

Admission and Support of Students Under 18 Years of Age Policy

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University of Salford	_
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The owner and author are responsible for publicising this policy document.

1.0 Purpose

The purpose of this policy is to safeguard the welfare of students who are under the age of 18 when they commence their studies at the University until they turn 18 (referred to below as Under 18s).

This policy is directly related to and should be read in conjunction with the University Safeguarding Policy (see Related Documentation). It is also based on and incorporates elements of the legislation and national guidance (including but not limited to):

- The Children Act 2004
- The Education Act (2002) Section 175
- The Data Protection Act 2018
- The Protection of Children Act 1999
- The UN Convention on the Rights of the Child
- The Sexual Offences Act 2003
- The Safeguarding Vulnerable Groups Act 2006
- The Protection of Freedoms Act 2012
- The Management of Health and Safety at Work Regulations 1999
- The Equality Act 2010

2.0 Scope

This policy applies to all University employees, people applying to be students, third party employees (e.g., agency employees), associates and students who in the course of their duties (organised activities and services for Under 18s) may have contact with Under 18s. All University employees are in a position of trust, in particular those employees who teach, support, and guide or in any way interact with students. It is incumbent on all employees and students to be aware of this and to act appropriately at all times.

The University has a responsibility for safeguarding and the Director of Legal and Governance is the Designated Safeguarding Lead (DSL) with the Deputy Designated Safeguarding Lead (DSL). There are a number of Designated Safeguarding Officers (DSO) who have a responsibility to report any allegations or cases of abuse to the appropriate authorities. (See Related Documentation)

3.0 Policy Statements

3.1 Students Under 18

Most students will be 18 or over when they commence their studies at the University or turn 18 soon after they start. The University is an adult environment and treats all its students as independent, mature individuals. Students who are under the age of 18 years will be treated in the same way. Although the University acknowledges that anyone under the age of 18 is legally a child and may have additional needs for their support and welfare, the University is not able to take on the usual rights, responsibilities, and authority that parents 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. All students under 18 years at their study start date, and who are not normally resident in the UK, must have a UK guardian.

Offers of admission to students who will be under 18 at registration will only be made where the University is satisfied that the student meets entry requirements and there may still be exceptions where professional body age restrictions apply. Applicants will be notified of this Policy and the Safeguarding Policy and will agree to comply with any arrangements to support and safeguard under-18s (for example relating to licensed premises on campus, providing emergency contacts in event of welfare concerns).

The Marketing, Recruitment & External Relations (MRER) team must liaise with the appropriate School, askUS and the Deputy Designated Safeguarding Lead (DDSL) throughout the process. For the admission of Under 18 applicants see the departmental responsibilities outlined below and detailed in a flowchart at Appendix A.

Admission stages:

- a. Application is received by MRER from an Under 18 and, through consultation with the School, MRER determines that the applicant satisfies the entry requirements and that there are no age restrictions by professional bodies or programme requirements.
- b. MRER processes the application in the same way as other applicants, and where appropriate issues a conditional offer. MRER include the under 18 process completion as a condition of the offer.
- c. All applicants who will be under 18 on the 1st day of their intake month will be sent an email by MRER thanking them for their application and stating that, as part of the University 'Admission and Support of students under 18 years of age' policy, they are requested to provide their parents / carers' contact details and where students are international their parents will be requested to complete an additional section containing guardian information. The details must be supplied via a link to a form, which when completed electronically by the applicant/parent is transmitted to the askUS 'Under 18' email address. Identification will be via student ID number.
- d. Upon completion, askUS receive alert and notify MRER via the appropriate inbox to indicate that the forms have been returned.
- e. askUS to notify the Safeguarding Manager/Respect, Culture and Behaviours Team of the Guardian contact details so that their understanding of their role as Guardian is checked
- f. Once the Safeguarding Manager/Respect, Culture and Behaviours Team is confident that the Guardian is suitable, askUS to add guardian details to Banner.
- g. Under 18's application follows normal procedures as for all other applicants
- h. askUS regularly send a list of applicants with outstanding information to appropriate MRER admissions mailbox
- i. askUS runs report on a regular basis to capture those under 18s eligible to register. This alerts Safeguarding Manager/Respect, Culture and Behaviours Team, to inform the School Business Manager (Designated Safeguarding

Officer for Salford Languages).

j. askUS to send student eligible to register the document 'Information for all students under 18 years of age' and also email to offer to address any concerns via email or telephone conversation.

