

## ADMISSION OF STUDENTS UNDER THE AGE OF 18: POLICY

### 1. POLICY PURPOSE

1.1 The University of Southampton may occasionally admit students who are under the age of 18. In most cases this will be a temporary situation as the student will be approaching their eighteenth birthday. However, there are some instances where a student may be admitted that may remain under 18 for 12 months plus.

1.2 This policy and procedure sets out the approach the University will take when processing applications from any individual who will be under 18 years of age at the start of the academic year. It outlines to prospective students, parent(s) / guardian(s) and staff the additional conditions and safeguards that must have formal agreement prior to admission. Any specific arrangements to support and safeguard the welfare of such students cease to apply at the age of 18.

1.3 The University treats all of its students as independent and mature individuals. Students who are under the age of 18 years will be treated, as much as possible, in the same way.

1.4 The University recognises that the Equality Act 2010 requires it to ensure that it does not unlawfully discriminate against individuals on the basis of age and therefore we admit students on merit, including individuals who are under 18. However, under UK law, anyone under the age of 18 is considered a child and thus the University has an enhanced duty of care until such students reach the age of 18, even if this period is relatively brief.

1.5 . Some programmes of study are bound by external professional or placement requirements concerning age, in these cases offers will not be made to students who do not fulfil the age criteria.

### 2. CONTEXT

2.1 Applicants and parent(s)/guardian(s) should consider that the University is an adult environment; students are expected to act as adults and to assume an adult level of responsibility. Students are expected to have the necessary skills to study and live independently alongside people from a wide variety of ages and backgrounds

2.2 All applications will initially be considered on the basis of academic merit. If the applicant is not acceptable on academic grounds they will be notified through the appropriate procedure that the application has been unsuccessful.

2.3 Applicants under the age of 18 at the start of their course will be:

- offered the same terms, conditions and pricing as those over 18;
- subject to the University's academic regulations; no special or additional academic support is offered on the grounds of age;
- required to provide consent from a parent/guardian prior to an offer being issued. This will consent to their enrolment and participation in student activities and to emergency medical treatment, amongst other things.

2.4 A copy of this policy and an “Under 18 Consent Form” (Appendix A) will be sent to the applicant and parent(s)/guardian(s) to outline their obligations with the offer. A place on the programme will not be confirmed without a returned, signed “Under 18 Consent Form”.

### 3. PARENTAL RESPONSIBILITY

The University is not able to take on the 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. It is a condition of admission to the University that the parent(s)/guardian(s) of any student who is under the age of 18 years at the start of their course confirms, prior to admission, their acceptance of the arrangements set out in this policy by signing and returning an “Under 18 Consent Form”.

### 4. CONTRACTUAL AGREEMENTS

As a general rule, those under the age of 18 are unable to enter into binding legal contracts. Where contracts are required, for example relating to tuition fees or accommodation, the University requires a parent(s)/guardian(s) to act as guarantor and to honour all obligations under any contracts with the University that the student enters into prior to his or her 18th birthday. By signing the “Under 18 Consent Form”, the parent(s)/guardian(s) agree to this. Failure to pay debts due to the University could result in withdrawal from studies.

### 5. PARENTAL INVOLVEMENT / DATA PROTECTION

It is the University’s policy to communicate directly with students in all aspects of their studies and not with parent(s)/guardian(s); this approach will also apply to students who are under the age of 18 years. Although those under 18 are regarded as children under UK law, they have the legal right under the Data Protection Act (1998) for information about them not to be disclosed without their explicit consent. This means that the University is not able to give information to parent(s)/guardian(s) regarding the student’s progress, results or any other personal circumstance unless the student has given specific consent. However, if the student fails to pay any sums agreed on contract then it might be necessary to disclose this to any guarantor and possibly to a debt collection agency.

### 6. EMERGENCY CONTACT / NEXT OF KIN

Students under 18 will not be able to enrol on their course unless next of kin and emergency contact information is provided on the “Under 18 Consent Form”. For students whose parent(s)/guardian(s) are not in the UK, they must have a UK based Guardian. Emergency contact details will be re-confirmed at enrolment. It is the responsibility of the student and / or the parent(s)/guardian(s) to inform the University immediately if there are changes to any of the emergency contact information provided within the consent form.

## 7. HEALTH

In rare instances, consent for emergency medical treatment may be required before parent(s)/guardian(s) can be contacted. The University therefore requires parent(s)/guardian(s) to give their consent that, in the case of such an emergency, a senior member of the University has permission to act on medical / police advice and do what is in the best interests of the child. By signing the "Under 18 Consent Form", the parent(s)/guardian(s) indicate their consent for the University to act in this way. Parent(s)/guardian(s) are responsible for ensuring that the University has been informed of any special needs or requirements. The person who would normally act on behalf of the university in such a matter would be: *Head of School, or nominee.*

## 8. ACADEMIC COURSE CONTENT

As part of the admission process, the relevant departmental Admissions Tutor will be consulted to ensure that they and the Head of School are satisfied that the content of any academic programme would be appropriate for students under the age of 18. This includes field trips and placements, where these activities would occur at a time during the programme when the student would be less than 18 years old. If any core aspect of the course would be inappropriate the application will be rejected, but we will do our best to find an alternative solution if available. For some programmes it is a requirement of the relevant professional body that students are aged 18 or above when they enrol. Parent(s)/guardian(s) should be aware that teaching staff will not routinely be DBS checked.

