁵ NMS 2022, Standard 22.3, 'Whether an educational guardian is appointed by the school or a parent/carer the school takes appropriate steps to ensure that the guardianship arrangement is promoting the welfare, physical wellbeing, and emotional wellbeing of the boarder.'

expectations have been read and understood. This will also be a useful reference should any issue arise with the guardianship arrangement in due course.

Please do get in touch with the AEGIS team if you would like to discuss the requirements of Standard 22 in detail. We would be happy to advise you.

Visa Sponsor Responsibilities

The increased responsibilities for schools for guardianship conferred in Standard 22.3 of the revised NMS brings the guidance more closely in line with existing UKVI visa sponsor responsibilities for boarding schools. Current Student Sponsor Guidance from the Home Office, which is available on the government website⁶, gives schools over-arching responsibility for the care of their students for the entirety of their stay in the UK as follows:

'Care Arrangements for Children

3.27 Sponsors who recruit a child under the age of 18 must ensure suitable care arrangements are in place for them in the UK. This must include arrangements for their:

- a. travel;*
- b. reception when they arrive in the UK; and*
- c. care while in the UK.'*

⁶ [Student Sponsor Guidance, Document 2: Sponsorship Duties, Home Office, Version 09/2021](#)

Guardianship Policies and Agreements

The School Guardianship Policy – What to Include

AEGIS-accredited guardianship organisations will provide high levels of support in all key areas of guardianship, regardless of the precise package opted for. However, this cannot be guaranteed of non-accredited companies, or indeed family and friends. It is therefore crucial to have a clear and detailed school guardianship policy in place, as it sets out the expectations that a school has of the educational guardians it will accept for its students. Schools can be clear in their policy that any guardianship arrangement must promote the welfare, physical and emotional wellbeing of the boarder, as per NMS 22. Having clear and specific guidelines in place will be invaluable in resolving difficult situations, and it can be used as a reference should guardians fall short of expectations. Our official guidelines for a school guardianship policy are available and regularly updated for members as a separate document.

There are various requirements that you might consider including in your policy to ensure that parents are choosing an appropriate educational guardian for their child, and one that will suit the way your school operates. Above all, a guardian should be responsive and easily contactable in order to support their student effectively. Setting clear requirements in a guardianship policy can be particularly important if the guardian is a family member or friend where the standards of accreditation cannot be relied upon. Requirements could include:

- Location – specifying that the guardian should be based within a reasonable radius of school, i.e. two hours
- 24-hour contact – the guardian should be contactable at any time of day or night
- Emergency response – the guardian should be able to respond immediately in case of an emergency
- Age – you might specify that the guardian should be over 25 years of age (schools should provide reasons for this, to avoid any suggestion of age-discrimination)
- Homestay – full details of the address and hosts with whom the student will stay should be provided
- Language – the guardian should have a level of English that will ensure effective understanding and communication

It is important that the relevant school staff are familiar with your guardianship policy, and that there is sound reasoning behind each requirement. For example, if you require guardians to live within a reasonable distance of school, have you identified what that maximum reasonable distance might be, given the emergency response that might be needed?

The Guardianship Agreement

It is good practice to have a guardianship agreement in place, either as an addendum to the guardianship policy or as a separate document. The main purpose of this document is to record and confirm the details of the interested parties; capturing signatures as a commitment to adhere to your policy.

Guardianship agreement documents vary in length and detail from school to school. However, we would advise that it could contain the following as a guide:

1. A paragraph summarising and emphasising the main stipulations of the school's guardianship policy, and stressing that all parties must complete and sign the agreement as an undertaking to adhere to the policy. You might include a requirement that the form needs to be completed, signed and returned before the student arrives in the UK, or you might even request that it be signed and completed before CAS is issued.
2. Full details of the student.
3. Full details of the guardian, including full contact details so that the guardian will be contactable at all times, 24 hours a day. Schools are encouraged to find out whether the proposed guardian is AEGIS-accredited, and what level of service package they are providing. Schools often ask the guardian to sign their section of the document to confirm their commitment to the role.
4. Finally, a declaration from the parent(s), signed and dated, agreeing to all terms in the guardianship policy and undertaking to update the school if any details relating to their child's guardianship change.

Further guidance on guardianship policies and agreements can be found in the AEGIS School Member Portal, and by consulting the AEGIS team.

Guardianship Organisations

Different Guardianship Organisation Models

The size and geographical range of guardianship organisations varies hugely. For example, there might be one sole educational guardian who acts as guardian to a small number of students in one particular area of the UK. The students might stay in the guardian's home during holidays, and/or the guardian might organise homestays where the children stay with another person or family. Equally, the organisation could be a larger company with a central head office overseeing operations, and local coordinators located across the country to manage specific geographical areas of the UK.