For all under 18s the School Business Manager, Programme Manager, Student Experience Manager should complete a Risk Assessment (Appendix C) or allocate this to the most appropriate member of staff (This will be coordinated by the DSO for Salford Languages). This risk assessment should include risks over and above the standard such as identification of those personnel with whom the student may have 1:1 contact and indicate the need for a DBS check Compliance with this assessment is the responsibility of any staff who would routinely interact with each student. It is the responsibility of the School Business Manager (Designated Safeguarding Officer for Salford Languages with ultimate responsibility lying with the Director or Salford Languages) to ensure the risk assessments are kept securely and ensure these are updated if the student's situation changes or new risks are identified.

- k. The School Business Manager is responsible for informing the relevant school staff of the arrival of an under 18. With Salford Languages, the Deputy Designated Safeguarding Lead (DDSL) will inform the DSO directly, who will take a lead with coordinating risk assessments.
- If a student who is under 18 transfers to another course within the same school, it is the responsibility of the School Business Manager (International Foundation Year Admin Team for Salford Languages) to ensure that the new Programme Lead is aware of the transfer and that the risk assessment is updated. If the student transfers to another school within the University, it is the responsibility of the School Business Manager to ensure the new School Business Manager/Student Experience Manager/Programme Manager are aware of the students under 18 status.
- m. askUS will notify the University of Salford Students' Union of the arrival of an Under 18 (see section 3.8 below).

3.2 Safer Recruitment and Selection Procedures

Many employees across the University will be in regular or significant occasional contact with under-18s in the course of their teaching or other work, or will be in positions of particular trust e.g., Student Support employees, security employees, named advisers in departments. In cases where these employees are identified as undertaking 'regulated activity', it is a requirement that they should be DBS checked. Employee vetting requirements are set out in the on-boarding process with specific reference to the preemployment checks, outlined in the HR Recruitment Code of Practice (See Related Documentation).

In cases where academic schools are informed of the enrolment of a student who is under 18 in their department, it is the responsibility of the School Business Manager and the Student Experience Manager/Programme Manager (Designated Safeguarding Officer for Salford Languages) to undertake a risk assessment or identify the most appropriate person to do this (See Appendix C). Part of this process should include identifying any staff who may be undertaking 'regulated activity' with these students on a regular basis (Appendix A), and so who may require a DBS check. DBS checks would only need to be considered where a student is under 18 at their study start date.

3.3 Safeguarding Concerns

As a matter of law, a person under the age of 18 years is a child. In line with the Safeguarding Policy, there is a network of trained Designated Safeguarding Officers (DSO's) who will act as the points of contact within the University for receiving safeguarding concerns and referring onwards to the appropriate authority. Employees and Students have a responsibility to be alert to the possibility that an individual under 18 may have been abused or be at risk of abuse.

Such concerns should never be left unreported. The DSOs will have received training and be aware of what further reporting (to Social Services Department or Police) and actions may need to be taken. For full information consult the Safeguarding Policy (see Related Documentation).

3.4 Medical treatment

Students who are 16 or over generally have the legal capacity to consent to their medical treatment. Parents and guardians should be aware that in these cases the student is entitled to make his/her own decisions about giving consent for medical treatment. However, for all students under 18 years of age, parents will be asked before studies begin, for UK guardian contact details in the event of a medical emergency. Even with such consent, the child's view must also be taken into account. If a medical emergency arises and it is not possible to contact the parent / guardian using the contact details supplied, the University will arrange for treatment where it is in the best interests of the student.

3.5 Record Keeping and Confidentiality

It is the University's usual policy to deal directly with students and not their parents. This approach will also usually apply for Under 18s. Under the Data Protection Act 2018, the University is not able to give information to parents or guardians about the student without the student's consent, an exception to this is where a student fails to pay any fees owed to the University and it becomes necessary to disclose this to any parent / guardian who is acting as guarantor, or where there is serious welfare or safeguarding concerns.

It should be noted that consent is still required from Under 18s in the same way as for adults regarding matters of data protection e.g., how the University processes personal data such as education records.

In accordance with statutory requirements, where safeguarding issues are involved, the priority is the safety of the individual who may be at risk. There may be occasions where a safeguarding issue is reported without obtaining the under 18's or parents' consent.