## 9. FIELD TRIPS

Courses may involve compulsory or optional field trips, excursions or other periods of study away from the University. The University is not able to take any additional responsibility for a student who is under the age of 18 years in relation to such activities. Unless indicated otherwise, by signing the "Under 18 Consent Form" the parent(s)/guardian(s) gives consent for the student to take part in these activities on that basis.

## 10. ACCEPTABLE INTERNET USE

Regardless of age, all students are expected to observe the University's rules about acceptable use of the internet.

## 11. STUDENT ACCOMMODATION

Parent(s)/guardian(s) should recognise that residential accommodation offered by the University is generally intended for the use of students aged 18 and over. The University will not take any responsibility for students, even those under the age of 18, in terms of their accommodation needs.

## 12. STAFF-STUDENT RELATIONSHIPS

Under the Sexual Offences Act 2003, 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.

### 13. CHILD PROTECTION / SAFEGUARDING

As a matter of law, a person under the age of 18 years is a child. The University has a responsibility to protect those under the age of 18 years from abuse and is obliged to report any suspicions or allegations of abuse to the relevant Children's Social Services department. Any such suspicions or allegations will be reported to the University's appropriate designated person. The University's Safeguarding Policy lists specific members of University staff who have been designated as Safeguarding contacts. These staff have specific expertise in order to be able to respond to incidents and advise other members of staff. One of the contacts should be approached in the first instance. The Principal Safeguarding Officer should also be notified if a child protection referral is to be made to the appropriate authorities. The Safeguarding Policy is available on the University Calendar.

### 14. NOTIFICATION OF AGE

It is the responsibility of the applicant to truthfully declare to the University their correct date of birth. As relevant, Faculty Academic Registrar, Head of School, Admissions Tutor, Programme Leader, Accommodation Manager, Director of Student Services and Students' Union will be notified, prior to enrolment, of any student who will be under the age of 18 years at the start of the academic year. Teaching and other staff will not routinely be made aware of a student's age.

### 15. ALCOHOL AND TOBACCO

It is an offence for a person under 18 to purchase alcohol or tobacco or for anyone to sell alcohol or tobacco to such a person. 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. Individuals are subject to random checks in relation to their age when using any licensed premises in the UK, including those on the University site. Signs are posted in public areas of the University that are licensed premises notifying persons under 18 that they may not purchase alcoholic drinks. By signing the "Under 18 Consent Form" the applicant is acknowledging the legal restrictions around purchasing or consuming age restricted products.

### 16. HOLDING OFFICE

Students who are under the age of 18 are encouraged to join University or Students' Union clubs and societies but are not able to hold office until after their 18th birthday (this is because Officers carry legal responsibilities). Participation in certain activities may also be limited.

### 17. ADDITIONAL ADVICE FOR OVERSEAS STUDENTS UNDER 18

Overseas applicants under the age of 18 whose parent(s)/guardian(s) reside outside the UK must provide consent from a parent/guardian to their enrolment and identify a UK based guardian on the "Under 18 Consent Form." The UK based guardian may be a relative or friend but their consent should be confirmed before providing the University with their contact details. This is a private arrangement and the University is not able to provide assistance in finding a suitable guardian. There are agencies who will, for a fee, make arrangements. The Association of Educational Guardians for

International Students (AEGIS) inspects and provides accreditation to guardianship organisations in the UK in line with current UK legislation. For information visit: [www.aegisuk.net](http://www.aegisuk.net)

**Students sponsored under the Tier 4 (general) Student visa that are under 18 at point of entry.** In addition to the 'Under 18 Consent Form' provided for admissions purposes, such students must also provide the University with a letter from their parent(s)/official guardian(s) that confirms that they consent for them (the student) to travel to the UK to live independently and study. A pro-forma 'Tier 4 Under 18 Guardian Consent Form' can be found in the useful downloads section on the VISAS Team main webpage [www.soton.ac.uk/visa](http://www.soton.ac.uk/visa). This document must be collected and a copy kept on the students file as part of our duties as a Tier 4 sponsor as it is an Appendix D document specified in paragraph 2.8 of 'Tier 4 of the Points Based System: Guidance for Sponsors, Document 2: Sponsorship Duties, Version 10/2019' ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/843578/Tier\\_4\\_Sponsor\\_Guidance\\_-\\_Doc\\_2\\_-\\_Sponsorship\\_Duties\\_2019-10\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843578/Tier_4_Sponsor_Guidance_-_Doc_2_-_Sponsorship_Duties_2019-10_FINAL.pdf)).

#### 18. UNIVERSITY PROGRAMMES TAUGHT BY PARTNERS

Partners should have in place an appropriate policy and procedure, relevant to their educational setting, for the admission of applicants under the age of 18.

#### 19. RELATED POLICIES

Admissions Policy

Safeguarding Policy

Data Protection Policy