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Policy in relation to the Admission, Support and Safeguarding for Students Entering the University under the Age of 18

1. INTRODUCTION

The University takes the welfare of its staff and students very seriously and takes reasonable steps to ensure their wellbeing. Additional steps in this respect may be deemed appropriate for students who join the University before their 18th birthday, as they are regarded as minors under English law.

1.1 Purpose

The purpose of this policy is to outline the principles and procedures that the University has adopted in relation to the admission, support and safeguarding for students under the age of 18.

The University's current position on the age of students at the point of admission is set out in Entrance Requirements for First degrees. Acting in accordance with this Regulation, the University admits approximately 40-50 students each year who have not yet reached the age of 18.

1.2 Scope

This policy applies to all registered University of Bath students and apprentices who commence their programme of study while under the age of 18.

This policy applies in relation to University activity carried out on campus or elsewhere.

1.2.1 Students under 16 on Entry

The University does not normally admit students under the age of 16. If this does exceptionally occur, each case will be carefully considered on an individual basis.

1.2.2 Students requiring a Student visa

Under the terms of the University's Student Sponsor License the University can only act as immigration sponsor for students who are 16 or over at the start of their course. Due to this requirement the University cannot admit any student requiring a Student visa unless they will be 16 years of age on the start of their course.

It will normally be a condition of accepting overseas students who are under 18 that they have a guardian in the United Kingdom (UK) who has authority to take decisions and give consent on the students' behalf. All under 18 applicants coming to the UK with a Student visa will be required to provide the University with information regarding arrangements for their travel, reception when they arrive in the UK and their care while in the UK, in line with Home Office requirements.

A student aged 16 or 17 has the legal right to live independently in the UK and may make their own accommodation arrangements. However, when a 16-or 17-year-old applies for a visa under the Student route, they must have their parents'/guardians' permission to both travel to the UK and to live independently. As part of the Student visa application process students aged 16 or 17 must provide written permission from their parents/guardians and evidence of their relationship with their parent(s) or legal guardian(s). Where a student fails to do so, the University reserves the right to refuse sponsorship.

2. ROLES AND RESPONSIBILITIES

2.1 The University

The University has a contractual relationship with its students and not with their parents/guardians. Accordingly, it is the University's policy that it deals directly with students. This approach will also apply to students who are under the age of 18 years on entry. Except when deemed strictly necessary for legitimate reasons (such as in the case of an emergency), the University will correspond with students, not parents/guardians.

The University is not obliged, nor is it able, to take on the usual rights, responsibilities, and authority that parents/guardians have in relation to a child. The University will not act 'in loco parentis' in relation to students who are under the age of 18 years.

2.1.1 Pre-Admissions Arrangements

All those to whom the University makes an offer and who will be under 18 at the time of their registration with the University will be sent information explaining any special measures that will be taken by the University in relation to their admission.

2.1.2 Notification

The relevant Head of Department (HOD), Director of Study (DoS), Senior Tutor and Director of Accommodation and Hospitality Services (AHS) will be notified by Admissions prior to registration, of any student within their Department or Residence who will be under the age of 18 years on entry to the University. Following notification to the Senior Tutor, the personal tutor will also be notified. Teaching and other staff will not routinely be made aware of a student's age.

2.1.3 Child Protection

As a matter of law in England, a person under the age of 18 is a child. Any suspicions or allegations of child abuse will be reported to the University Safeguarding Officer who will act in accordance with the University's Safeguarding Policy.

Under the Sexual Offences (Amendment) Act 2000, it is a criminal offence for any person in a position of trust (which may include members of University staff) to engage in sexual activity with someone who is under 18 years.

2.1.4 The University Environment

The University is an adult environment and as such, treats all its students as independent individuals. Students who are under the age of 18 years will be treated in the same way and will be expected to live and study independently without formal supervision.

Within the University environment, students under the age of 18 will frequently come into unsupervised contact with a wide variety of adults: during their academic studies, in their University accommodation, and through their participation in a range of activities. This unsupervised contact will involve students, members of staff and members of the public. This contact does not fall within the statutory requirements for criminal record checks to be undertaken and therefore such checks will not be carried out for all University staff, including those who undertake responsibilities as a personal tutor, and staff or students employed within university residences. It is also not possible for the University to carry out criminal record checks for students with whom those students under the age of 18 will reside in University accommodation.

Some University buildings and the University campus are open to the public and students may encounter members of the public who enter the premises. Individual supervision of students under the age of 18 is not provided.

2.1.5 Accommodation

The University will normally house students who are under 18 on entry in University accommodation. This will be for one year and students will then be expected to make arrangements for subsequent years in the same way as all other students.

Accommodation in University residences is offered on the understanding that students will be responsible for themselves in all practical matters. University residences are intended for the use of adults and special arrangements cannot be made for students under the age of 18 years, who will share University accommodation with adults. Individual supervision is not provided, and students may encounter members of the public who enter the residences.

