

# Policy and process for students under the age of 18 years

**Safeguarding Manager**

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# Introduction

UWE Bristol does not discriminate on any grounds, including age, against any applicant who has met the entry requirements for a programme of study. Although students normally are aged 18 and above, UWE Bristol admits a small number of students each year who are under the age of 18 years on entry. Whilst in practice the majority of these will become eighteen before the end of the first year, a very few will be 17 or younger for longer than that.

UWE Bristol is an adult environment; students are expected to act as adults and to assume adult level of responsibility. Students are expected to have the necessary skills to study independently alongside people from a wide variety of ages and backgrounds. Places are offered on the understanding that, where relevant, students will be able to adapt to living away from home and manage the practicalities that this involves. UWE Bristol recognises that students with disabilities may require reasonable adjustments or additional support to do so. UWE Bristol treats all students as independent, mature individuals and students who are under the age of 18 years will be treated in the same way.

However, UWE Bristol acknowledges that anyone under the age of 18 is legally a child and recognises that students under the age of 18 may therefore have different needs in relation to their support and wellbeing.

Admission of such applicants therefore requires additional consideration in order that UWE Bristol can ensure that it fulfils its obligations and meets any additional needs in relation to support and wellbeing. Any special arrangements may distinguish between those who are approaching their 18<sup>th</sup> birthday, and those who exceptionally will be 17 or under for most or all of their period of study at UWE Bristol. A distinction may also be drawn between those who are aged between 16 and 18 years, and under 16s.

On the very rare occasion a student applies who will be under the age of 16 at the point of entry and where a Student visa is not required for the programme of study (see on students requiring a Student visa for study below) UWE Bristol will consider entry on an individual basis through a Safeguarding Panel which will include representation from the relevant Faculty, Admissions, Accommodation, Student Support and Wellbeing, and, where appropriate (for students requiring a visa to study in the UK), Points Based Immigration Team, and will be chaired by the Safeguarding Manager or their nominee. The panel will consider safeguarding requirements and the University's ability to fulfil them in relation to the requested programme of study.

## Key principles

UWE Bristol has a duty of care for all its students and staff. This duty is enhanced for students who are minors.

UWE Bristol will not act in loco parentis, and will not take on those responsibilities from the parent or guardian. The parent or guardian is required to accept this - and the other arrangements set out below - by signing the appropriate form before a student may be admitted to UWE Bristol.

International students who are under the age of 18 (and British students whose parents live overseas) will require a guardian to be appointed within the UK, accessible to UWE Bristol and the student should the need arise. Where international students do not have appropriate contacts in the UK to fulfil this role, guardianships accredited by [AEGIS](#) can be arranged.

UWE Bristol recognises that not all UK students under the age of 18 have a parent or guardian, for instance some of those who are care leavers or estranged from their families may not. Where students have a personal advisor from their local council, the personal

advisor may act as their guardian for the purposes of this policy. UWE Bristol believes that all students should have equal access to higher education and that its own policies should not impede this. Therefore UWE Bristol can support guardianships to be arranged in situations where there is no appropriate guardian.

Emergency contact details must be provided to UWE Bristol before a student registers and these details must be kept up to date - this is the responsibility of the student.

It is UWE Bristol's policy that, in accordance with data protection principles, it deals directly with students and not through a third party. This approach will apply equally to students who are under 18, and therefore all correspondence will be with them and not their parent/guardian. However, if the student fails to pay any sums agreed on contract then it will be necessary to disclose this to the guarantor.

## **Safeguarding**

The nature of the University environment does inevitably mean that students under 18 years of age come into unsupervised contact with a wide variety of people who are 18 years or older during the course of their academic studies, residence in University accommodation, or any other organised activities. This includes contact with staff and fellow students. However, this contact does not fall within the statutory requirements for criminal record checks to be undertaken and, accordingly, there is no obligation for such checks to be carried out for all UWE Bristol staff, including those who are assigned as personal tutors and members of staff or students working within University Residences.

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.

Legally, a person under the age of 18 years is a child. UWE Bristol, as a Higher Education Institution, is not subject to statutory safeguarding duties but is committed to its ethical duty to protect children from abuse and neglect. UWE Bristol will respond to any concerns that a student under 18 is experiencing or at risk of abuse or neglect in accordance with its [Safeguarding Policy](#).

## Access to age restricted items and content

It is illegal for alcohol to be sold to or bought by students who are under the age of 18. UWE Bristol will take reasonable steps to seek to ensure that the law is not broken in licensed premises under its control, and requires the Students' Union to do the same, but expects students to abide by the law and cannot be expected to supervise individuals in this respect.

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 18-certificate DVDs/Blu-ray or other video recordings classified to students who are under 18.

UWE Bristol will not make any special arrangements for restricting access to particular internet sites for students who are under the age of 18, who are expected to comply with the usual rules and regulations for the use of IT as are all other students.

