

# Policy for managing students who are aged under 18 on enrolment

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**Author:** Penni Robson

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## Overview

The University has a duty of care to all its students, however in the case of students who are under 18 on enrolment this duty is enhanced as such students are regarded as minors under English law.

On occasion the University enrolls students who are yet to reach their 18<sup>th</sup> birthday; in most cases this will be a temporary situation as the student will be approaching their eighteenth birthday. Those students who are not due to turn 18 within 12 weeks of enrolment *may* be required to defer their enrolment until the next academic session. Decisions in this regard will be made on a case by case basis by the Chief Operating Officer or his nominee.

The University is an adult learning and social environment and treats all its students as independent, mature students and expects them to act responsibly and appropriately. The University will not act *in loco parentis* in relation to students who are under the age of 18. The University's usual personal and academic support arrangements will apply to students who are under the age of 18.

This policy should be read in conjunction with the University's General Regulations and Procedures Affecting Students 2016/17 and the University's Safeguarding Policy.

Throughout this document "parents" should be taken to mean parent(s)/guardian(s)/carer(s).

## Policy

### Parents responsibilities:

It is a condition of admission to the University that the parents of any student who is under the age of 18 confirms, by signing and returning the attached *Parental Consent Form*, their acceptance of the arrangements set out in this policy.

The University requires contact details of parents, who will be accessible to both the student and the University should the need arise, for all students under the age of 18. Details of a UK-based guardian for overseas students must also be provided. These details should be provided to the University, on the *Parental Consent Form*, prior to the student's arrival on campus.

As a general rule under UK law, a minor is unable to enter into a contract. However, this does not apply to the provision of education or accommodation, and therefore, a student under the age of 18 will be able to enter into a legal contract for education and accommodation in the same way as an adult student. However, notwithstanding this the University will require that a parent acts as a guarantor in such contracts and will honour all obligations contained in these until such time as the student turns 18. Should any future occasion arise whereby a student under 18 needs to enter into any contract with the University which may not be legally binding due to age, the University may also request that a parent act as a guarantor for that particular contract.

Failure to pay any debts due to the University could result in the student's registration with the University being withdrawn and (where applicable) his/her Tier 4 visa being curtailed.

At the age of 16 patients in the UK are able to give consent for most medical or dental treatment without a parent's knowledge. Treatment is confidential. In the unlikely event of a medical emergency where a student is unable to consent and it is not possible to contact a parent or UK guardian, the University may authorise emergency medical treatment, acting on medical advice in the best interests of the student. The University therefore requires that parents acknowledge this by giving their general consent for medical treatment prior to the student's enrolment as contained in the *Parental Consent Form*.

Parents are responsible for ensuring the University has been informed of any special needs/medical conditions.

### **Admissions Teams responsibilities:**

Staff within Admissions Teams will ensure this policy and the Parental Consent Form are sent out to students during the admissions process.

For international students, the Admissions Team will ensure the University is in possession of additional documentary evidence needed to meet UKVI requirements, for further details please see section headed "Students Sponsored by the University under Tier 4" within this document.

Admissions Teams will provide details of those students who will be under 18 on enrolment to the following members of staff:

- Faculty Manager/Faculty Offices
- Faculty Heads of Study
- Head of Student Welfare
- Head of Security
- Accommodation Manager
- Head of Academic Support Office
- Student Finance & Welfare Manager
- DSU Membership Services Manager
- Head of User Experience, Library and Learning Services

### **DBS Checks:**

All members of University staff working within DMU owned and managed halls of residence will be subject to satisfactory DBS checks where eligible under DBS criteria<sup>1</sup>.

All members of staff working within the Student Welfare team and Student Finance & Welfare team will be subject to satisfactory DBS checks where eligible under DBS criteria.

All members of staff working in the Security Team will be subject to satisfactory DBS checks where eligible under DBS criteria.

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<sup>1</sup> Please refer to the University's document: "Disclosure and Barring Service (DBS) Checks – Guidelines for Managers and Employers" for further information.

Each Faculty will nominate a minimum of 6 members of academic staff who will be DBS checked and who will act as personal tutors to students who are under the age of 18. These tutors will be given appropriate training and guidance around the enhanced duty of care owed to under 18s.

### **Accommodation:**

The University owns and manages 3 halls of residence (Bede Hall, New Wharf Hall and Waterway Gardens); we also source accommodation from private (nominated) providers (Liberty Living, Victoria Hall and Unite Students). All University owned and managed accommodation and sourced accommodation is available for students to book via the University's online booking system operated by the Accommodation Team.

The University will guarantee to provide a room in either University owned and managed accommodation or within one of the halls operated by one of our nominated private providers (as listed above) for all students who are under the age of 18; providing the student has made DMU their firm choice and provisionally booked a room by 31<sup>st</sup> July.