3.6 Contractual arrangements

As an under 18 may not have the legal capacity to enter into contracts in all cases, the University requires the student's parents to honour all obligations the student may have under contracts with the University which are entered into before the student's 18th birthday.

3.7 Accommodation

Residential accommodation offered by the University partners is generally intended for the use of adults. Early bookings are advisable (note that bookings normally start being taken in February of each year).

All University partner accommodation is managed by Campus Living Villages with whom bookings will need to be made- <u>visit Campus Living Villages at:</u> <u>Student Accommodation | All-Inclusive Student Living On Campus (campuslivingvillages.com)</u>

Arrangements with private accommodation providers are the responsibility of the parents / guardians, please refer to Private accommodation providers at: www.manchesterstudenthomes.com/Accommodation

3.8 Extracurricular Activity and Leisure time

Under 18s are eligible to be a member of the Students' Union and to access its services and activities. However certain restrictions apply:

- a. Under 18s are able to fully take part in all Student Union activities but they are not eligible to hold positions of responsibility, such as office as a sabbatical officer or act as a student trustee. Membership of a student activity group will be at the discretion of the Union to ensure that the appropriate safeguarding conditions can be put in place and that the activities are suitable for an under 18.
- b. Membership of certain societies will be refused due to age restrictions e.g., gambling activity.
- c. The Students' Union has a licensed venue which sells alcohol and, although Under 18s can use the venue (until 9pm), it is illegal for the student to buy (or consume) alcohol or for anyone to sell it to them. The Students' Union is responsible for its licensed premises and has and Under 18's Usage Policy and associated Risk Assessment in place.
- d. The University Catering provider, Chartwells, (not the Students' Union), has overall responsibility for the three shops on campus that sell alcohol, tobacco, and cigarettes. It is illegal to sell these to Under 18s.

3.9 Work Placements

Anyone on work experience placements is regarded in health and safety law as an employee. Therefore, students on work experience must be provided with the same level

of health, safety and welfare protection given to other employees (for University Health and Safety Policy see Related Documentation).

The University cannot leave everything to the employer, the University MUST inform the employer that the student is under 18 and ensure that they have in place appropriate insurance and health and safety procedures and that they are aware of the additional responsibilities of employing young people including any DBS requirements. Work placement will form part of the risk assessment (See appendix C) completed by School Business Manager, Programme Manager/Student Experience Manager (Designated Safeguarding Manager for Salford Languages)

As with all students on placements, but of particular importance with under 18's students, there should be suitable arrangements for maintaining contact between the student and their School / tutors. (For Work Based Learning and Placement Policy see Related Documentation).

3.10 Relationships with Under 18s

It should be noted that whilst a child can consent to sexual activity once they reach the age of 16, under the Sexual Offences Act 2003 it is a criminal offence for a person over 18 (teacher, student, mentor, academic employee etc.) to have a sexual relationship with a child under 18 where that person is in a position of trust, even if the relationship is consensual. (For Consensual Relationship Policy see Related Documentation).

3.11 Field Trips

Certain courses may involve compulsory or optional field trips, excursions, or periods of study away from the University. No additional responsibility can be accepted by the University for a student who is under the age of 18 years in relation to such activities. A separate risk assessment must be carried out before any field trip can take place. (For Travel and Field Work Policy see Related Documentation).

4.0 University Welcome and Induction

On acceptance of an offer made by the University, new students will be provided with online information outlining where to find their timetable, the welcome activities taking place and where to get advice and guidance such as wellbeing, disability and learner support and money advice and funding.

Students who are under 18 will be offered an additional welcome to the University, through a welcome event delivered by the Safeguarding Manager/Respect, Culture and Behaviours Team, and designed to ensure they are aware of the support available to them, their rights and responsibilities and the importance of maintaining regular contact with key UoS staff.

New Student Welcome pages: https://www.salford.ac.uk/welcome

Student Support and guidance: http://www.askus.salford.ac.uk/

5.0 Visa Requirements

In all cases where a Tier 4 (general) student is under the age of 18, the University has a responsibility to ensure that it has parental / guardian consent for the student to travel and live independently in the UK. This is confirmed in the Parental Consent Form.

Tier 4 students – How to apply for your course

Guidance on application for UK visa as Tier 4 student

6.0 Students changing courses whilst still under the age of 18

There may be occasions when an under 18 student changes courses during their time with the university. For example, this it is common with students undertaking the International Foundation Year (IFY). Where a student changes courses and are still under 18, it is the responsibility of the School Business Manager, Student Experience Manager and Programme Manager to ensure that their counterparts in the school the student is progressing to, are aware that the student who is joining them is under 18. The student receiving the new student, will be responsible for ensuring they have a new risk assessment and are assigned an SPA/DSO to support them.

