

UNDER 18 POLICY

Scope

1. This policy applies to all University employees, people applying to be students, third party employees (e.g. agency employees, partner staff), associates and students who in the course of their duties (organised activities and services for Under 18s) may have contact with Under 18s.
2. 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 always act appropriately.
3. The University has a responsibility for safeguarding and a number of staff have designated Safeguarding responsibility.

Policy Principles

Students Under 18 years of age

4. Most students will be 18 or over when they commence their studies or will 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.
5. 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.
6. 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.
7. 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.
8. The Admissions team must liaise with the appropriate School and Designated Safeguarding Officer throughout the process. For the admission of Under 18 applicants see the departmental responsibilities outlined below.

Admission arrangements for applicants who will be under the age of 18 on commencement of studies

9. Where an applicant will be under the age of 18 at the start of their chosen course, the University will require the applicant's parent/guardian to sign the University's Consent Form and return it to the Admissions Office as confirmation that they, the parent/guardian, have read and understood the nature of the obligations which the University owes to its students under the age of 18 and the extent of the services and facilities available to them.

10. No applicant under the age of 18 will be admitted by the University unless and until the Consent Form has been signed and returned to the Admissions Office.

11. Where the parents/guardians of an applicant under the age of 18 are not resident in the UK, the University requires that a UK-based guardian is appointed, and the guardian's details are provided in writing to the University as a condition of admission.

12. Under the guidance produced by the Home Office, applicants can apply for a UKVI Student Visa to study in the UK if they are 16 years old or older. This would mean that if an international applicant is 15 years or younger when studying, the University would be unable to support their application to study.

13. The University must comply with regulations set by the UK Visas and Immigration (UKVI). As such, parents/guardians must ensure that suitable care arrangements are in place for a child under the age of 18 who will study in the UK and be sponsored by the University under its Student Visa licence.

14. The Consent Form requires parents/guardians to confirm:

- their relationship to the applicant
- that they consent to the application as a UKVI Student Visa student
- that they consent to the applicant's living arrangements in the UK
- that they consent to the applicant's independent travel to the UK
- the arrangements for the applicant's travel, reception to the UK and living arrangements.

15. A student aged 16 or 17 has the legal right to live independently in the UK and may make their own accommodation arrangements. However, when a 16 or 17 year old applies for a visa under the UKVI Student Visa route, they must have their parents' or a legal guardian's permission both to travel to the UK and live independently.

16. If one parent or legal guardian has legal custody of or sole responsibility for the applicant, this must be confirmed on the Consent Form and the form signed by that parent or legal guardian. If not, then both parents or legal guardians must give their consent and the form must be signed by both of them.

Risk Assessment

17. For all under 18s the Course Leader and nominated Designated Safeguarding Officer should complete a Risk Assessment (Appendix B). This risk assessment should include risks over and above the standard, such as identification of those personnel with whom the student may have one-to-one contact and indicate the need for a Disclosure and Barring Service (DBS) check.

18. Compliance with this assessment is the responsibility of any staff who would routinely interact with each student.

19. A master copy of this document will be retained within the central Safeguarding case records.

20. The Course Leader is responsible for informing the relevant school staff of the arrival of an under 18 and of any remedial action to be implemented.

Safer Recruitment and Selection Procedures

21. 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 trust e.g. student support staff, security employees. In cases where employees are identified as undertaking 'regulated activity', it is a requirement that they should be DBS checked.

22. Employee vetting requirements are set out in the on-boarding process and [Disclosure and Barring Service \(DBS\) Policy Practice](#).

23. 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 Course Leader and the Dean of School to identify any staff who may be undertaking 'regulated activity' with these students on a regular basis, and so who may require a DBS check.

Safeguarding Concerns

24. In line with the Safeguarding Policy and Code of Conduct, 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.

25. Such concerns should never be left unreported. The DSOs will have received training and are aware of what reporting and actions may need to be taken. For full information consult the [Safeguarding Policy and Code of Practice](#).

Medical treatment

26. Students who are 16 years of age 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 their 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 considered. If a medical emergency arises and it is not possible to contact the parent / guardian using the contact details supplied, the University will endeavour to support the student in accessing treatment where it is in their best interests.