All students are expected to assume adult levels of responsibility within any hall of residence; however the following procedures will be put in place for students who are under the age of 18 within a DMU owned or managed residence:

- Prior to intake or arrival of new students, the Hall Manager will identify any student who will be under 18 on arrival.
- If the arrival time is known (students can pre-select an arrival slot if they wish) the Hall Manager (or his/her nominee) will ensure they introduce themselves to the student/family when they arrive and carry out a tour/orientation of the Hall.
- If the Hall Manager is not available at the time of arrival, they will ensure they make contact with the student at the next available opportunity to check they have settled in and offer any further assistance if needed.
- Students who have been identified as under 18 will have all staff contacts recorded by the Hall Manager (or his/her nominee); this will include general enquiries, post collections, repairs required.
- Maintenance staff or contractors (who must be in possession of ID at all times) accessing the rooms of under 18s will be accompanied by a DBS checked member of staff.
- Hall Managers will ensure there is contact with the student on a weekly basis; all such contacts will be recorded. Hall Managers will monitor contact and if they believe there is any cause for concern they will forward a report to the University's "Students at Risk" group (SAR).
- If it has not been possible to establish regular contact, or there is a Hall or security incident report or welfare concern the Hall Manager will make a concerted effort to contact the student. If contact is not made within 24 hours the Hall Manager will inform SAR. If it is deemed appropriate the University will contact the student's parents to advise them of the situation.

The University's nominated accommodation providers are required to submit a copy of their Under 18s policies to the University for review and approval. If required, the University can provide advice on how to access these policies.

Please note that the University cannot accept any responsibility for issues that may arise if a student elects to live in a privately owned hall of residence or property.

### **Enrolment:**

Students who are under 18 will be issued with a different coloured Student ID Card on enrolment to assist with easy identification where necessary (e.g. Library, Security, access to licenced premises). On their 18<sup>th</sup> birthday students should request a replacement of this card from Student Gateway and they will be issued with a standard ID card free of charge.

Faculty Offices will ensure that Programme Leaders are informed that there are students under the age of 18 enrolled on the programme.

An appropriate (DBS checked) personal tutor will be assigned to the student.

### **Teaching and Learning:**

It is the responsibility of individual tutors to ensure that written, audio and visual materials used in class are suitable for the entire student group. It is likely that in most classes the vast majority of students will be over 18; however tutors may have to make arrangements to use different materials or reschedule teaching plans if they are informed that under 18s are present in the group.

Some courses may involve excursions away from the University. Subject to the University's duties under health & safety law, the University is not able to take any additional responsibility for a student who is under 18 in relation to such activities. Unless indicated otherwise, by signing the *Parental Consent Form*, parents give consent for their child to take part in such activities on this basis. Further detailed information in relation to overseas trips is available from the relevant Faculty or the DMU Global team.

Personal tutors should ensure they have regular engagement with students who are under 18. An initial meeting should be held with any such student within 2 weeks of the start of the academic year; follow up meetings should be held at least once a month to ensure the student is engaging with their programme of study and is receiving positive pastoral guidance. Any welfare concerns should be referred to SAR.

Faculties *may* decide to reallocate these students to another personal tutor once the student has reached the age of 18. Due consideration will be given to the impact on student experience, progression and wellbeing when making such decisions.

### **Internet Access:**

Internet access at the University is not routinely restricted by parental controls, although access to certain inappropriate websites is restricted centrally. Students under the age of 18 will be allowed the same level of access as all other students and will be expected to observe the same regulations relating to acceptable use of the internet.

### **Library Access:**

Library spaces and collections support adult learning activity. Students who are under the age of 18 will not be permitted self-service borrowing of audio-visual materials and will not be permitted to remove age restricted publications from the library.

### **Legal Considerations:**

It is illegal for alcohol, tobacco, solvents, fireworks and knives to be sold or purchased by minors. The University will take responsible steps to ensure that the law is not broken in relation to its licenced premises or any retail operations under the University's control, but cannot take on the responsibility of supervising individual students. Please see section below on De Montfort Students' Union (DSU) for information in relation to DSU owned and managed premises and events.

Under the Sexual Offences (Amendment) Act 2000, it is a criminal offence for any person in a position of trust to engage in sexual activity with a minor. The university considers this to be a disciplinary issue which may result in disciplinary action up to and including dismissal, as well as possible reporting to the police.

The physical, sexual or emotional abuse of children is clearly a very serious issue and consequently University staff must report any suspicions or allegations of child abuse to the Responsible Officer for Safeguarding (Ben Browne, Chief Operating Officer) at the University who will contact the appropriate authorities.

