

Policy and Procedure for Students Under 18



BATH SPA
UNIVERSITY

1. Purpose

- 1.1 This document outlines the approach of Bath Spa University towards prospective and current students who are under the age of 18, both in terms of Safeguarding this group and ensuring an enjoyable university experience, providing reassurance to the student themselves as well as their family and support network, be that locally or internationally (including those holding Student visas).

2. Definitions

- 2.1 Under the Children Act 1989, a child is defined as “a person under the age of 18”. Accordingly, any students yet to reach the age of 18 years are regarded as children, including within this policy and procedure.

3. Scope

- 3.1 This policy and procedure applies to all Bath Spa University provision, including candidates applying to study at one of the University’s Educational Partners.

4. Policy

4.1 Introduction

- 4.1.1 The University will consider applications from candidates who will be under the age of 18 at the time of commencing study at Bath Spa University and will be approaching their 18 birthday soon after starting. Applications are considered on their merits, and an offer may be made to candidates who will be under 18 at the time of commencement of study, if it is evidenced that the candidate has the potential, intellect and academic ability to successfully complete the relevant programme of study. The University may exceptionally consider an application from a candidate aged between 16 and 18 years of age and this will be assessed on a case-by-case basis.
- 4.1.2 The University is unable to consider applications from under 18 candidates for those courses where there are accreditation and legal age requirements which may preclude students under the age of 18, for instance on some health-related and professional accreditation programmes.
- 4.1.3 Admission of International Students or those on Student Route Visas under the age of 18 Under Section 55 of the Borders, Citizenship and Immigration Act 2009, the Home Office must have regard to the need to safeguard children and protect their welfare. All children studying in the UK must have suitable care arrangements in place for their travel, reception on arrival in the UK and living arrangements while here. This applies up to a child’s 18th birthday.

4.2 Parents, Legal Guardians and Guardians

4.2.1 Prior to arrival at the University, any student under the age of 18 at their enrolment date must provide the University with contact details for their:

- Parent, or
- Other legal guardian if both parents are deceased, overseas or otherwise unavailable; And
- Provide evidence to the University if one, or both parents are deceased, or where one parent legally holds sole parental responsibility.

If the parent or legal guardian does not reside in the country of study, a guardian must be appointed. Such a guardian is required to complete a consent form confirming they meet the following requirements and expectations.

4.2.2 A guardian should:

- Be a close relative of the applicant's family;
- Have British or settled status (if the applicant will be studying in the UK) and not be a full-time student;
- Be over the age of 18;
- Reside in the UK, or the country of study, and ideally within 2 hours travel distance from the location of the student's course;
- Be able to speak English or the local language of the country of study (as appropriate);
- Be contactable in an emergency;
- Not have a criminal conviction;
- Not be a Bath Spa University staff member or registered student.

4.2.3 The expected responsibilities of a UK-based guardian are to:

- Act on behalf of the student's parents and perform the parental tasks and responsibilities delegated by them until the student is 18.
- Act as the student's trusted contact.
- Provide support and assistance to the student and to be in regular contact with them.
- Accommodate (house) the student in an emergency.
- Contact the University's Student Wellbeing Services if they are concerned about the student (studentwellbeing@bathspa.ac.uk).

4.2.4 Under 18 offer-holders and their parent/s should discuss these responsibilities with the proposed guardian and ask for their consent before providing the University with their contact details.

4.2.5 The University requires a copy of the guardian's agreement with the parents, as part of any offer made to the student. The University is not able to appoint, or assist in the finding of a suitable guardian, but provides guidance to applicants, see 'Guardianship Advice' ([Guardianship advice – Bath Spa University](#)).

4.2.6 A guardian must be a close relative living in the UK or the country of study or, if the applicant chooses to, they can hire an Educational Guardian through an AEGIS accredited agency, Association of Educational Guardians for International students: www.aegisuk.net.

4.2.7 Often, international students' parent/s or legal guardian will reside outside of the UK. No CAS will be issued without details of the student's guardian being confirmed.

4.3 Students' general rights and responsibilities

4.3.1 The University offers an adult environment and treats all students as mature, independent individuals. In particular, the University will normally deal and correspond directly with the student rather than with their parent/s.

