



Ministry
of Defence

**Directorate Children & Young People
Policy Directive 3.2.18**

Retention of Children in MOD Schools Overseas

Version 1.0 Jun 2019

Preface

Authorisation

1. This Directive has been authorised for use by the Director DCYP.

Coherence with other Policy and Guidance

2. Where applicable, this document contains links to other relevant policies (including Joint Service Publications (JSPs) and Other Government Department policy), as listed below

Related Policy and/or Documents	Title
JSP 342	Education of Service Children and Young People
JSP 752	Tri Service Regulations for Expenses and Allowances
DCYP Policy Directive 3.2.22	SEND

Further Advice and Feedback - Contacts

3. The owner of this Directive is the Chief Executive Officer MOD Schools. For further information on any aspect of this guide, or questions not answered within the subsequent sections, or to provide feedback on the content, contact:

Job Title/E-mail	Project focus	Phone
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Review Date

4. This Directive will be reviewed in Jun 2021.

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1 Direction

Scope

1. This document lays out direction on the retention of children in MOD schools overseas. It is applicable to all DCYP personnel engaged in the process and for all entitled¹ children attending these schools.
2. Direction on the retention of children in MOD schools is laid out for Service personnel and entitled Civilians through JSP 342.

Entitlement

3. The onus on parents/carers is to minimise disruption to their child's education caused by assignments. Children attending MOD Schools overseas will, normally, move with their families on posting and continue their education at the new location.
4. Retention will be allowed for all children of entitled personnel who die whilst serving overseas. The retention period will mirror the time that the family is permitted to retain Service Family Accommodation in theatre.
5. It is recognised there are certain scenarios in which a move will not be in a pupil's best interests. Families anticipating disruption to their child's education are to seek advice from their head teacher about the options available to them. The following are examples of scenarios in which retention in a MOD School would be considered:
 - a. a posting during a period where a child is due to undertake a public examination and where completion of critical coursework would be compromised;
 - b. where a posting would result in a child falling between different UK (e.g. transferring from English to Scottish systems) education systems;
 - c. there is no onward posting address for a Service family (e.g. Service parent on secondment and next move for family is interim).
6. There is no entitlement to retention for:
 - a. Children attending a MOD first, primary or middle school;
 - b. Children of MOD employees who accept voluntary early severance;
 - c. Children attending non-MOD Schools overseas.
7. **Transport.** A retained pupil is entitled to deferred family passage to the UK, at public expense, at the end of the examination course or earlier if, for any officially acceptable reason (e.g. medical), the child is unable to complete the course. Service personnel will need to submit an application in accordance with the procedure set by the overseas command.

¹ Entitlement status is dependent on the contract of employment (Service and entitled Civilians); it is primarily defined in JSP 752: Tri-Service Regulations for Expenses and allowances and explained for Education in JSP 342: Education of Service Children and Young People.

8. Retained pupils are eligible for travel under the School Children's Visit Scheme - applications should be endorsed as "Reverse Travel".
9. A child retained as a day pupil will be entitled to free travel between the school and the guardian's home in circumstances where garrison travel would ordinarily be provided.
10. Retained pupils are not entitled to local vehicle licensing facilities or to purchase tax-free vehicles.
11. **Privileges.** A retained pupil will continue to be entitled to all privileges normally enjoyed by dependants under any inter-governmental agreement applicable to the relevant command area. In particular, the child will normally be entitled to:
 - a. An identity card or NAAFI ration card (age appropriate);
 - b. The facilities of the Overseas Command/Commander;
 - c. Health and dental care and treatment.
12. A retained pupil will normally be considered a civilian subject to Service Discipline for the purposes of the Armed Forces Act 2006 and will be required to comply with any applicable standing orders.

Procedure

13. Service personnel will submit applications to their Command HQ for an extension of dependency status in order that a child is retained for a limited and defined period on the grounds of education. It is important to understand that an extension of dependency status does not confer any new entitlements. An extension of dependency status for a pupil does not confer entitlement on parents to any form of status or right of occupancy in Service Family Accommodation for any period other than stated in single Service regulations. However, parents of retained pupils may apply, through their Chain of Command, for retention of Service Family Accommodation, under the terms of JSP 464.
14. Should the relevant military authority decide that the child can no longer remain in the overseas location, the parent and guardian will be informed and will be responsible for arranging for the child to re-join his/her parents. Return passage for the child to the UK will be at public expense.
15. Local Commands will need to consider all relevant factors when deciding on whether a child can continue to hold entitled status; the following conditions must be met in all but exceptional cases:
 - a. The parent must be leaving the overseas location due either to a posting, compulsory redundancy or retirement at the conclusion of their service career. Exceptionally, (for example, a posting at short notice) and at the discretion of the Chief Education Officer, HQ DCYP may support retention if the parent's official service in the command ends earlier than planned;
 - b. The child must have started the second term of a course that leads to a recognised public examination/qualification before the date on which the parent's official service in the overseas command ends. For this purpose, the start of the term is defined as the date that the school actually opens for that term;

- c. Where an application is made on educational grounds it must be supported by HQ DCYP and all information provided by parents is to be certified by the head teacher. All requests are monitored by DCYP's School Improvement Partners;
- d. The parent will be responsible for ensuring that the child's passport is valid until the end of the retention period and for any necessary visas and/or residence permits required;
- e. The child may not change schools after the parent has left the command.

16. **Guardianship.** Where the parental proposal involves a child remaining with a guardian it is the parent's responsibility to nominate the guardian and conduct guardianship arrangements (for example, ensuring sufficient funding). Guardianship arrangements are considered a private fostering arrangement and as such, nominated guardians will need to be assessed as suitable by British Forces Social Work Service. This assessment must be completed prior to submitting the application for retention. If, for any reason, the guardian is unable to fulfil his/her obligations, the parent must be in a position to return to the child's school for any urgent reason within a period of twenty-four hours' notification from the guardian or head teacher, and must provide a written undertaking to this effect;

17. The MOD does not accept responsibility for any occurrence involving the death or injury of the child other than that arising from the negligence of the MOD, its servants or agents. In this context, the guardian appointed by the parent will not be regarded as a servant or agent of the MOD.