



# **Policy and Expectation on the Care of Foreign Students under the Age of 18**

**March 2014**

## Introduction and Context

This guidance is drawn from the expectations laid out in Working Together to Safeguard Children 2013, the UK Council for International Student Affairs Guidance “International students under 18: guidance and good practice” and Safeguarding Children and Safer Recruitment in Education 2007.

A key principle to effective safeguarding of all pupils is that safeguarding is everybody’s responsibility. This guidance aims to help professionals working in schools or colleges where any foreign student under the age of 18 is registered. The guidance builds on the expectations of the guidance outlined above and tries to make clear what the expectation on professionals and establishments alike should be.

From the outset we need to be clear that while this is guidance, there is a very clear expectation that the responsibilities outlined are followed in all cases except where there is a clear justifiable reason not to do so.

Individuals and organisations should do as much as possible to keep children and young people safe. The needs of the child are paramount and procedures that are in place should relate to all aspects of the child’s life whether that applies to the school setting or the place the child is living.

Irrespective of who organises accommodation for children when they are in the United Kingdom, whether parents, agents, guardians or educational establishments themselves, the registered education provider needs to accept responsibility for ensuring that the various aspects of this guidance are both in place and monitored regularly.

Should you require any further advice or guidance in how to carry the expectations of this document please feel free to contact either:

Barry Armstrong, Local Authority Designated Officer, tel: 01865 815956

[barry.armstrong@oxfordshire.gov.uk](mailto:barry.armstrong@oxfordshire.gov.uk)

or

Gemma Jones, Private Fostering Social Worker, tel: 01865 323188

[gemma.jones@oxfordshire.gov.uk](mailto:gemma.jones@oxfordshire.gov.uk)

## **Safeguarding Policy for International Students for under 18s**

Basic principles: Educational providers should not accept any child under the age of 18 onto a course unless they are satisfied that all aspects of the child's welfare, safety and emotional needs can be met as well as their educational needs. If there is any doubt the child should not be enrolled.

### **Assessment of accommodation for under 18s**

All professionals involved in making arrangements for accommodation for children must consider the following:

The suitability of the main carers and their children (including any children who live elsewhere or are adults and have moved away from home) to look after children. (Local authority checks required).

If the family have regular cleaning, catering or child minding staff this will need to be explored with the carers and DBS checks may be required if the homestay provider envisages that they will be left alone with the child or responsible for any aspect of the child's care.

The Carer's capacity to look after the child - how many other children are the carers responsible for and how will they ensure that the needs of all children can be met. What hours do the carers work? What arrangements will be made if the child is unwell and cannot attend school.

The accommodation for the child. Are there suitable washing facilities? Is this usable by the child (ie if there is one bathroom shared by 5 people how will the child be able to use this in the morning?). Safety Certificates, size of bedroom, loose handrails, etc,

Pets – pay attention to the temperament of all pets when visiting, in particular if pets have to be shut out of rooms during your visit. Remember that a child living in the home will be sharing the accommodation with the pet.

The impact on other members of the household - existing children should not be asked to move out half way through their studies to enable a new child to move in, carers own children should not be giving up their bedroom.

The proposed carer's motivation.

As a basic principle children in a homestay environment should be treated as a member of the homestay's own family. This means being included in all meal times, eating with the family and being invited on weekend activities.

## **Sharing of bedrooms**

Carers own children should not be sharing accommodation with an international student.

All children who are enrolled on a course that lasts for more than 2 months should not share a bedroom. The only exception to this is children who are same sex siblings and they are permitted to share a bedroom for up to one academic year if specifically requested by the child's parents. However, wherever possible, parents should be given the option to place siblings within the same household in separate rooms to give them the best possible environment for completing their studies.

Children should never share a bedroom with an unrelated adult.

## **Ages**

If children need to share accommodation then where possible children under the age of 16 should be placed in homes with other children under 16 and 16-18 year olds should be placed together.

## **Limit on Privately Fostered children**

No more than 3 privately fostered children can be placed in the same household

## **DBS CHECKS**

DBS checks must be completed for all members of a homestay over the age of 16. This includes Carers own children as well as older students. No child should be placed with a family until the results of the DBS checks for all main carers and their immediate family have been seen and approved.

Because of sudden accommodation changes for students it is not always possible to DBS check all older students prior to a child joining the household. The DBS check should be completed as soon as possible after the child's arrival and in the meantime the Carers need to be aware that they will need to supervise all contact between the child and the older student.