7.0 Policy Enforcement / What happens when the policy/procedure is not followed

Where appropriate, specify what should happen when a policy/procedure/code of practice is not followed and any sanctions should be included as a discrete statement. Reference should be made, where relevant, to existing policies and procedures.

8.0 Related Documentation

- Safeguarding Policy https://www.salford.ac.uk/sites/default/files/2022-02/UOS-safeguardingPolicyV3.5.pdf
- Health and Safety Policy
- Student Support Policy https://www.salford.ac.uk/sites/default/files/2021-05/StudentSupportPolicy.pdf
- Admissions Policy https://www.salford.ac.uk/sites/default/files/2020-07/AdmissionsRetentionPolicy.pdf
- Work Based Learning and Placement Policy https://www.salford.ac.uk/sites/default/files/2020-07/WorkBasedPlacementLearning-6.pdf
- Student Criminal Convictions Policy https://www.salford.ac.uk/sites/default/files/2021-07/ASCCPP.pdf

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The following policies can be found on the HR pages

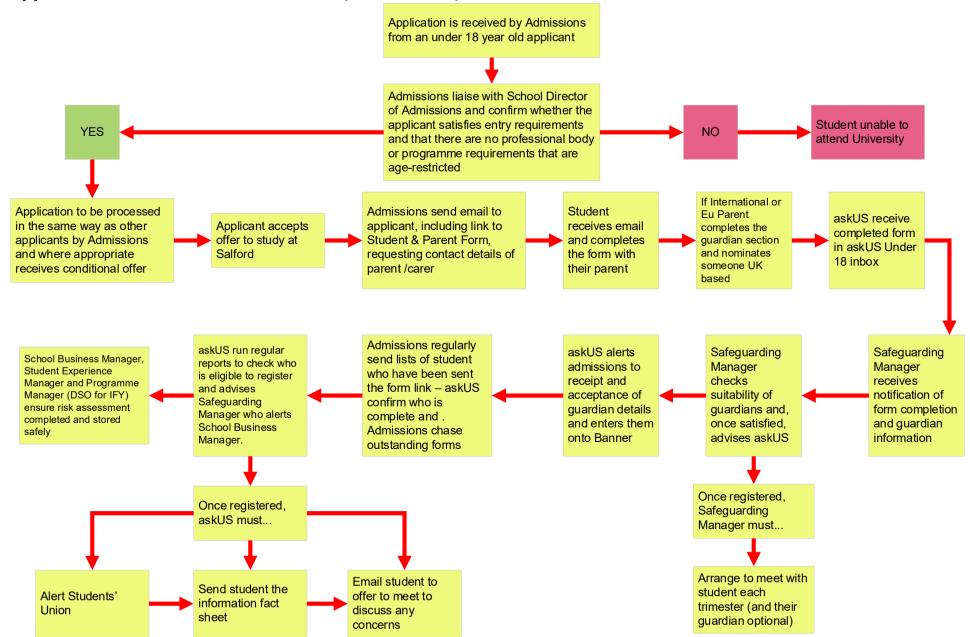
https://testlivesalfordac.sharepoint.com/sites/HumanResources/SitePages/HR-Documents.aspx

- U18 and Children on the PremisesPolicy
- Personal Relationship Policy
- HR Recruitment Code of Practice
- Travel and Field Work Policy

9.0 Appendices

- Appendix A: Admission of U18 student departmental responsibilities flowchart
- Appendix B: U18 Support Guidance
- Appendix C: Risk Assessment Guidance and Template
- Appendix D: DBS Flow Chart Appendix E: U18 FAQ's

Appendix A: Admission of U18 student departmental responsibilities flowchart



Appendix B: Under 18's Support Guidance

Guidance for colleagues working with students who are under 18

Students who are under 18 are among our most vulnerable, as for the purposes of safeguarding, they are considered to be children until their 18th birthday. As such we have an enhanced duty of care to these students. This guidance has been written to be used in conjunction with:

- The Admission of Student under 18 years of Age Policy
- Safeguarding Policy (particularly the Code of Practice when dealing with children or vulnerable adults)

Supporting students who are under 18

Students who are under 18 will be assigned a Student Progression Administrator (SPA) to monitor them as per the Admission of Students under 18 years of Age Policy (Designated Safeguarding Officer for Salford Languages). It will be the responsibility of this staff member to check in with the student regularly (as specified below) to monitor their safety and wellbeing.