2.1.6 Personal and academic support

The usual personal and academic support arrangements will apply to students who are under 18 years. This includes the allocation of a personal tutor and a comprehensive range of student services.

2.1.7 Courses

There are some courses where critical learning or placement requirements may prohibit students under the age of 18 from studying the course. Advice will be provided to applicants through the admissions process.

2.1.8 Social activities

The University is not able to take additional responsibility for students under the age of 18 years in relation to social and/or sporting activities, nor is it able to put in place special arrangements for such activities. Participating in social and/or sporting activities on and off campus is at the discretion of the students. For any SU activity, please refer to [The SU Safeguarding Policy](#).

2.1.9 Off-campus activities

Courses may involve visits, excursions, field trips, residential trips or other periods of activity away from the University. Subject to discharging the University's duties under Health and Safety law, the University is not able to take any additional responsibility, or put in place any special arrangements, for students under the age of 18 years in relation to such activities. For SU organised off-campus activities, please refer to [The SU Safeguarding Policy](#).

2.1.10 Alcohol and tobacco

It is illegal for alcohol and/or tobacco to be sold to or bought by students who are under the age of 18 years. The University will take reasonable steps to ensure that the law is not broken in relation to the University's licensed premises. The University cannot undertake to provide individual supervision for students under the age of 18. The SU is responsible for ensuring that appropriate arrangements are in place for its own licensed premises and for complying with restrictions on the sale or supply of alcohol to students who are under the age of 18.

2.1.11 Academic Departments

Departments that enrol students who are under 18 must put special measures in place. These must include the following:

- Senior Tutors will brief those members of academic staff who act as Personal Tutor for a student who is under 18 on the responsibility owed to underage students and in particular of the offence of abuse of trust under the Sexual Offences (Amendment) Act 2000.
- Personal tutors should hold regular meetings with students under the age of 18, going beyond the minimum requirement of the Quality Assurance Code of Practice QA33 and establishing at least a monthly meeting frequency.

The Director of Student Support and Safeguarding and/or members of the directorate staff will support Personal Tutors by providing information, advice and training for this aspect of their work. Guidance and safeguarding training are available via the University website for Personal Tutors Personal Tutoring Guidance

2.2 The Student

Whilst the University recognises its responsibility to students who are under 18, it will expect such students to act responsibly and appropriately and abide by the law. For example, it is not legal for a person under 18 to buy or be sold alcohol.

Consideration is given to refugees and asylum seekers, and students who are estranged from their parent(s), in line with our established support in those areas.

2.2.1 Medical consent

From the age of 16 a child is normally presumed capable of consenting to their own medical treatment. However, if a student who is under 18 refuses medical treatment, in certain circumstances their refusal to can be overridden by parents/guardians.

2.2.2 Digital access

Students entering the University under the age of 18 are expected to abide by the University [IT Acceptable Use Policy](#) and [Regulation 10 Use of Facilities](#)

2.2.3 Library

Students under the age of 18 should not borrow age-restricted items from the University Library. There is no method for restricting access to age related materials therefore the

University cannot undertake to provide individual supervision for students under the age of 18 in this regard.

2.2.4 Data Protection

Where consent is required, students who are under the age of 18 years are considered capable of consenting to the processing of their personal data and parental/guardian consent will not usually be sought.

2.2.5 Holding office

Students under the age of 18 years are not permitted to hold office, for example, they may not be secretary to an SU club or society.

2.3 The Parent/Guardian

Parents/guardians will be required to accept that any offer of University accommodation does not constitute the University acting *in loco parentis*. Where a student takes private accommodation, parents/guardians are responsible for approving this and they or a third party must take responsibility for the student living in that accommodation.

In circumstances where a person must be aged 18 or over to be considered legally competent to enter into a contract, the University requires a student's parents/guardian to honour all obligations (under any contracts with the University) that the student enters prior to their 18th birthday.

Parents or guardians will be asked to accept liability for the student's debts to the University and may be asked to give a formal guarantee.

4 Related Policies and Procedures

This policy should be read in conjunction with the [University's Safeguarding Policy](#)

5 Document Control Information

The effectiveness of this Policy & Procedure will be monitored at regular intervals. A formal review will be carried out sooner if required where there is a substantive change to university practice, national legislation, regulation or required guidance.

This Policy has been consulted on with Senior Management, Academic Registry, AHS, SU, Student Support and Safeguarding, Library, Governance, Legal, Student

Recruitment and Admissions, Human Resources, Digital, data and Technology Group (DDAT), and the Safeguarding Standing Group prior to its adoption by the University.

All records taken under this policy will be held for the recommended period for which records should be retained to comply with legal requirements and meet operational needs as defined with the [University Records Retention Schedule](#)

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