



## POLICY FOR PROCESSING UK/EU APPLICATIONS WHERE APPLICANT WILL BE UNDER 18 AT THE START OF PROGRAMME

### 1. Background

The Employment Equality (Age) Regulations 2006 came into force on 1 October 2006. The Regulations apply to employment and vocational training, and government guidance indicates that it is designed to cover all courses at FE and HE institutions.

The Regulations prohibit direct and indirect discrimination, harassment and victimisation on the grounds of age. Keele University therefore does not operate a minimum or maximum age of entry in its admissions criteria.

However, anyone under 18 years of age is, as a matter of law defined as a child; and the University recognises it has an enhanced duty towards children.

The following policy has been established to work towards ensuring fulfillment of duty of care towards under 18 year olds.

The existing child protection legislation and the Care standards Act 2000 imposes a duty on local education authorities, schools and FE to safeguard and promote the welfare of children receiving education or training. This legislation does not extend to HEIs; however universities do have a common law duty of care that includes safeguarding young people.

### Procedure

1. When the UK/EU Admissions Department receives a form, check date of birth.
  - 1.1. If the applicant will be less than 18 for start of course and if wishing to make an offer, then offer written on the bottom of the UCAS form but **not** input onto SCIMS, and form referred to the UK/EU Admissions Manager, or nominee (N.B. if wishing to reject, input on SCIMS and process as normal).
2. All cases will be initially considered by the UK/EU Admissions Manager, or nominee, against an agreed checklist of risk assessment (Appendix 1).
  - 2.1. Any who meet or surpass the agreed threshold of acceptable risk will be written to at their home address in order to explain the University's position (e.g. does not accept an *in loco parentis* responsibility for children) and to ensure parental consent (and UK guardianship where applicable). (Appendix 2)
  - 2.2. Any who clearly fall below the agreed threshold of acceptable risk will be referred to the Head of Planning and UK/EU Admissions with a copy of the checklist used, indicating which criteria the applicant did not meet, along with a recommendation to offer a deferred place. Applicants applying for courses where there are compulsory placements, off campus activities etc. will require special consideration and may need to be referred to the Head of School/PGR Director or nominee for advice.
3. In cases from 2.1, the applicant should be given reasonable time in which to respond.

- 3.1. Once parental consent received in writing, the application can be processed in the normal way (a copy of the consent form will be electronically stored on SCIMS).
- 3.2. Where an applicant/parent has not responded to any correspondence requesting consent, the application will be held for a minimum of 2 months from the date first logged.
- 3.3. In cases where external deadlines take precedence, the UK/EU Admissions Manager, or nominee, should reconsider the application for a deferred offer in the interim, with a view to restoring the original entry date if parental consent is subsequently received and if external deadlines permit.
- 3.4. If the parent writes to deny consent, then a copy of letter will be stored with application and a reject decision will be input.
4. In August following confirmation, UK/EU Admissions will create a list of under 18 year old candidates with unconditional firm offers, to be circulated to Student Support and Accommodation.

### **Appeal Process**

5. If an applicant wishes to appeal against the decision made by the Head of Planning and Academic Administration (normally to defer their place) this appeal must be made in writing to the Director of Planning and Academic Administration.
  - 5.1 An appeal must be received in writing within 14 days of the decision being communicated to the applicant.
  - 5.2 The decision reached by Director of Planning and Academic Administration is final and there is no further right of appeal.

### Checklist of Risk Assessment - Criteria for applicants classed as minors

Applicant's Name:	
Personal ID:	Course:
Specific requirements for Course <i>e.g. placement in 1<sup>st</sup> Year, Film Studies?</i>	Yes / No <i>If 'Yes' please provide details below:</i>

Based on the application, confirm evidence for the below criteria to assess the evidence for the applicant as a responsible and aware minor and therefore one deemed to be at a lesser risk within the University environment. Additional points (up to a max. of 3) may be awarded based on volume or depth of evidence in any listed category. If no experience in any category mark as 0. The total score of the assessed evidence indicates the level of perceived risk (the higher the score the lower the risk) and must then be weighted against the duration of risk indicated by the number of months after commencing the course the student would remain a minor. If the Level minus the Duration of Risk is a positive score, then it should be considered acceptable.

