

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

1. Background

The University's current position on the age of students at the point of admission is set out in Regulation 13.1 on 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.

In the eyes of the law, anyone under the age of 18 is a child, or minor. The University has therefore considered the special measures that need to be taken to ensure that it discharges properly its enhanced duty of care in respect of students under 18.

2. Policy

The University has a duty of care towards all its students and staff. In the case of students joining the University before their 18th birthday, this duty is enhanced as such students are regarded as minors under English law.

The consequences, both legal and practical, of this are as follows:

- a) The University will have special duties of care towards a child and cannot assume that a student under the age of 18 can be treated as an adult or make her/his own decisions.
- b) A person under the age of 18 does not have full legal capacity to enter into contracts, to give valid consent or to hold office in student clubs or societies.
- c) Before the student engages in certain activities consent of the responsible person should be sought. This should be the parents or guardians of the student.
- d) Special measures may need to be taken in respect of certain sporting or social activities.
- e) The student may not purchase alcohol or drink alcohol on university premises.
- f) Staff in a position of responsibility for or a relationship of trust with the student will need to be made aware of relevant legal issues.
- g) Appropriate residential arrangements will have to be made.

3. 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 the special measures that will be taken by the University in order to carry out its duty of care.

Parents will be informed that the University will not act in *loco parentis* in respect of the student and will be sent a form seeking their consent among other things, for the student to participate in student activities, and to be given emergency medical treatment.

If, having considered the documentation, parents do not wish the student to participate in activities that any student is normally expected to undertake, they must inform the University before the student accepts Bath's offer of a place. If this decision would, in the University's reasonable opinion, have a significant detrimental effect on the student's experience of university life, the University may decide to amend the offer so that a place is offered for deferred entry.

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

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.

It will normally be a condition of accepting overseas students who are under 18 that they have a guardian in the UK who has authority to take decisions and give consent on the students' behalf. All under 18 applicants coming to the UK with a Tier 4 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.

4. Parental Consent

Where appropriate and if reasonably practicable, the University will seek consent for the student to participate in certain activities or to go on field trips. It is the responsibility of the student and the parents to keep the University informed of up to date contact details.

5. Student Responsibility

Whilst the University recognises its special duty of care 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.

6. Identification

The Head of Admissions will inform Academic Departments, Student Services, Accommodation Services, the ICIA, Sports Development and the Students' Union of the identity of new students who are under 18, so that those departments and services can arrange and signpost available support.

7. Responsibilities of Academic Departments

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

- a) Senior Tutors will brief those members of academic staff who act as personal tutor for a student who is under 18 on the special duty of care owed to underage students and in particular of the offence of abuse of trust under the Sexual Offences (Amendment) Act 2000.
- b) An early initial meeting should be followed up by regular individual meetings with the personal tutor at least every month in order to establish substantial contact over and above the contact such a student might have with other members of staff in the department.
- c) The Head of Student Services will support Personal Tutors by providing information, advice and training for this aspect of their work.

8. 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.

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.

9. Social and Sporting Non-Academic Activities

Social and sporting and non-academic activities are organised and supervised by the Students Union and the Department of Sports Development and Recreation, Institute of Contemporary Interdisciplinary Arts (ICIA) and other non academic departments.

Officers from those non-academic departments will ensure that the relevant individuals are aware of any activities which involve underage students.

- a) Non-academic departments should take all reasonable steps to identify their higher duty of care and ensure the safety of under 18 year old students through agreed procedures and good practice.
- b) For on campus activities, the provider should have systems to identify under 18 year old students and inform the students directly of their responsibilities in respect of disclosure.

- c) For trips off campus which involve an overnight stay, the activity provider must ensure that group leaders and /or trip organisers are aware of the attendance of under 18 year old students and take appropriate child protection measures.
- d) For social activities, the provider should take reasonable steps to ensure compliance with the law
- e) Risk assessments will be carried out as appropriate.

10. Students under 16 on Entry

For any student under 16 an individual risk assessment should be carried out and appropriate arrangements put in place. This would include a parent or guardian being required to live in Bath with the student.