Although regarded as children by the law, students under the age of 18 still have the right under the Data Protection Act 1998 for information about them not to be disclosed without their consent. Consequently, the University will not disclose any information to parents without the express written consent of the student concerned.

As part of the Government's strategy to reduce terrorism in the UK, the Counter-Terrorism and Security Act 2015 introduced a package of measures aimed at countering the risk of terrorism and radicalisation. The Act introduced the statutory 'PREVENT' duty for a range of public and other bodies and as such the University became subject to this duty as of September 2015. Therefore, the University reserves the right to make referrals to the appropriate authorities if deemed appropriate and necessary by SAR.

### **De Montfort Students' Union (DSU):**

DSU does not allow students who are under 18 into the Venue or other DSU organised events where alcohol is available. All signed in guests (non DMU students) must provide a passport or driving licence as ID.

Students who are under 18 are encouraged to join DSU clubs and societies but they are not allowed to hold any office which carries legal responsibility (e.g. secretary or treasurer).

Some DSU societies are not suitable for under 18s and therefore involvement cannot be permitted, such societies are (but not limited to):

- Cocktail Society
- DMU Beer Pong
- Poker
- Video Game Society
- Burlesque

### **Leicester International Pathway College (LIPC):**

The University works in collaboration with LIPC, the college regularly enrol students who are under 18. Please refer to the “LIPC Under 18s Policy” for details of their procedures in this regard.

Due to the academic progression arrangements currently in place, at point of enrolment with LIPC all students and their parents will be expected to confirm their compliance with this DMU Policy by completing the attached *Parental Consent Form*.

### **Students Sponsored by the University under Tier 4**

Those under 18 students who are being sponsored by the University under Tier 4 will be required to provide additional information/documentation to the University in order to comply with UKVI regulations. Documentation required will include (but is not limited to):

- Copy of the letter of parental consent used during the visa application process.
- Copy of the student’s tenancy agreement for their accommodation.
- Copy of the student’s flight tickets for their journey to start their course.

It is mandatory that this information is provided to the University before the student travels to the UK, failure to do so may result in the student being unable to enrol on their course.

The International Admissions Office will liaise directly with students in this regard and will send timely correspondence with details of all information needed.

## Parental Consent Form

*Only required if applicant will be under 18 when enrolling at De Montfort University*

De Montfort University is committed to providing a safe and secure environment for all students; this duty is enhanced (by way of a statutory duty) for those students who are regarded as minors under English law.

As a parent you should be aware that the majority of University facilities are intended for use by adults (aged 18 and over). Therefore parents should accept responsibility for this and ensure that students under the age of 18 years understand and comply with arrangements for younger students. Before they can join the course, you **must complete this form** to confirm that you agree to these conditions.

**Name of Student:** .....

**Date of Birth:** .....

**De Montfort University Applicant/Student Number:** .....

**Course Applied for:** .....

I hereby confirm that I have read and understood the conditions contained in the “University Policy for managing students who are aged under 18 on enrolment” document provided by the University and I accept responsibility for ensuring that my son/daughter understands and complies with them.

I consent to my son/daughter studying at the University and give them permission to travel (in the UK and overseas) and live independently whilst undertaking this study.

Prior to their arrival, I will ensure that suitable accommodation has been arranged for my son/daughter and inform the University of the address.

I accept that the University will:

- a) not act *in loco parentis* should the above student be admitted to De Montfort University;
- b) authorise emergency medical treatment for the above student if the student is unable to give consent or it is not possible to contact a parent or guardian;
- c) keep this Consent in force until the student’s 18<sup>th</sup> birthday.



I agree to take responsibility as follows:

- a) I guarantee that I will honour any contracts entered into with the University by the above student (e.g. agreements to pay tuition fees);
- b) I have advised the above student that De Montfort University is an adult learning environment with the expectation that all students act responsibly and appropriately.
- c) I have advised the above student that he/she may not enter licensed premises or hold office within the De Montfort Students' Union while under the age of 18.

**Name of Parent:** .....  
(please print)

**Relationship to Student:** .....

**Parent Home address:** .....

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**Email:** .....

**Signed:** .....

**Date:** .....

### **24-hour Emergency Contact Details**

In the unlikely event of an emergency involving this student, after they enrol at the University and before they reach the age of 18, please provide additional contact details of a family member of guardian who is contactable **24 hours** a day (if different from those detailed above).

**Name:** .....

**Relationship to Student:** .....

**Email:** .....

**Telephone:** .....

**Mobile phone:** .....



**To be completed by parents living outside the UK only.**

The University requires that you provide the contact details of a guardian based in the UK. Please provide these details below:

**Name of UK based guardian:** .....

**Address:** .....

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**Telephone:** .....

**Email:** .....

Please return this form to the Admissions Team at:

A copy of this form will be stored centrally by the Academic Support Office, Student & Academic Services