Academic programmes are designed and validated to be delivered to students over the age of 18 years. Therefore, they may contain teaching materials that are 18-rated. If students and their parents/guardians are concerned about the content of the programme that they wish to enroll on, they are advised to discuss the content of the programme with the Programme Leader.

## Accommodation

Students who are under the age of 18 years and will be living in university-managed accommodation will be required to sign a legally binding contract with Accommodation Services, as this would be classified as a 'necessity' for their way of life. Special consideration will be given to the allocation of accommodation to students under the age of 18 and where available single-sex accommodation would be routinely allocated.

Parents/guardians are liable for any disciplinary or damage charges imposed on a student aged under 18.

Parents should recognise that residential accommodation offered by the University is generally intended for the use of adults and that, save in exceptional circumstances, special arrangements cannot be made for students who are under the age of 18 years.

## Field trips and Placements

Programmes may involve compulsory or optional field trips, excursions or other periods of study away from UWE Bristol. UWE Bristol cannot take additional responsibility for a student under 18 participating in those activities. Where these activities are not a formal part of the programme of study, it is the student's responsibility to inform the organiser of their age. By signing the consent form, parents give consent for the student to take part in these activities on that basis.

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).

## Non-academic activities

The student is responsible for informing organisers of non-academic activities in which they wish to participate that they are under the age of 18 years. In such cases the organiser will undertake a risk assessment and discuss with the student any particular concerns that arise, which may result in the student not being permitted to participate, or only with the express consent of the parent/guardian. The organiser will make any necessary special arrangements if required and agreed.

## Holding Office

Students who are under the age of 18 are encouraged to join University or Students' Union clubs and societies, however they are not to hold office and it is the responsibility of the student not to take on such duties. Their participation in certain activities may be limited.

## Students requiring a Student visa for study

Under the terms of its Student Sponsor License UWE Bristol can only act as immigration sponsor for students who are 16 or over at the start of their programme of study. Due to this requirement students requiring a Student visa cannot be considered unless they will be 16 years of age on the start of their programme.

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 alongside this evidence of their relationship with their parent(s) or legal guardian(s).

Acceptable evidence includes one of the following original (or notarised copy) documents:

- birth certificate showing the names of their parent(s);



- certificate of adoption showing the name(s) of their parent(s) or legal guardian(s);
- a court document naming their legal guardian(s).

## **Professional programmes of study**

Education providers must comply with the Health and Safety at Work Act 2004 which restricts the manner in which young people may be deployed. In this context, a “young person” is defined as “any person who has not attained the age of 18”. The key regulations in this respect are the Health and Safety (Training for Employment) Regulations 1990 and the Management of Health and Safety at Work Regulations 1999, and the Management of Health and Safety at Work Regulations (Northern Ireland) 2000. These regulations require employers to conduct risk assessments before requiring any young person to undertake any task. Admission of students aged under 18 years of age would be following a Health and Safety risk assessment. In some cases admission may need to be deferred until after the prospective student is aged over 18.

## **Review of policy and process**

This policy and process will be formally reviewed every three years unless there are internal or legislative changes that necessitate earlier review.

## **Further assistance**

Further information on this policy and procedure is available from:

[Safeguarding Manager](#)

## Process

In accordance with age equality legislation, an applicant's age will not have a bearing on admission to UWE Bristol except in circumstances where the particular programme of study e.g. professional, might not be suitable or possible to complete. The Admissions Office will liaise with appropriate faculty staff members about this.

1. Guidance about the arrangements and UWE Bristol's requirements and expectations will be sent to the applicant and the parent/guardian during the admissions process.
2. Where prospective students aged under 18 are applying to enrol on courses leading to professional registration, a health and safety risk assessment must be carried out before offering a place. Based on the outcome of that assessment, UWE Bristol reserves the right not to process the application further.
3. A parent/guardian must sign the agreement before an applicant is offered a place on a programme of study. Should a parent/guardian not wish to sign the agreement, UWE Bristol reserves the right not to process the application further. Where any applicant does not have a parent/guardian they should contact the Admissions department for guidance on arranging a formal guardian.
4. Accommodation Services will take the student's age into account in the allocation of accommodation and will consider whether any other arrangements need to be made. Where possible, single-sex accommodation would be allocated in the first instance. Accommodation Managers are to be informed of any under-18 students in the residences for which they are responsible.

5. The Admissions Office will notify Placement Management and the faculties (via the Faculty Business Managers) of any under 18s due to register as students, allowing sufficient time for necessary arrangements to be made.
  
6. The Faculty Business Managers will liaise with Faculty staff to make any appropriate special arrangements, which might include:
  - identifying an individual who shall take particular responsibility in the faculty for the student(s); such as an Academic Personal Tutor
  - signposting these individuals to the online safeguarding guidance documents, training and UWE Bristol processes and relevant contacts.
  - encouraging the individual to schedule regular individual meetings with the student(s) and helping to provide additional support and advice if necessary
  - maintaining links with academic staff to discuss any issues that arise.