4.3.2 Students under the age of 18 at the time of enrolment are asked to agree and sign a declaration that states the following:

- I agree to work with Student Wellbeing Services and my allocated Advisor, or equivalent if studying at an Educational Partner institution, to review the Support to Study Action and Support Plan until I am 18.
- I understand that students are expected to seek support as they require it. This could be from an academic or Student Wellbeing Services.
- I understand that the University is an adult environment and that all students should act as adults and behave in an appropriate manner.
- I understand that I should assume responsibility for my own studies and lifestyle, including adapting to independently living away from home.
- I understand that I should engage with my allocated Wellbeing Advisor and Academic Advisor to maintain contact and review progress.
- I understand that I should demonstrate that I have the right skills to study and live independently with diverse groups of people.
- I understand that my ability to participate in certain University activities may be restricted until I am 18.
- I will comply with the laws of the UK, for instance regarding the purchase, selling or purchase of alcohol or tobacco prior to age 18.

4.3.3 The University acknowledges that someone under the age of 18 is legally a child, and may have additional support requirements, however, the University will not 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 under age 18. The University also will not assume responsibility for any

students' acts or omissions.

4.4 Accommodation

- 4.4.1 The University aims to provide accommodation to all its new students, although this cannot be guaranteed, or will assist them to find it locally. Residential accommodation on offer to University students is intended for the use of adults. Under 18 students are eligible and encouraged to apply for Priority Halls in their first year of study, [Priority halls – Bath Spa University](#). Through Priority Halls the University can ensure the allocated accommodation is suitable for an under 18 student.
- 4.4.2 It is ultimately the responsibility of each student (including for students under the age of 18, their parent or guardian) to assess whether the accommodation on offer is suitable to their needs and whether its terms of occupancy are reasonable. The parent or legal guardian of a student under the age of 18 will normally be asked to guarantee the payment of any rent or other accommodation fees.

4.5 Library, Placements, Field Trips and Exchanges

- 4.5.1 Learning resources provided by the University Library (including electronic resources) are generally intended for use by over 18s and may include adult-themed text and images. It is the responsibility of the individual not to access material which is unsuitable for their age.
- 4.5.2 As part of a programme of study, students may be required or offered the opportunity to attend field trips, placements, excursions or other off-site study activities. If there are limitations on under 18 students from participating in such activities, for example because of insurance restrictions, they will be informed.

4.6 Disclosure and Barring Services, DBS

- 4.6.1 The University conducts DBS checks for staff who satisfy the relevant criteria, to ensure suitability for working with under 18s and vulnerable groups. More information is available in the DBS Policy.

4.7 Contracts and Holding Positions of Office

- 4.7.1 Any person under the age of 18 is unable to enter into a legal contract. If a student under the age of 18 needs to enter into a contract with the University, for instance relating to tuition fees or accommodation, the student's parent, legal guardian or guardian is required to guarantee the student's obligations under that contract.

- 4.7.2 A failure by a student to pay any sums due under a contract may result in demand being made by the University on the parent, legal guardian or guardian. Any continuing failure to pay the University may result in studies being interrupted.
- 4.7.3 Under 18-year-old students are encouraged to actively participate in clubs and societies organised by Bath Spa University Students' Union, however they are unable to hold office until they reach age 18, as they will be unable before this age to discharge an office-holder's legal responsibilities.
- 4.8 Privacy and how the University uses your information
- 4.8.1 The University requests and stores details of parents/legal guardians, and guardians where applicable, for under 18 applicants to enact legal Safeguarding responsibilities, and is a requirement of the Student Visa.
- 4.8.2 This information is stored on the relevant University information systems in accordance with legislative requirements including the General Data Protection Regulation and Data Protection Act 2018.
- 4.8.3 The University uses the details of parents or legal guardians very rarely. It is the University's usual policy to correspond with students and not with parents, legal guardians or guardians and 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 still generally have the legal right under the Data Protection legislation for information about them not to be disclosed. This means that the University will not usually give information to parents or legal guardians regarding the student's progress, results or any other personal circumstance unless the student has given specific consent, or specific circumstances apply when the University is obliged to contact their named parent/legal guardian/guardian. The University's approach is detailed in the 'Trusted Contact Policy' ([student trusted contact procedure Feb2024.pdf](#)).
- 4.8.4 Wherever possible, the student's permission will be sought prior to the University contacting their parent, legal guardian or guardian. If this is not possible, for instance because the student is incapable or unconscious, or if permission is denied and the law requires it, in exceptional circumstances the University may contact the parent, legal guardian or guardian. This will usually be where there are serious concerns for the wellbeing or safety of the individual student. For example, the University becoming aware of the student being admitted to hospital, a serious illness (mental or physical), or when a student is 'missing'.
- 4.8.5 For those students not studying on a Student Visa, data around parents/legal guardians/guardians will be retained until the student's 18th birthday. Following that, the information will be removed from University records.
- 4.8.6 If upon the date the student is due to enrol with the University and they will be under the age of 18, the following procedure will be followed.