Record Keeping and Confidentiality

27. It is the University's usual policy to deal directly with students and not their parents. Minors over 16 years of age have the same rights under the General Data Protection Regulation (GDPR) as those over 18. This means that the University will not disclose any information about applicants and/or students without their specific consent.

28. However, if the applicant/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.

29. 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 are serious welfare or safeguarding concerns.

30. 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.

Contractual arrangements

31. 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.

Accommodation

32. The university does not own or manage any residential accommodation. Student accommodation offered by university partners is generally intended for the use of adults.

33. Arrangements with student and private accommodation providers are the responsibility of the student and their parent(s) or guardian(s).

Private foster care arrangements

34. It should be noted that children under 16 years old (or under 18 years old if disabled) are privately fostered when they are cared for on a full-time basis exceeding 28 days by adults, who are not their parents, legal guardians, or a close relative. It is the responsibility of the parent, carer, and anyone else involved in making the private fostering arrangement, including the licensed Student sponsor in the case of UKVI sponsored students, to notify the local authority of a private fostering arrangement.

35. A close relative caring for the child is not considered to be a private foster carer and so will not need to register with a UK local authority. A close relative is a person aged 18 or over who is the child's:

- grandparent
- brother
- sister
- step-parent
- uncle (the brother or half-brother of the child's parent)
- aunt (the sister or half-sister of the child's parent)

Leisure time

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

- a) Membership of a student activity group may 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 may be refused due to age restrictions.

Work Placements

37. 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.

38. The University will 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.

39. Work placement will form part of the risk assessment (See appendix B).

40. 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. (See [Work Based Learning and Placement Framework](#)).

Field Trips

41. 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. (See [MySuffolk Health and Safety](#) Risk Assessment and Safe Working Practices and Trips, Placements and Fieldwork)

Relationships with Under 18s

42. 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.

University Welcome and Induction

43. On acceptance of an offer made by the University, new students will be provided with 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.

44. Students who are under 18 will be offered an additional welcome to the University, through a welcome event 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 staff.

45. Appendix A provides guidance for staff on the proposed support arrangements for students under the age of 18.

Appendix A: Guidance for Staff

1. Students who are under 18 are among our most vulnerable, as for the purposes of safeguarding, under UK law 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 Safeguarding Policy and Code of Practice.

Allocation of key points of contact and frequency of engagement

2. Students who are under 18 will be assigned an appropriate member of staff to monitor and extend pastoral support. 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.

16-year olds

Contact with key university staff – Once every 2 weeks

Contact with Designated Safeguarding Officer – Twice per term

17-year olds

Contact with key university staff – Once a month

Contact with Designated Safeguarding Officer – Once per term

Scope of support

3. Engaging under 18 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.

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

- Attendance and engagement with their programme
- Health and wellbeing
- Relationships
- Contact with guardian

5. Staff should keep a record of any one-to-one intervention's with under 18's, as per the under 18's risk assessment.

International Students

6. International students are often living away from caregivers which can increase their vulnerability. All international students who are under 18 should have a UK based guardian.

However, 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.

7. 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 Designated Safeguarding Officers.

Managing concerns

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

- Referral to Wellbeing and Counselling Services
- Discuss with Designated Safeguarding Officers
- Call a case meeting

9. Please ensure that your Lead DSO is made aware of any concerns you have about a student who is under 18. Please also see the University Safeguarding Policy for guidance around managing safeguarding concerns.

Case Meetings

10. 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.

11. 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 DSO team.

Contacting your Designated Safeguarding Officers

12. Designated Safeguarding Officers based at the Ipswich campus can be contacted by:

- Telephone 01473 338400 (select option 'safeguarding')
- Email Safeguarding@uos.ac.uk

13. More information and the contact details of Safeguarding Officers at partner campuses can be found on the University website and [Safeguarding](#) page.

Contacting parents and guardians

14. 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.

15. 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 Lead DSO/Deputy Designated Safeguarding Lead.