Evidence	Score
Employment / work experience	
Time spent away from home	
Recommendation for study from academic referee	
Extra-curricular activities	
Familiarity with Staffordshire area (e.g. home address/ school/ activities within N Staffs)	
Positions of responsibility and trust (e.g. positions held in school/ work/ voluntary organisations/ societies)	
	<b>Level of Risk score</b>
	<b>Minus Duration of Risk</b> (-1 for every complete month)
	<b>Total Risk Liability</b>

Based on the above criteria, the decision is to:

- Obtain parental consent (see below)
  Reject / Defer  
 Refer (to Head of Planning & UK/EU Admissions)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Head of Planning & UK/EU Admissions' decision (where appropriate):

- Obtain parental consent (see below)
  Reject / Defer

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Parental consent (where appropriate):

- Given – proceed with offer & upload on SCIMS
  Not given – Reject / Defer

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix 2

To: The Parent (with parental responsibility) or Guardian of:

Dear Sir/Madam

We are delighted that your son/daughter has applied to Keele University. We note that (name) will be under 18 years of age at the start of (his/her) higher education course. Whilst we do not feel this will affect (name)'s academic performance at University, we will require written consent from you as the parent (with parental responsibility)/guardian.

United Kingdom law defines people under the age of 18 years as children. Although Universities are not specifically covered under legislation, the University recognises that it has special duties of care towards children. In order for us to fulfil this duty of care I would like to inform you of the following:

- i) the University is not in 'loco parentis'. This means that the University will not act in a parental capacity towards your child.
- ii) In general, students are not supervised in accommodation on a daily basis.
- iii) Keele University campus catering facilities include several bars that are licensed. You may wish to advise your child that they will be breaking the law should they consume or purchase alcohol whilst under the age of 18.
- iv) As a minor under UK law, your son/daughter cannot enter into a contract without parental consent and this not only affects their application, but also any subsequent enrolment and membership of the University, payment of fees or residence.

I would therefore be grateful if you could sign the attached form, confirming your permission for your child to attend the course and providing us with your preferred means of emergency contact. Please note English law requires any minor studying in the UK to have a parent (with parental responsibility) or legal guardian resident within the UK for the duration of those studies. Therefore, if you are not currently resident or intend to leave the UK before your child reaches the age of 18, please also provide details of a nominated guardian on the attached form.

If for any reason consent is not given, then I very much regret to inform you that we would not be able to proceed with your child's application.

If you are unsure about the details of any part of this letter, please do not hesitate to contact me.

Yours faithfully

Jo Ladwa  
UK/EU Admissions Manager

## Parental Consent Declaration Form

The University requires that students under the age of 18 years who apply for a place on a University programme must have the permission of their parent (with parental responsibility) or legal guardian to attend the programme.

### Parents/Guardians

I recognise that the University cannot act 'in loco parentis' (in place of the parent) at any stage of the attendance on the programme of study, either on or off campus.

If (name) is successful in his/her application and chooses to study at Keele University, then he/she has my permission to sign whatever contracts are necessary for induction in to the University. I also give permission for relevant University departments/services to be made aware of my son/daughter's details and age on enrolment (including Student Union). I understand that he may be required to complete a period on placement away from the university as a standard part of his/her studies.

I hereby give my consent to (name) applying to Keele University to study full time on the University premises.

Signed: .....

(Parent (with parental responsibility)/guardian\* - \* please delete as appropriate)

Print parent/guardian name:

Home Tel:

Work Tel:

Mobile Tel:

Nominated parent/guardian address:

Date:

I would like the University to communicate with the contact nominated below in an emergency situation:

Name:

Home Tel:

Work Tel:

Mobile Tel:

Nominated contact address:

### **Declaration of legal guardianship in UK where signatory above is not currently resident or intend to leave the UK before your child reaches the age of 18.**

The legal guardian for (name) whilst in the UK will be (if applicable)

Full Name:

Address:

Telephone:

I, as the consenting parent (with parental responsibility), have informed the above named guardian of his/her responsibility.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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