5 Procedure

5.1 Safe Recruitment

5.1.1 When an applicant meets the University's admissions entry requirements a formal offer letter is sent. If the applicant will be under the age of 18 when they enrol with the University a clearance check requirement will be recorded on the student record system.

5.1.2 Once an applicant has firmly accepted their offer (on UCAS or via email if a direct application):

- The offer-holder and their parent/s or legal guardian are required to complete the 'Under 18 Consent Form'. A letter with a link to the form is automatically sent and managed by the Student Registry Compliance and Safeguarding team and must be completed.
- When the offer holder is subject to international tuition fees and has a guardian, the guardian must complete a consent form to confirm they agree to the expectations of a guardian's role, as stated in 4.2.
- If international fee paying, the offer-holder must pay a deposit.

5.1.3 Once these requirements are met, and all other conditions are satisfied, and for international offer-holders, the CAS will be issued in accordance with University procedures.

5.1.4 It is a legislative requirement that all under 18 prospective students who apply through the student route, must have their parent/s or legal guardian's consent that they can live and travel independently.

5.1.5 Therefore, the University must ensure consent has been received via a completed 'Under 18 Consent Form', which will be stored in the student record system.

5.2 Student Wellbeing and Safeguarding

5.2.1 The University has enhanced Safeguarding responsibilities for students who are under 18 when they start their programme of study.

- All under 18 students will commence University under Level 1 of the Support to Study Procedure ([Support to study – Bath Spa University](#)).
- All Support to Study Level 1 plans for under 18 students will be reviewed by the University's DSL for students and must be signed off before the student can register with the University and commence their programme of study.
- A Student Wellbeing Services Advisor, or equivalent if the student is studying at an Educational Partner, will be allocated to the Under 18 student as their dedicated point of contact prior to registration at the University

They will work and meet with the student, to agree a Support to Study action plan to enable their transition to University, and regularly thereafter to discuss and review their wellbeing and living arrangements.

5.2.2 The Support to Study Level 1 action plan will include:

- Details of any restrictions on activities the student can participate in until they are 18;
- Appropriate mitigations to manage the risks associated with a student under 18 living and studying in an adult environment, such as the consideration of challenging course content, field trips, and enhanced support measures;
- Liaison with the student's academic teaching team and Link Tutor if studying with an Educational Partner.
- The details of under 18 students will be held in the student record system for Student Wellbeing Services (SWS), Admissions and Student and Registry Services to access. The assigned Wellbeing Advisor will communicate with Accommodation, Students' Union, relevant School and academic teams.
- The Course Leader for the programme of study of the under 18 student, or Link Tutor if studying at an Educational Partner institution, will be notified by Student Wellbeing Services and the relevant Academic Advisor will input into the Support to Study Level 1 action and support plan and will meet with the student at regular intervals, to discuss and review their progress.

Document Details

Responsible Office: Student Wellbeing Services

Responsible Officer: Director of Student Wellbeing Services and DSL for students

Approving Authority: Academic Board

Date of latest approval: July 2025

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Related Policies and Procedures: Fitness to Study, Fitness to Train to Teach, Support to Study, Safeguarding, Trusted Contact, Disclosure and Barring Service, DBS

Supersedes: Admission of Under 18s

Next review due: August 2027