## **Internet Safety**

If parents intend for their children to bring any internet enabled equipment including mobile phones, laptops and ipads into the UK they must ensure that parental settings have been set up on the equipment and they must sign to say that they have done this prior to the child's arrival in the UK. This should be one of the conditions of studying at the educational institution.

Children should be given information about internet safety including safe use of social networking sites on arrival in the UK, wherever possible in their first language.

## **Guardians**

It is good practice for all children under 18 to have a guardian independent of the education provider and of the accommodation provider. Parents should be provided with a list of AEGIS accredited guardianship agencies to select a Guardian from. It should be part of the contract with the education provider that parents appoint a Guardian for all children under the age of 16.

Institutions might wish to request parental permission to contact the guardian prior to sending an unconditional offer of admission, to check the guardian was available in the event of an emergency, and that a name had not been given simply to comply with the institution's requirement.

## **Holidays and Half Terms**

The educational provider must be clear about the plans for each of the children at their school not only during term time but also during half terms and holidays. Most children will return home during these periods. The school will need to ensure that appropriate arrangements have been made for the child to return home. If the plan is for the child to stay in the UK during school holidays they should be staying with the host family and they will need to be adequately supervised during the day as well as during the evenings. If parents wish to make alternative plans for the child they need to notify the school what these plans are and give full contact details of the person(s) who will be looking after their child.

## **Sickness**

If a child is off school due to sickness the homestay provider should make appropriate arrangements for their care and supervision according to their age, ability and level of sickness. If the homestay provider is unable to provide an appropriate level of supervision they must inform the school. A child who is unwell for more than 24 hours should be taken to see a GP as soon as possible.

## **Parental consent**

Parents retain responsibility for their child whilst they are in the UK. All decisions about a child's safety and welfare need to be approved by the child's parents.

Parents must give consent before a child is allowed to stay anywhere other than their host family accommodation. Parents will also need to give consent for any day trips outside of Oxfordshire and activities that are not part of the school's ordinary learning programme.

## **Medical Consent**

Children should not be accepted onto any course of study within Oxfordshire until their parents have provided the following:

- Full details of the child's medical history
- Details of any allergies
- Any existing health appointments that will require the child to return to their home country
- Details of any immunisations the child has had.
- Details of any medication that parents are happy for their child to be given if they have any minor illnesses (e.g. paracetamol, plasters)
- Any existing medical conditions and treatment
- Instructions for dealing with a medical emergency relating to their specific condition.

If the Carers will require any additional medication or treatment to administer in case of emergency (such as an epi pen) this must be explained to the Carers in advance and the child or their Guardian must give this to the Carers on arrival.

Parents must provide a signed medical consent form in case of emergencies and this should clearly show the parent's wishes concerning blood transfusion, organ donation and resuscitation. It is good practice for the document to be provided in the parent's 1<sup>st</sup> language with an attached copy in English both of which are signed by parents.

A copy of this document should be given to the child's accommodation provider in case medical treatment is required outside of school hours.

## **Medical Treatment**

All children will need to access health treatment in the UK if they become unwell. Their rights to different types of medical treatment will vary depending on how long they will be studying in the UK and which country they have come from.

Educational providers need to ensure that all students who will be studying at their institution for more than 6 months are registered with a GP within 1 month of arrival. They should also have details of any private medical insurance obtained for the child and a number of who to contact if the child is injured.

For students who are studying for less than 6 months the school need to ensure that they have details of the child's medical insurance, their EHIC card, or a copy of their passport if they are from any country with a reciprocal health care agreement (see UK council for international student affairs UKCISA)

Educational Providers must have a clear record showing what to do in an emergency for each child at their school.

We would expect any provider or home stay carer to only respond in a proportionate fashion. This means that the identified need should be addressed only in

consultation with the student and those who have parental responsibility (and their GP where possible).

### **Medical emergencies**

Parents must be contacted if their child is taken to hospital or has any medical emergency. If the child has a Guardian they should be contacted to inform the child's parents ideally in the child's first language. If the child does not have a Guardian the school must notify the parents, using translation resources if necessary.

Attempts must be made to contact the parents but where there is no response it is envisaged that schools will have instructions as to the parent's wishes in their signed medical consent form. This will need to be taken to any medical appointments.

### **Private Fostering**

Schools are required to inform Oxfordshire county Council of any child attending their school who is under the age of 16 and who is living with adults who they are not closely related to for more than 28 days. If the child is disabled then the school must notify OCC until they are 18 years of age.