Appendix B: Students under the age of 18 – Risk assessment and remedial action

The following pages provide examples of when a student may potentially be at risk during their studies at the University. Please consider whether or not the student may be affected by any of these circumstances, and record in the following table the actions that can be taken to reduce the risk to the student. Once completed please:

- keep a copy for your own records
- circulate it to those members of staff who will be interacting with the student
- return the document to your School Business Manager who will collate it with others in your School and submit them to the University Safeguarding Officer
- Please remember to update the risk assessment should this be considered necessary following any changes

Name of student:		Student Number:	
Programme:		Course Leader:	
Person completing the assessment:		Date assessment completed:	

Remedial Action to be taken (if any)	By when	Responsibility
1.		
2.		
3.		
4.		
5.		

Hazards	Who May be Harmed and How?	S	L	Risk	Control measures to reduce risk	S	L	Risk	Further Actions
1:1 contact with the U18 student	University staff and Student. <ul style="list-style-type: none"> Risk of abuse. False allegations of abuse whether justified or not. 				<ul style="list-style-type: none"> Designated Safeguarding Officers are DBS checked 				<ul style="list-style-type: none"> Check DBS requirements for other staff. Identify designated staff to conduct welfare checks. Maintain records of 1:1 meetings.
Group work	Students <ul style="list-style-type: none"> Abuse of student False allegations of abuse. 				<i>Consider size of group</i>				
Access to age-inappropriate material	Under 18 student / parents				<ul style="list-style-type: none"> Included in parental / guardian consent form obtained through admission process. Remind student of Acceptable use of IT policy 				<ul style="list-style-type: none"> Consider use of social media as part of programme. Consider course content and discuss needs with student. Review through pastoral meetings
Insurance cover	U18 student / University				<ul style="list-style-type: none"> Suitable insurance is in place 				<ul style="list-style-type: none"> Consider insurance arrangements for trips / placements, if applicable.
Medical emergency	U18 student / staff / parents Injury, physical / mental illness.				<ul style="list-style-type: none"> Parent / guardian consent form UKVI students are engaged with a UK-based guardian (if parent is not located in the UK) 				<ul style="list-style-type: none"> Seek a care plan for students with long-term medical conditions through Disability and Wellbeing

	Exacerbation of a pre-existing condition				•				team (or equivalent)
Teaching and learning spaces	U18 student Standard risks e.g. access . egress, slips, trips, falls				• University general risk assessment and safety practice.				
Accommodation	U18 student / students • Abuse of student • False allegations of abuse.				• Share information with Accommodation provider				
Field trips									
Placements and / or work experience.	U18 student, staff and placement provider. <i>Ensure legal requirements regarding U18s are met.</i>				Consider: • <i>Placement provider informed of student's age</i>				<ul style="list-style-type: none"> • Placement provider informed of student's age • Student given key contact at placement for any issues • Placement key contact is given key staff member at University to report any concerns • Regular contact with placement provider • Regular contact with student
Students' activity	Union U18 student, SU and university <i>Activities involving alcohol Student clubs and society membership</i>				Consider: • <i>Consent to share information with the Student's Union.</i> • <i>Explore with the student plan for engagement.</i>				

University of Suffolk – Risk Assessment – Key & Matrix

All risks are scored with a numerical system, considering severity and likelihood. RISK = SEVERITY x LIKELIHOOD (Minor severity with Possible likelihood would be 2x3=6)

	SEVERITY (S)		LIKELIHOOD (L)
1	Insignificant	1	Remote (Less than 20%)
2	Minor	2	Unlikely (20% to 39%)
3	Moderate	3	Possible (40% to 59%)
4	Major	4	Probable (60% to 79%)
5	Severe	5	Certain (80% or Over)

Impact Definitions

- 1 – Insignificant – E.g. an incident with minimal damage or loss.
- 2 – Minor – E.g. a minor injury (Cut or minor bruising.)
- 3 – Moderate – E.g. over 7 day injury or temporary ill health.
- 4 – Major – E.g. a RIDDOR reportable injury.
- 5 – Severe - E.g. a fatality, life threatening injury or life shortening disease.

RISK MATRIX

			LIKELIHOOD				
			1	2	3	4	5
			Remote	Unlikely	Possible	Probable	Certain
SEVERITY	1	Insignificant	1	2	3	4	5
	2	Minor	2	4	6	8	10
	3	Moderate	3	6	9	12	15
	4	Major	4	8	12	16	20
	5	Severe	5	10	15	20	25