The named guardian on any paperwork would be the name of the guardianship organisation and the company's Director, with a day-to-day contact person provided, who might be the local coordinator. A guardianship organisation often has several people contributing to the fulfilment of guardianship duties, from office staff who might deal with logistics and administration, to local coordinators who visit students and attend parents' evenings. In any case, the guardianship organisation should make the appropriate lines of communication clear to a school at the outset of the arrangement, to ensure that all parties can work together to support the student as effectively as possible. AEGIS-accredited guardianship organisations are required to provide schools with a Statement of Service at the outset of the relationship, outlining the services they will provide and clarifying their lines of communication⁷.

Different Levels of Service

Whilst all AEGIS-accredited guardians provide the fundamental areas of student support such as organising appropriate accommodation during exeat, arranging transport and providing an emergency response, some companies offer a range of different levels of service, while others offer a flat rate. The reason for the different levels of services is that different markets and varying budgets require different levels of support, so guardians have responded to parents' needs. Parents can opt for the package that suits them, and this will affect the level of support provided to the student.

If you find that guardianship organisations appear to differ in the number of visits they make to their students, or their likelihood to attend parent/teacher meetings and other school events, this may relate to the option chosen by their parents. It is therefore useful to check the package that has been organised for students, so that you know what level of support to expect. The Statement of Service mentioned above will explain which specific services AEGIS-accredited guardians have been engaged to provide for students under their care.

⁷ AEGIS Quality Standards, 10.3

Examples of the different packages offered by guardianship companies are detailed below:

- Emergency cover only, which is only activated in an emergency. In this case, the service would not include parent/teacher evening consultations, for example.
- Fully comprehensive, which might include, for example, airport transfers, attendance at parent/teacher consultations, more frequent school visits, homestay accommodation during holidays, and accompaniment to school to settle in.

It is important to understand that guardianship organisations are individual entities and set their own fees and service packages. AEGIS does not get involved in the fees or services provided by guardians.

Homestays and Transport

Homestays

While some smaller guardianship organisations do host students themselves, most use 'homestays' to accommodate their students for exeat weekends, longer breaks and emergency stays away from school. These are individuals recruited, vetted, and then managed by the guardianship organisation, and it is important to note that the homestay is not acting as the educational guardian of the child; this responsibility rests with the guardianship organisation which has simply delegated the hosting function to the homestay. For this reason, all communication regarding the student's accommodation must be directed to the guardianship organisation rather than the homestay.

Homestays recruited by AEGIS-accredited guardianship organisations must pass a rigorous set of checks before they can be deemed suitable to host students. The recruitment process includes a visit to the home in question and a thorough inspection of all areas the property; a detailed interview covering all responsibilities of the role including potential safeguarding issues and determining the potential host's motivation and suitability for hosting, and it is reinforced by an enhanced DBS check for all individuals aged 16 and over who will come into contact with a visiting student. The guardianship organisation will communicate with the homestay regularly to assess their hosting skills, and periodic checks will be made to make sure that required standards are being maintained. Students themselves will also be asked for their feedback, so that the guardianship organisation can check that their experience has been positive and supportive. The primary host carer is also expected to undergo Basic Awareness Safeguarding Training

Transport

Guardianship organisations should be prepared to take responsibility for organising all transport for the student outside of school and during their time in the UK. AEGIS-accredited guardianship organisations work with trusted and fully-vetted taxi firms and drivers, and have robust systems in place to ensure that they are up to date with their students' plans – with the flexibility to change arrangements with little notice if necessary. The huge complexities involved in travel during the COVID-19 pandemic have made guardianship organisations more flexible and responsive than ever in this regard. AEGIS-accredited guardianship organisations are aware of schools' visa responsibilities, and will ensure that they provide up to date records of a student's plans, movements and locations when that student is not at school.

Some schools prefer to organise their own transport for students, and in this case, guardianship organisations will liaise with the school transport contact to ensure that the logistics go smoothly, and provide support wherever necessary.

