

Policy for students under the age of 18 years

Author: Toby Chelms

Reviewers: Ruth Wilson, Catherine O'Connor, Emma Murphy, Damon Shaw, Emma Turner-Lindley, Emma Quirke, Kelsey Howard-Matthews

Approved: Safeguarding, Prevent and Sexual Misconduct sub-committee

Contents

1. Aims
2. Introduction
3. Policy
4. Process
5. Roles and Responsibilities

1. Aims

It is a condition of registration with Leeds Trinity University that the parent or guardian of any student who is under the age of 18 years confirms, by signing and returning the enclosed form, their acceptance of the arrangements set out in this document; once the student reaches the age of 18, these accepted terms will automatically be regarded as agreed by the student.

2. Introduction

1.1 Leeds Trinity University (LTU) is committed to equal opportunities and all applicants are considered on their individual merits. This means that on occasion the University may admit students who are under the age of 18. Commonly this will be for a brief period as the student will be approaching their 18th birthday when they register as a student at LTU.

1.2 Students under 18 and their Parents/Guardians should recognise that the majority of students admitted by LTU will be over 18 and therefore students will be entering an adult environment and LTU recognises all students (including those under 18) as independent, mature individuals.

Published date: October 2022

Review date: October 2024

Version number: 1

1.3 The University also however recognise that anyone under the age of 18 in England is legally a child and therefore any students at LTU who are under the age of 18 may require additional support in regards to their wellbeing.

1.4 This policy should be read in conjunction with the University's safeguarding policy.

1.5 Leeds Trinity University is not acting in loco parentis.

3. Policy

3.1 LTU cannot assume full parental responsibility for a student under the age of 18. In applying to LTU and accepting an offer, applicants and their Parents/Guardians are accepting that the University is an adult environment.

3.2 In the case of students joining the University before their 18th birthday, the University does have an enhanced duty of care as such students are regarded as minors under English law. There are both legal and practical consequences. The following guidance seeks to ensure that the respective responsibilities of the University and parent or guardian in relation to the applicant are clear.

3.3 For some programmes it is a requirement of the relevant professional body that students are aged 18 or above when they enrol and this will be explained if this issue arises.

3.4 It is a condition of admission to the University that the parent or guardian of any student who is under the age of 18 years, on registration, confirms, by providing a signed copy of the Acknowledgement Form, their acceptance of the arrangements set out in this Policy.

3.5 Given our Higher Education context, it is not appropriate for us to require all staff to be checked by DBS clearance. Campus Halls of Residence are serviced by maintenance and cleaning staff who may not have been DBS clearance checked. Similarly, not all students will have been DBS clearance checked whom students under 18 may be in contact with. The same applies with visitors and contractors to Leeds Trinity. Again, not all of these people entering a Higher Education institution will have been DBS Clearance checked.

3.6 Applications for campus accommodation from people who will be over the age of 16 but under the age of 18 at the start of their letting period will be considered.

3.7 Applicants aged under 18 will need to provide a guarantor. This is an adult who is prepared to pay for the accommodation, and any damage or cleaning charges, if the student does not pay them. The guarantor does not have to be someone with parental responsibility.

3.8 Applicants will need to nominate a responsible adult. This may be the same person as the guarantor, but it does not have to be.

3.9 The responsible adult will be the first point of contact in an emergency. As the University does not take parental responsibility, it cannot consent to medical treatment on a student's behalf. Consent will have to be given by the student themselves, or a person with parental responsibility.

3.10 Under English law, a person under the age of 18 is unable to be a tenant. The University will not therefore offer accommodation to a person under the age of 18 if they are unable to provide a guarantor.

3.11 University accommodation is an adult environment, and all students, irrespective of age, are expected to behave like responsible adults. The University does not accept parental responsibility for occupiers under the age of 18.

3.12 Students under the age of 18 will not share their sleeping accommodation with another person (unless they have a disability and share with their carer.) They will share living accommodation and kitchens with other students. Some types of accommodation have en-suite bathrooms solely for the student's use. Other types have shared bedrooms which may be used by residents of any gender identity, but they have lockable doors and are for use by one person at a time.

3.13 In general, students in Halls exercise freedom in terms of coming and going. In this way, a student under 18 would be unsupervised. However, the Student Support department does provide a Resident Mentor (typically a final year student) to live in each Hall and provide support to new students.

3.14 The campus includes a licensed bar. Should a student under 18 consume or purchase alcohol on these premises prior to their 18th birthday they would be breaking the law.

3.15 As a matter of law, a person under the age of 18 years is a child. The University has a responsibility to protect those under the age of 18 years from abuse and is obliged to report any suspicions or allegations of abuse of children to the appropriate Children's Social Care service. Any such suspicions or allegations will be reported to the University's appropriate designated person, who will contact the appropriate authorities.