There are certain exemptions to this: If the school has an accommodation provision which is inspected under Boarding School regulations then this does not count as Private Fostering

If the child is staying with a close relative whilst in the UK. The school are expected to see photo identification for the named relative and ensure that the child's welfare needs can be met in that arrangement (e.g. how far is the accommodation from the school? Who is the relative and where will the child be sleeping in relation to the adult and other members of the household?) Parental signatures are required for such an arrangement and it is recommended that a welfare officer from the school inspects the property and meets the proposed carer prior to the child's arrival to ensure that the arrangement will meet the child's needs.

If arrangements are not made by the child's family until the start of term then the welfare officer should inspect the arrangement as soon as they are notified and if it is not satisfactory the parents should be informed that the child will not be able to attend the school whilst living in the arrangement. An alternative can be offered by the school if they have any suitable carers available. Oxfordshire County Council and the Home Office must be informed of any unsuitable living conditions that result in a child's enrolment at a school being ended prematurely.

### **Employment of live-in house parent for under 18s**

Where a school employs a house parent to look after children under 18 they must ensure that the person is suitable and capable for the role. It is recommended at a minimum that DBS checks are obtained for the role of houseparent, that medical

references are sought and that local authority checks are obtained. In addition to this it is highly recommended that 2 references are obtained - one professional and one personal.

### **Visits outside of school hours**

Parental consent is required for children under the age of 18 to stay anywhere other than their main accommodation. This includes visits to relatives in the UK and say trips to other cities. As part of the enrolment parents must give details of any friends or family members that they would like their child to stay with during their time in the UK and where possible the dates that visits are planned. Where dates are not known parents must contact the school at least 1 week prior to the visit to inform the school of the person their child will be staying with (including their name, address and full contact details) and the duration of this trip. Parents should also give details of how the child will be getting to and from the visit. The education provider will need to assess whether or not these arrangements are appropriate and safe for the child in question. Where the arrangement are unsafe parents will need to be advised to make alternative arrangements and suggestions can be made about this. For example it could be suggested that the child arrives on a Saturday morning rather than at 11pm on a Friday night. It could be suggested that the child is collected by an adult at the coach station rather than the child travelling through an unknown city on their own. Education providers need to remember that cultural norms and expectations may be very different in the child's country of origin and they will need to advise parents if proposed arrangements would not be appropriate in the UK.

### **Arrivals and Departures**

All students under the age of 18 should have (in their hand luggage):

A letter from their parents giving permission to travel

The name, address and telephone number(s) of the person with whom the child will be staying (homestay or residence).

Confirmation or enrolment letter from the school

Details of the arrangements made for the child to get from the airport to their accommodation.

Institutions should also ensure that unaccompanied minors entering the UK have an emergency contact number to contact if they do encounter any problems at immigration

Parents should be advised to:

- Book flights early to make sure their children arrive in daylight hours. This should be within the dates and times stated by the institution.
- Use the airline child supervision service where a child will be supervised by a member of the airline staff until handed over to the institutional representative or guardian in the arrivals lounge. Institution representatives should make sure they have the correct ID.

- Use the meet and greet service provided by the institution or guardian.

## **On arrival in the UK**

All under 18s travelling without an adult should be met at the airport, whether by an institutional representative or a local guardian.

## **Policies on age**

Language schools should have a clear policy on the age range they accept. It is good practice to explain in the publicity material that children are grouped by age to ensure the curriculum, communication, teaching and welfare support will be appropriate to the age of the child.

## **Issues for institutions accepting primarily adult students**

Parents should be made aware of the amount of freedom their son or daughter will have, but also be informed about the security measures and support available on site and in accommodation. In order to allow them to make a decision about whether the institution will provide a suitable environment, consider asking parents to sign an agreement noting that their child will be in a primarily adult environment.

## **Student Welfare**

Students should have access to a bank account in the UK. Educational providers will need to ensure that children are able to access money provided by their parents.

On arrival in the UK educational institutions must check the child's passport and visa to ensure that the child has the correct ID, that it is valid for the duration of the course and to check whether there are any limits relating to the child's time in the UK.

Homestay hosts must know the child's whereabouts at all times. Children should be advised of curfew times and the reasons for these. If children fail to return on time homestay hosts should be clear about the procedures they are expected to follow and the out of hours support available to them. If a child cannot be located the police must be informed.