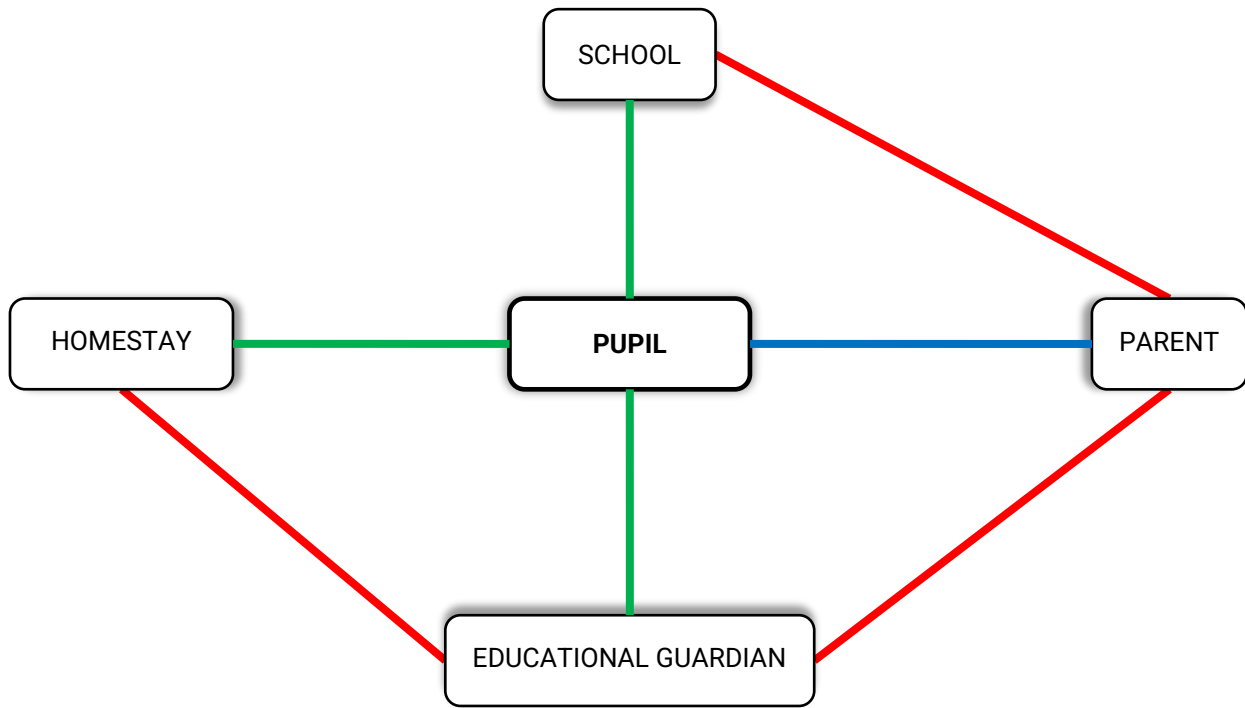
Legal Responsibilities

The Legal Responsibilities of Schools, Guardianship Organisations and Parents

Educational guardianship of an international student involves a complex relationship between student, parent, school, guardian and homestay. It is therefore important to have an underlying awareness of the different responsibilities in law of the parties involved in the process. Our detailed legal advice on this matter is available as a separate document for members, and is regularly updated by our solicitors, see 'AEGIS Legal Guidance regarding responsibilities' available in Member Portal.

Schematic of Primary Relationships

(Note that these are not the only legal relationships between the parties in question, but rather the primary legal relationships).



Red: Contractual rights and responsibilities

Green: Duties of care by statute (Act of parliament), by contract (binding agreement), by tort (an act against another person or their property causing harm, e.g. negligence) etc.

Blue: Parental Responsibility (the rights, powers and duties parents have for their children)

Conclusion

The care of international students at UK boarding schools involves a complex set of relationships between the student, school, parent, agent, guardian and homestay. Understanding how these relationships operate and how the responsibilities of the different parties interact will be vital to meeting the ever-evolving safeguarding requirements of statutory guidance. The recent IICSA report and the revised National Minimum Standards for Boarding Schools have increased the responsibility of schools for educational guardianship in general, and it is vital for schools to have a clear understanding of exactly how educational guardianship and AEGIS accreditation operate in order to effectively support their students.

Engaging with AEGIS, our support and our inspection process will be a vital tool for schools in meeting the required standards in guardianship, as it will evidence to other inspectorates that the school is fulfilling its responsibilities to international students.

In short, we recommend that schools:

- Emphasise to parents and agents the importance of choosing an AEGIS-accredited guardian.
- Provide a link on their website to AEGIS so that parents can access an up-to-date list of accredited guardianship organisations.
- Familiarise themselves with the AEGIS Quality Standards.
- Ask guardianship organisations for their most recent AEGIS Inspection Report.
- Examine their Guardianship Policies and Agreements to ensure they set clear expectations.
- Join AEGIS as a Member School to ensure they received the support this allows, and to demonstrate their commitment to the welfare of international students.