Under 16- and 16-year olds

Contact with SPA or DSO – Once a month

Contact with Respect, Culture and Behaviours Team (RCB) – Twice per term

17-year olds

Contact with SPA- Once every two months

Contact with RCB team— Once per term

Monitoring these students can include speaking to them on the phone or by email and does not always require face to face meetings. The appropriate method should take into account any reasonable adjustments needed for students with disabilities.

Staff should be mindful of the following when undertaking monitoring of under 18's:

- Attendance
- Health and wellbeing
- Relationships
- Contact with guardian

Staff should keep a record of any one to one intervention's with under 18's, as per the under 18's risk assessment (please see University Safeguarding Policy for guidance on recorded safeguarding concerns)

International Students

International students are often living away from caregivers which can increase their vulnerability. All international students who are under 18 must have a UK based guardian to study with us, however these guardians may live in another part of the country and although we ask them to maintain regular contact with the student, they may rarely physically see them. Please consider this in your interventions with these students and ensure that you are satisfied that these students are receiving the help, support and guidance they need. If you are concerned that this is not the case, please inform your Lead DSO and the Deputy Designated Safeguarding Lead.

Managing concerns about a student

If you have welfare concerns about a student there are several actions you can take:

Referral to Wellbeing and Counselling Services

You can either complete the online referral form with the student or contact the Team directly who will be able to advise you on the most appropriate course of action and relevant services

- Referral to askUS
- Discuss with Lead DSO or Deputy Designated Safeguarding Lead
- Call a case meeting

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Please ensure that your Lead DSO is made aware of any concerns you have about a student who is under 18.

Please see the University <u>Safeguarding Policy</u> for guidance around managing safeguarding concerns.

Case Meetings

Case meetings are an opportunity to discuss your concerns with the student and relevant colleagues. This can help with gathering information to facilitate assessing risk and planning support. Consent should be gained from students for a case meeting to be held and the student should be invited to this meeting. There may be times when it would be beneficial for parents/carers/guardians to be invited to case meetings. Again, student consent should be gained for this, and you should inform your Student Experience Manager and Programme Lead.

Contacting parents and guardians

This should only be considered where concerns have not been resolved through the actions above or where it is felt these actions will not be effective, or the student will not agree to support. This contact may assist in ensuring that caregivers can help to keep the child in their care safe. Where a child is living away from caregivers, this can be especially important, as these caregivers may not in a position to observe any changes with the student that may indicate that something is wrong.

Consent should always be sought when contacting parents/carers/guardians in line with Data Protection Legislation, however there may be times when gaining consent may not be possible, for example if a student is ill. In cases like this, please discuss with your Student Experience Manager/Programme Manager/DSO and inform the DDSL of any action.

Appendix C: Risk assessment Guidance and template

Risk assessments will look different for each student, as they will be dictated by the risks associated with the environment in which they are studying. However, there will be some standard risks that effect the majority of under 18 students. These have been added below as a guide to support with completing a risk assessment for an under 18 student.

Name of person completing risk assessment	(Signature)	(Date of completion)	Name of Student		
Hazard	Risk associated with hazard	People affected	Preventative Measures	Additional actions needed	Date of review and person responsible
1:1 contact with the under 18-year-old student	False allegations of abuse made by student whether justified or not	 Personal tutor Programme leader DSO DDSL Other tutors Other students Student 	 Colleagues to consider precautions such as meetings students with other colleagues or students present/leaving door open/meeting students only during core hours Check in meetings with students recorded and added to advantage noting content of conversation and any concerns raised. 	Any colleagues undertaking 'regulated activity' to be DBS checked (see Appendix D).	
Access to inappropriate material	Student likely to access age-inappropriate material	Under 18/ Parents	 Trigger warnings given prior to sessions that may include sensitive content 		
Medical emergency	Injury physical/mental illness. Pre-existing condition		 Parent/guardian consent form and medical declaration U18 and Student Support Policy framework 		
Field Trips	InjuryGoing missing	StudentParents/GuardiansTutors		Completion field trip consent form	
Placements/Work Experience	Legal requirements regarding U18s and U16s				