Homestay hosts must inform school staff of any changes concerning people living in their home. E.g. new police conviction, their son or daughter reaching their 16<sup>th</sup> birthday, an adult lodger starting to live in the home, a new partner staying overnight. The homestay contract should include a statement that the host will agree to give this information.

## **Staff student ratio**

Some institutions will receive guidance from sector bodies (eg accreditation or inspection bodies) on appropriate staff/children ratios. Institutions should additionally consider the age of the students, their needs, the nature of the activity and the locations involved. International students may require more individual attention if they need additional help with language and are less used to the environment in which activities are taking place. Institutions are expected to exceed the recommended ratios if the safety and welfare of the children require it. The younger the age of the children the higher the ratio of staff should be. Supervision ratios should never be under-estimated, as younger children need more help with basics, eg getting up and getting dressed.

Off-site visits or events will always need at least two staff to ensure that in an emergency situation one staff member can remain with the main group of children. Provision should always be made for occasions when one supervisor may be exclusively involved with one or two students, eg homesickness, or sorting out a problem between two students. When the supervisor's attention is focused elsewhere is exactly the time that other children may become boisterous, with subsequent problems. Language schools should have clear expectations for group leaders who accompany groups of students. It is advisable to send guidelines for these staff to the home country organisation, and ask the group leader to sign up to these on arrival. Staff accompanying children should be considered a bonus, but not counted in the school's staff-children ratios.

## **Catering facilities:**

Younger students may have little or no experience of self-catering, and would have the additional complication of unfamiliar food and ingredients. They should have the option of being in accommodation with easy access to catered meals.

Religion

## **Safeguarding Training**

It is a minimum requirement that all adults having regular unsupervised contact with children must access appropriate Safeguarding Training every 3 years. This will apply to all home stay providers must access (and be able to evidence completion) Generalist Safeguarding Training, this can be accessed through the Oxfordshire Safeguarding Childrens Board (OSCB) website <http://www.oscb.org.uk/>

We would expect the management of all language Schools and Colleges to monitor this training and to ensure no child or young person is placed with any home stay provider where evidence of this training cannot be provided.

Further to this it is already an expectation through DFE and the Safeguarding Children's Board that all staff and volunteers working with children in the education system access the same Generalist Child Protection Training. All Language

Schools/Colleges should ensure all of their staff and volunteers have accessed the appropriate training and repeat this every three years.

#### Allegations/Sexual activity:

An allegation is defined as follows where a member of staff or volunteer has:

- a) Behaved in a way that has harmed a child, or may have harmed a child;
- b) Possibly committed a criminal offence against or related to a child; or
- c) Behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

Any and all institutions must report any allegation relation to a,b or c above either to the Police or the Local Authority Designated Officer (LADO) within 24 hours of being made aware of the concern. No action should be taken before consulting the LADO.

It is important to recognise all staff and volunteers including home stay providers hold what is called a 'position of trust' with young people in their care.

It is a criminal offence for an adult in a "position of trust" to have sexual intercourse with, or engage in any other sexual activity with or directed towards someone who is under 18 where they are in a position of trust with the under 18 year old. A "position of trust" means an adult who regularly cares for, trains, supervises or is in sole charge of under 18 year olds.

Carers are responsible for maintaining the welfare of children in their care and must not encourage children under the age of 16 to engage in sexual activity.

### **Behaviour and Discipline:**

Behaviour towards Students: All staff and volunteers or home stay providers must ensure their behaviour with or around students cannot be interpreted in a way that leaves them open to an allegation (see a,b,c above). Guidance on appropriate behaviour around students should be made available through the Language School or College.

Below is a link to a document which will help to inform School and College guidance on this issue:

[http://portal.oxfordshire.gov.uk/content/public/CYPF/schools/behaviour\\_attendance/safeguarding\\_child\\_protection/Safer\\_Working\\_Practice.pdf](http://portal.oxfordshire.gov.uk/content/public/CYPF/schools/behaviour_attendance/safeguarding_child_protection/Safer_Working_Practice.pdf).

### **Risky behaviours**

Any suspicion of drug or alcohol use, sexual activity, involvement in criminal activities or suspicious behaviour or acquaintances must be reported by the homestay provider to the school as soon as possible.

## **Theft/ targeting**

International students are very vulnerable as they are known to have a lot of money and comparatively little support. They are also easy to identify. Schools should advise children about personal safety at the start of their course and they should include details of how to contact the police.