

## Arrangements for the Admission of Applicants under the Age of 18 Years

### Purpose and Context

Occasionally the University admits students who are under the age of 18 years<sup>1</sup>. In most cases this will be a very temporary situation, as the student will be approaching their eighteenth birthday. The University treats all its students as independent, mature individuals and students who are under the age of 18 years will be treated in the same way. The usual personal and academic support arrangements will apply to students who are 16 years and over. Though legally defined as children, students from the age of 16 have many, but not all, of the rights afforded to their adult counterparts, however the University acknowledges that some legal restrictions apply to students who are under the age of 18. This document sets out the legal rights conferred to students aged 16 and 17 as well as identifying some of the legal limitations imposed on them.

### Scope

All applicants and students who will be under the age of 18 at the start of their course. This policy covers admission for all undergraduate and postgraduate taught courses, including courses based at partner institutions (e.g., PGCE courses) and Degree Apprenticeships. This policy covers admission for all modes of study including full time, part time, distance learning and block delivery.

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### 1. Parental responsibilities

The University does not assume the responsibilities and authority that parents<sup>2</sup> have in relation to a child, and it will not act in *loco parentis* in relation to students who are under the age of 18 years. Where a student is classed as an international student, if they are 16 or 17 years old and on a student visa, they have the right to live independently in the UK and so may make their own arrangements for accommodation. However, under UKVI immigration regulations, such students require the consent of their parent(s)/legal guardian(s) to do this and to travel to the UK. A consent letter to this effect will be included in the offer letter to the student and must be signed and completed by the parent(s)/legal guardian(s) prior to any visa documentation being issued for the student. This is a condition of the offer, and must be completed in order to be issued with a Confirmation of Acceptance for Studies (CAS)

### 2. Contracts and laws

Students aged 16 and 17 are able to enter into contracts for goods and services that are necessary and/or beneficial, for example contracts for education and accommodation. This means that students who are aged 16 or over studying at the University are contractually bound by its regulations and are legally liable to pay tuition, accommodation and other related fees. However, the University requires parents of a student under 18 years of age to honour the obligations of any contract that the student enters into with the University prior to their 18<sup>th</sup> birthday. Such students are also bound by the general laws of the UK.

### **3. Data Protection**

The Information Commissioner regards students as capable of consenting to the processing of their personal information from the age of 12, for the purposes of data protection. Consequently, the University will not disclose information to parents without the consent of the student concerned.

### **4. Field Trips**

Students may be required to take part in field trips as part of their course. The University cannot accept responsibility for such students, other than in relation to its Health and Safety requirements.

### **5. Internet access**

Parents of students under 18 should note that internet access is unrestricted at the University. It is not possible for the University to limit access to any particular sites or categories of information. Students under 18 will be expected to observe the same rules and regulations about acceptable use of the internet.

### **6. Alcohol**

It is illegal for alcohol to be sold or bought by students who are under the age of 18 years. The University will take reasonable steps to seek to ensure that the law is not broken in relation to licensed premises under the University's control but cannot undertake to supervise any individual student.

### **7. Holding Office/Students' Union**

Students who are under 18 years are not allowed to hold office, for example, they may not be secretary or treasurer to a sports club or other students' association.

### **8. Relationships with Staff**

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.

### **9. Child Protection**

The University regards the physical, sexual, or emotional abuse of children as a serious matter. Consequently, University staff will report any suspicions or allegations of abuse of children, in accordance with the reporting procedures specified in the University Safeguarding Policy. Members of staff who have substantial contact with students under the age of 18 years are required to undertake Disclosure and Barring Service checks.

### **10. Notification**

The Wellbeing Manager and the School Manager will be notified, prior to registration, of any student within their group who will be under the age of 18 years on entry to the University.

(Teaching and other staff will not routinely be made aware of a student's age). The student will be provided with the opportunity to contact a Wellbeing Advisor to receive advice relating to wider support matters.

## **11. Parental involvement**

It is the University's policy that it deals with students (with whom it has a contractual relationship) and not with parents and this approach will also apply to students who are 16 years or older. The University therefore corresponds with students, not parents. In exceptional circumstances the student can nominate a contact to discuss their application. This can be done by adding a nominated contact to UCAS application or confirming via email for direct applications. This person will not be able to make any decisions regarding the application or change any of the applicant's personal details such as current address.

## **12. Emergency Contact**

Students from the age of 16 can consent to medical treatment. Hence, if a medical emergency arises, it is not necessary for the University to contact next-of-kin in order to provide consent to treatment. Students may not however refuse medical treatment until they reach the age of 18 and a person with parental responsibility (or a court) may override a purported refusal to receive treatment. It is particularly important, therefore, that emergency contact details are provided prior to the student arrival at the University so that those with parental responsibility may be contacted by medical professionals or by the University where the medical professionals believe necessary medical treatment is being refused. Parents of international students may wish to appoint a guardian in the local area for these purposes.

## **13. Enquiries**

Any enquiries about the content of this document should be addressed in the first instance to the Student Recruitment Manager by emailing [study@hud.ac.uk](mailto:study@hud.ac.uk)

1 The University does not usually receive applications from individuals under the age of 16. Any such application will be considered on a case-by-case basis in accordance with the University's admissions criteria generally, the requirements of the particular course, and the need to ensure that the applicant has sufficient personal maturity to participate in a university environment. The University will also consider whether it has the resources to apply to the needs of applicants below the age of 16 who do not have capacity to enter into contracts and whose welfare and health and safety needs may be significantly different from students aged 16 and above. Where the University agrees to accept an applicant who is under 16, it may impose specific conditions, such as requiring parents to act as guarantors and requiring the student either to live at home or be placed by his/her parents with families in the locality.

2 Throughout this document 'parent(s)' should be taken to mean 'parent(s)/carer(s)/guardian(s)'

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<b>REVISION HISTORY</b>			
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V2.1	March 2022	Minor Changes	Student Recruitment Manager
V2.0	September 2020	Minor Changes	Student Recruitment Manager
V1.0	May 2017	First draft of new policy	ASIS Director