3.16 Students who are under the age of 18 are encouraged to join University or Students' Union clubs and societies but are not able to hold office until after their 18th birthday (this is because Officers carry legal responsibilities). Their participation in certain activities may be limited.

3.17 The University discourages consensual relationships between staff and students (irrespective of the students age) in the learning environment and in all areas of support, guidance and administration, and regards it as unprofessional for a member of staff to actively seek to initiate such a relationship, or to pursue such a relationship without regard to the full range of issues or problems that may ensue. Under the Sexual Offences (Amendment) Act 2003, it is a criminal offence for any person in a position of trust (which includes members of University staff) to engage in sexual activity with someone who is under 18 years old.

3.18 Placements: Where a student who is under 18 is required to undertake a placement as part of the programme of study, appropriate arrangements will be made with the workplace to safeguard the student and to ensure compliance with relevant legislation, (such as Health and Safety and Working Time Regulations).

3.19 The University offers email and unregulated internet services for all its students. These services are provided on an unsupervised basis. Students are expected to act in an adult and responsible manner when using these facilities and are required to abide by the University's regulations relating to the use of information technology facilities.

3.20 Data Protection: Although those under 18 are regarded as children under the law, they still have the right under the Data Protection Act for information about them not to be disclosed without their consent. This means that the University is not able to give information to parents regarding the student's progress, results or most other personal circumstance. However, if the student fails to pay any sums agreed on contracts, then it may be necessary to disclose this to any guarantor and possibly to a debt collection agency.

3.21 The University has programmes of study where a module of study may require viewing a film or documentary with a British Board of Film Classification of 18 years of age. Legislation prohibits persons under the age of 18 from viewing 18-rated films in licensed cinemas. The prohibition does not extend to such films being viewed as part of a lecture or tutorial. Information on the possibility of viewing 18+ film classification material will be included in the disclaimer form for students under the age of 18 joining us.

3.22 It is unlawful to supply (e.g. sell or lend) an age-restricted video recording to a person under the age restriction. Consequently, library staff will not lend DVDs/Blu-ray or other video recordings classified as adult to students who are under 18.

4. Process

4.1 Where an applicant will be under the age of 18 on 1 September for the year they are joining, the University will require the applicant's parent or guardian to sign the Parent/Guardian Acknowledgement Form (received with the letter to Parents/Guardians of students under 18).

4.2 Completing this Acknowledgement Form confirms the parent/ guardian has read and understood the nature of the obligations which the University owes to its students under the age of 18 and the extent of the services available to them.

4.3 No applicant under the age of 18 will be eligible to be fully registered at the University until the Parent/Guardian Acknowledgement Form has been signed and returned. Applicants may be provisionally registered until the form is signed and

returned, in line with regulations, if this is not completed within 4 weeks of teaching, provisionally registered applicants may be withdrawn from their programme of study.

4.4 Where a student's parent or guardian live overseas, the University requires the details of a guardian who is based in the UK. This nominated individual:

- Must reside in the UK
- Be over the age of 18
- Be an English speaker
- Be contactable in an emergency and be expected to attend the University if required
- Have a UK postal address and telephone number
- Be available for contact through the period when the student remains under 18
- Be able to arrange for alternative accommodation at short notice should the University be closed due to an emergency or in the unlikely event that you are suspended from the University due to breaches in regulations etc.

The University will contact named UK guardians to confirm they have agreed to act as guardian to the applicant. A student under 18's consent form will not be approved, and they will not be able to fully register, until their nominated UK guardian has confirmed that they are happy to act as guardian on their behalf.

4.5 Notwithstanding the need for a parent/ guardian, the University will correspond with students, and not with parents or guardians, unless the University receives express written permission from the student or there is a medical, criminal or similar emergency.

5. Roles and Responsibilities

5.1 The Admissions Team are responsible for ensuring that Student Support are made aware of any applicant who is under 18 for the year they are joining.

5.2 Student Support are responsible for ensuring that any such applicant receives a Parent/Guardian Acknowledgement Form and that it is signed by the parent or guardian where they are accepting an offer.

5.3 Student Support will then provide a named contact within Student Support for the applicant and a meeting will be arranged prior to their course starting where they can meet the Student Support staff member and have meetings on the same day with staff from the Money Advice team, Learning Hub and their course. They will also be offered meetings with the LTU Disability and/or Mental Health & Wellbeing service should this be relevant.

5.4 The Head of Department of the relevant school will be responsible for ensuring a departmental risk assessment is undertaken to ensure that appropriate safeguarding is in place for the individual student on their course, including any field trips. Once the student reaches the age of 18 this policy will no longer apply.

5.5 Faculties are responsible for informing Admissions, prior to 1 September each year, if there are any programmes which can no longer accept under 18s and for

providing a rationale for this. Faculty Business Managers will be contacted each year to ensure all courses under their Schools have been reviewed for any age-related admission changes and Admissions will be updated.