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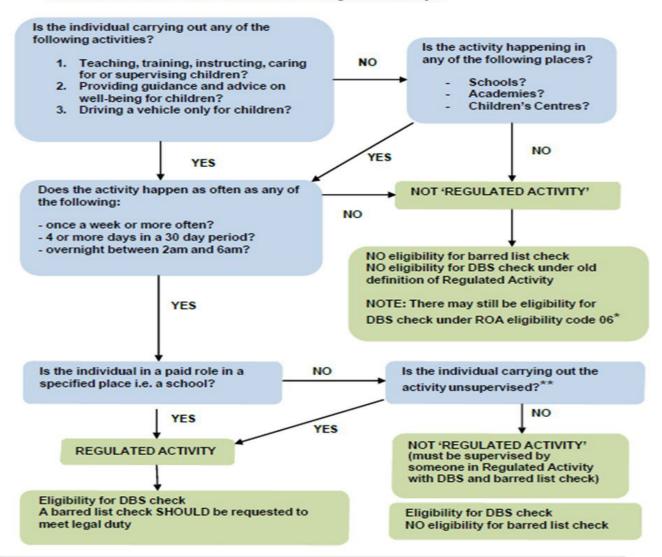
Mental health and			
wellbeing			

Risk Rating Matrix

	5	Medium / High	Medium / High	10gh	High	High
	4	Low / Medium	Medium / High	Medium / High	High	High
Impact	3	Low / Medium	Law / Medium	Medium / High	Medium / High	High
	2	Low	Low	Low / Medium	Low / Medium	Medium / High
	1	Low	Low	Low	Low / Medium	Low / Medium
		1	2	3	4	5
Likelihood						

Appendix D: DBS Flow Chart

Flow chart to determine if an individual is in 'Regulated Activity':



^{*} Rehabilitation of Offenders Act eligibility code 06 'Any position which otherwise involves regularly caring for, training, supervising or being solely in charge of children' is still available for sport to use. The word 'regularly' in this eligibility code is not linked to the requirements in the definition of 'Regulated Activity' – it is open to define by the organisation. It is suggested annually is not enough but an argument could be made for eligibility if an individual does an activity 8 times over the summer period or once a month for example. Appendix B lists all eligibility codes.

^{**} To answer 'No' to this question the individual carrying out the activity must be supervised by an individual who is in 'Regulated Activity' themselves.

Appendix E

Under 18's FAQ's

Who needs a DBS?

Only colleagues undertaking 'regulated activity' with under 18-year-olds will require a DBS check. You can check the DBS flow chart within the Admission and Support of Students under 18 Years of Age Policy (page 20) to identify if a check will be required or check using https://www.gov.uk/find-out-dbs-check

How do we organise a DBS for a colleague?

HR are responsible to organising DBS checks for colleagues. If you believe that a colleague you are working with will be undertaking regulated activity with under 18-year-olds, you must contact HR to request a DBS check. You can do this through emailing hradvice@salford.ac.uk

Why do we need a risk assessment?

Students under the age of 18 are children in the eyes of the law, and so are more vulnerable. There are certain risks associated with an adult environment that need to be considered when planning learning for these students. These could include risks associated with fields trips, work experience placements and course content for example. You will find an example risk assessment within the policy (pages 16-19).

Who completes the risk assessment?

The responsibility for the completion of risk assessments lies with the School Business Manager, Student Experience Manager and Programme Manager (for Salford Languages: DSO with ultimate responsibility for completion with Director of Salford Languages). This responsibility may be devolved to another member of staff if it is felt they are in a more appropriate position to do this.

Where do we store risk assessments?

Risk assessments should be stored safely and confidentially.

When should a risk assessment be updated and who does this?

Risk assessments should be updated when there is a change in circumstances for the student that would require risks to be reconsidered. An example of this is where a student changes course or starts a new module that may have different risks associated with it.

Who are 'key people' in relation to supporting under 18-year-olds within schools? The key person should be a Student Progression Administrator or Designated Safeguarding Officer (Salford Languages).

How often should the key person meet the student?

This depends on the age of the student. You can find guidance around frequency and type of contact within the Admission and Support of Students under 18 Years of Age Policy (page 13)

What happens if a concern is raised about an under 18?

This would depend on the nature of the concern, but as a rule, concerns raised about an under 18 should be taken to the Designated Safeguarding Officer (DSO) within the school or the Safeguarding Manager (safeguarding@salford.ac.uk).